

1 AN ACT to revise the law by combining multiple enactments
2 and making technical corrections.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 1. Nature of this Act.

6 (a) This Act may be cited as the First 2026 General
7 Revisory Act.

8 (b) This Act is not intended to make any substantive
9 change in the law. It reconciles conflicts that have arisen
10 from multiple amendments and enactments and makes technical
11 corrections and revisions in the law.

12 This Act revises and, where appropriate, renumbers certain
13 Sections that have been added or amended by more than one
14 Public Act. In certain cases in which a repealed Act or Section
15 has been replaced with a successor law, this Act may
16 incorporate amendments to the repealed Act or Section into the
17 successor law. This Act also corrects errors, revises
18 cross-references, and deletes obsolete text.

19 (c) In this Act, the reference at the end of each amended
20 Section indicates the sources in the Session Laws of Illinois
21 that were used in the preparation of the text of that Section.
22 The text of the Section included in this Act is intended to
23 include the different versions of the Section found in the
24 Public Acts included in the list of sources, but may not

1 include other versions of the Section to be found in Public
2 Acts not included in the list of sources. The list of sources
3 is not a part of the text of the Section.

4 (d) Public Acts 103-1059 through 104-459 were considered
5 in the preparation of the combining revisories included in
6 this Act. Many of those combining revisories contain no
7 striking or underscoring because no additional changes are
8 being made in the material that is being combined.

9 Section 5. The Statute on Statutes is amended by setting
10 forth, renumbering, and changing multiple versions of Section
11 1.45 as follows:

12 (5 ILCS 70/1.45)

13 Sec. 1.45. Reference to armed forces or uniformed
14 services. Whenever there is a reference in any Act to "armed
15 forces", "armed forces of the United States", "U.S. Armed
16 Forces", "United States Armed Forces", or "uniformed
17 services", these terms shall be construed to include the
18 United States Space Force.

19 (Source: P.A. 103-746, eff. 1-1-25.)

20 (5 ILCS 70/1.48)

21 Sec. 1.48 ~~1.45~~. Juvenile prostitution, prostitute,
22 juvenile prostitute; prior prosecutions. If any person, before
23 July 1, 2025 (the effective date of Public Act 103-1071) ~~this~~

1 ~~amendatory Act of the 103rd General Assembly~~, has been
2 arrested, charged, prosecuted, convicted, or sentenced for
3 juvenile prostitution or patronizing a minor engaged in
4 prostitution or has been referred to in any law enforcement
5 record, court record, or penal institution record as a
6 prostitute or juvenile prostitute, the changes of the names of
7 offenses and the references to defendants in Public Act
8 103-1071 ~~this amendatory Act of the 103rd General Assembly~~ do
9 not, except as described in Public Act 103-1071 ~~this~~
10 ~~amendatory Act~~, affect any arrest, prosecution, conviction,
11 sentence, or penal institution record for such persons or
12 offenses in any law enforcement record, court record, or penal
13 institution record, or any arrest, conviction, or sentence,
14 before July 1, 2025 (the effective date of Public Act
15 103-1071) ~~this amendatory Act of the 103rd General Assembly~~,
16 and any action taken for or against such a person
17 incarcerated, on supervision, probation, conditional
18 discharge, or mandatory supervised release under the former
19 named offenses and persons shall remain valid.

20 (Source: P.A. 103-1071, eff. 7-1-25; revised 8-27-25.)

21 Section 10. The Regulatory Sunset Act is amended by
22 changing Section 4.41 as follows:

23 (5 ILCS 80/4.41)

24 Sec. 4.41. Acts repealed on January 1, 2031. The following

1 Acts are repealed on January 1, 2031:

2 The Illinois Dental Practice Act.

3 The Illinois Athletic Trainers Practice Act.

4 The Respiratory Care Practice Act.

5 The Illinois Physical Therapy Act.

6 The Illinois Roofing Industry Licensing Act.

7 The Professional Geologist Licensing Act.

8 (Source: P.A. 104-151, eff. 8-1-25; 104-152, eff. 8-1-25;
9 104-154, eff. 8-1-25; 104-427, eff. 8-15-25; revised 9-10-25.)

10 (5 ILCS 80/4.36 rep.)

11 Section 11. The Regulatory Sunset Act is amended by
12 repealing Section 4.36.

13 Section 15. The Illinois Administrative Procedure Act is
14 amended by setting forth, renumbering, and changing multiple
15 versions of Section 5-45.65 as follows:

16 (5 ILCS 100/5-45.64)

17 (Section scheduled to be repealed on June 16, 2026)

18 Sec. 5-45.64 ~~5-45.65~~. Emergency rulemaking; Medicaid
19 reimbursement rates for hospital inpatient and outpatient
20 services. To provide for the expeditious and timely
21 implementation of the changes made by Public Act 104-7 ~~this~~
22 ~~amendatory Act of the 104th General Assembly~~ to Sections 5A-2,
23 5A-7, 5A-8, 5A-10, and 5A-12.7 of the Illinois Public Aid

1 Code, emergency rules implementing the changes made by Public
2 Act 104-7 ~~this amendatory Act of the 104th General Assembly~~ to
3 Sections 5A-2, 5A-7, 5A-8, 5A-10, and 5A-12.7 of the Illinois
4 Public Aid Code may be adopted in accordance with Section 5-45
5 by the Department of Healthcare and Family Services. The
6 adoption of emergency rules authorized by Section 5-45 and
7 this Section is deemed necessary for the public interest,
8 safety, and welfare.

9 This Section is repealed on June 16, 2026 (one year after
10 the effective date of Public Act 104-7) ~~this amendatory Act of~~
11 ~~the 104th General Assembly~~.

12 (Source: P.A. 104-7, eff. 6-16-25; revised 10-8-25.)

13 (5 ILCS 100/5-45.65)

14 (Section scheduled to be repealed on June 16, 2026)

15 Sec. 5-45.65. Emergency rulemaking; Medicaid managed care
16 organization practices. To provide for the expeditious and
17 timely implementation of changes made by Public Act 104-9 ~~this~~
18 ~~amendatory Act of the 104th General Assembly~~ to subsection
19 (g-13) of Section 5-30.1 of the Illinois Public Aid Code,
20 emergency rules implementing the changes made by Public Act
21 104-9 ~~this amendatory Act of the 104th General Assembly~~ to
22 subsection (g-13) of Section 5-30.1 of the Illinois Public Aid
23 Code may be adopted in accordance with Section 5-45 by the
24 Department of Healthcare and Family Services. The adoption of
25 emergency rules authorized by Section 5-45 and this Section is

1 deemed to be necessary for the public interest, safety, and
2 welfare.

3 This Section is repealed on June 16, 2026 (one year after
4 the effective date of Public Act 104-9) ~~this amendatory Act of~~
5 ~~the 104th General Assembly.~~

6 (Source: P.A. 104-9, eff. 6-16-25; revised 10-8-25.)

7 (5 ILCS 100/5-45.66)

8 (Section scheduled to be repealed on June 30, 2026)

9 Sec. 5-45.66 ~~5-45.65~~. Emergency rulemaking; Department of
10 Natural Resources. To provide for the expeditious and timely
11 implementation of Public Act 104-19 ~~this amendatory Act of the~~
12 ~~104th General Assembly~~, emergency rules implementing the
13 changes made to the Wildlife Code by Public Act 104-19 ~~this~~
14 ~~amendatory Act of the 104th General Assembly~~ may be adopted in
15 accordance with Section 5-45 by the Department of Natural
16 Resources. The adoption of emergency rules authorized by
17 Section 5-45 and this Section is deemed to be necessary for the
18 public interest, safety, and welfare.

19 This Section is repealed on June 30, 2026 (one year after
20 the effective date of Public Act 104-19) ~~this amendatory Act~~
21 ~~of the 104th General Assembly.~~

22 (Source: P.A. 104-19, eff. 6-30-25; revised 10-8-25.)

23 (5 ILCS 100/5-45.67)

24 (Section scheduled to be repealed on August 15, 2026)

1 Sec. 5-45.67 ~~5-45.65~~. Emergency rulemaking; School Safety
2 Drill Act. To provide for the expeditious and timely
3 implementation of Section 40 of the School Safety Drill Act,
4 emergency rules implementing Section 40 of the School Safety
5 Drill Act may be adopted in accordance with Section 5-45 by the
6 State Board of Education, in consultation with the Illinois
7 State Police. The adoption of emergency rules authorized by
8 Section 5-45 and this Section is deemed to be necessary for the
9 public interest, safety, and welfare.

10 This Section is repealed on August 15, 2026 (one year
11 after the effective date of Public Act 104-407) ~~this~~
12 ~~amendatory Act of the 104th General Assembly.~~

13 (Source: P.A. 104-407, eff. 8-15-25; revised 10-8-25.)

14 Section 20. The Open Meetings Act is amended by changing
15 Section 2 as follows:

16 (5 ILCS 120/2)

17 (Text of Section before amendment by P.A. 104-457 and
18 104-458)

19 Sec. 2. Open meetings.

20 (a) Openness required. All meetings of public bodies shall
21 be open to the public unless excepted in subsection (c) and
22 closed in accordance with Section 2a.

23 (b) Construction of exceptions. The exceptions contained
24 in subsection (c) are in derogation of the requirement that

1 public bodies meet in the open, and therefore, the exceptions
2 are to be strictly construed, extending only to subjects
3 clearly within their scope. The exceptions authorize but do
4 not require the holding of a closed meeting to discuss a
5 subject included within an enumerated exception.

6 (c) Exceptions. A public body may hold closed meetings to
7 consider the following subjects:

8 (1) The appointment, employment, compensation,
9 discipline, performance, or dismissal of specific
10 employees, specific individuals who serve as independent
11 contractors in a park, recreational, or educational
12 setting, or specific volunteers of the public body or
13 legal counsel for the public body, including hearing
14 testimony on a complaint lodged against an employee, a
15 specific individual who serves as an independent
16 contractor in a park, recreational, or educational
17 setting, or a volunteer of the public body or against
18 legal counsel for the public body to determine its
19 validity. However, a meeting to consider an increase in
20 compensation to a specific employee of a public body that
21 is subject to the Local Government Wage Increase
22 Transparency Act may not be closed and shall be open to the
23 public and posted and held in accordance with this Act.

24 (2) Collective negotiating matters between the public
25 body and its employees or their representatives, or
26 deliberations concerning salary schedules for one or more

1 classes of employees.

2 (3) The selection of a person to fill a public office,
3 as defined in this Act, including a vacancy in a public
4 office, when the public body is given power to appoint
5 under law or ordinance, or the discipline, performance or
6 removal of the occupant of a public office, when the
7 public body is given power to remove the occupant under
8 law or ordinance.

9 (4) Evidence or testimony presented in open hearing,
10 or in closed hearing where specifically authorized by law,
11 to a quasi-adjudicative body, as defined in this Act,
12 provided that the body prepares and makes available for
13 public inspection a written decision setting forth its
14 determinative reasoning.

15 (4.5) Evidence or testimony presented to a school
16 board regarding denial of admission to school events or
17 property pursuant to Section 24-24 of the School Code,
18 provided that the school board prepares and makes
19 available for public inspection a written decision setting
20 forth its determinative reasoning.

21 (5) The purchase or lease of real property for the use
22 of the public body, including meetings held for the
23 purpose of discussing whether a particular parcel should
24 be acquired.

25 (6) The setting of a price for sale or lease of
26 property owned by the public body.

1 (7) The sale or purchase of securities, investments,
2 or investment contracts. This exception shall not apply to
3 the investment of assets or income of funds deposited into
4 the Illinois Prepaid Tuition Trust Fund.

5 (8) Security procedures, school building safety and
6 security, and the use of personnel and equipment to
7 respond to an actual, a threatened, or a reasonably
8 potential danger to the safety of employees, students,
9 staff, the public, or public property.

10 (9) Student disciplinary cases.

11 (10) The placement of individual students in special
12 education programs and other matters relating to
13 individual students.

14 (11) Litigation, when an action against, affecting or
15 on behalf of the particular public body has been filed and
16 is pending before a court or administrative tribunal, or
17 when the public body finds that an action is probable or
18 imminent, in which case the basis for the finding shall be
19 recorded and entered into the minutes of the closed
20 meeting.

21 (12) The establishment of reserves or settlement of
22 claims as provided in the Local Governmental and
23 Governmental Employees Tort Immunity Act, if otherwise the
24 disposition of a claim or potential claim might be
25 prejudiced, or the review or discussion of claims, loss or
26 risk management information, records, data, advice or

1 communications from or with respect to any insurer of the
2 public body or any intergovernmental risk management
3 association or self-insurance ~~self insurance~~ pool of which
4 the public body is a member.

5 (13) Conciliation of complaints of discrimination in
6 the sale or rental of housing, when closed meetings are
7 authorized by the law or ordinance prescribing fair
8 housing practices and creating a commission or
9 administrative agency for their enforcement.

10 (14) Informant sources, the hiring or assignment of
11 undercover personnel or equipment, or ongoing, prior or
12 future criminal investigations, when discussed by a public
13 body with criminal investigatory responsibilities.

14 (15) Professional ethics or performance when
15 considered by an advisory body appointed to advise a
16 licensing or regulatory agency on matters germane to the
17 advisory body's field of competence.

18 (16) Self-evaluation ~~Self evaluation~~, practices and
19 procedures, or professional ethics, when meeting with a
20 representative of a statewide or regional association of
21 which the public body is a member.

22 (17) The recruitment, credentialing, discipline or
23 formal peer review of physicians or other health care
24 professionals, or for the discussion of matters protected
25 under the federal Patient Safety and Quality Improvement
26 Act of 2005, and the regulations promulgated thereunder,

1 including 42 CFR ~~C.F.R.~~ Part 3 (73 FR 70732), or the
2 federal Health Insurance Portability and Accountability
3 Act of 1996, and the regulations promulgated thereunder,
4 including 45 CFR ~~C.F.R.~~ Parts 160, 162, and 164, by a
5 hospital, or other institution providing medical care,
6 that is operated by the public body.

7 (18) Deliberations for decisions of the Prisoner
8 Review Board.

9 (19) Review or discussion of applications received
10 under the Experimental Organ Transplantation Procedures
11 Act.

12 (20) The classification and discussion of matters
13 classified as confidential or continued confidential by
14 the State Government Suggestion Award Board.

15 (21) Discussion of minutes of meetings lawfully closed
16 under this Act, whether for purposes of approval by the
17 body of the minutes or semi-annual review of the minutes
18 as mandated by Section 2.06.

19 (22) Deliberations for decisions of the State
20 Emergency Medical Services Disciplinary Review Board.

21 (23) The operation by a municipality of a municipal
22 utility or the operation of a municipal power agency or
23 municipal natural gas agency when the discussion involves
24 (i) contracts relating to the purchase, sale, or delivery
25 of electricity or natural gas or (ii) the results or
26 conclusions of load forecast studies.

1 (24) Meetings of a residential health care facility
2 resident sexual assault and death review team or the
3 Executive Council under the Abuse Prevention Review Team
4 Act.

5 (25) Meetings of an independent team of experts under
6 the Developmental Disability and Mental Health Safety Act
7 or Brian's Law.

8 (26) Meetings of a mortality review team appointed
9 under the Department of Juvenile Justice Mortality Review
10 Team Act.

11 (27) (Blank).

12 (28) Correspondence and records (i) that may not be
13 disclosed under Section 11-9 of the Illinois Public Aid
14 Code or (ii) that pertain to appeals under Section 11-8 of
15 the Illinois Public Aid Code.

16 (29) Meetings between internal or external auditors
17 and governmental audit committees, finance committees, and
18 their equivalents, when the discussion involves internal
19 control weaknesses, identification of potential fraud risk
20 areas, known or suspected frauds, and fraud interviews
21 conducted in accordance with generally accepted auditing
22 standards of the United States of America.

23 (30) (Blank).

24 (31) Meetings and deliberations for decisions of the
25 Concealed Carry Licensing Review Board under the Firearm
26 Concealed Carry Act.

1 (32) Meetings between the Regional Transportation
2 Authority Board and its Service Boards when the discussion
3 involves review by the Regional Transportation Authority
4 Board of employment contracts under Section 28d of the
5 Metropolitan Transit Authority Act and Sections 3A.18 and
6 3B.26 of the Regional Transportation Authority Act.

7 (33) Those meetings or portions of meetings of the
8 advisory committee and peer review subcommittee created
9 under Section 320 of the Illinois Controlled Substances
10 Act during which specific controlled substance prescriber,
11 dispenser, or patient information is discussed.

12 (34) Meetings of the Tax Increment Financing Reform
13 Task Force under Section 2505-800 of the Department of
14 Revenue Law of the Civil Administrative Code of Illinois.

15 (35) Meetings of the group established to discuss
16 Medicaid capitation rates under Section 5-30.8 of the
17 Illinois Public Aid Code.

18 (36) Those deliberations or portions of deliberations
19 for decisions of the Illinois Gaming Board in which there
20 is discussed any of the following: (i) personal,
21 commercial, financial, or other information obtained from
22 any source that is privileged, proprietary, confidential,
23 or a trade secret; or (ii) information specifically
24 exempted from the disclosure by federal or State law.

25 (37) Deliberations for decisions of the Illinois Law
26 Enforcement Training Standards Board, the Certification

1 Review Panel, and the Illinois State Police Merit Board
2 regarding certification and decertification.

3 (38) Meetings of the Ad Hoc Statewide Domestic
4 Violence Fatality Review Committee of the Illinois
5 Criminal Justice Information Authority Board that occur in
6 closed executive session under subsection (d) of Section
7 35 of the Domestic Violence Fatality Review Act.

8 (39) Meetings of the regional review teams under
9 subsection (a) of Section 75 of the Domestic Violence
10 Fatality Review Act.

11 (40) Meetings of the Firearm Owner's Identification
12 Card Review Board under Section 10 of the Firearm Owners
13 Identification Card Act.

14 (d) Definitions. For purposes of this Section:

15 "Employee" means a person employed by a public body whose
16 relationship with the public body constitutes an
17 employer-employee relationship under the usual common law
18 rules, and who is not an independent contractor.

19 "Public office" means a position created by or under the
20 Constitution or laws of this State, the occupant of which is
21 charged with the exercise of some portion of the sovereign
22 power of this State. The term "public office" shall include
23 members of the public body, but it shall not include
24 organizational positions filled by members thereof, whether
25 established by law or by a public body itself, that exist to
26 assist the body in the conduct of its business.

1 "Quasi-adjudicative body" means an administrative body
2 charged by law or ordinance with the responsibility to conduct
3 hearings, receive evidence or testimony and make
4 determinations based thereon, but does not include local
5 electoral boards when such bodies are considering petition
6 challenges.

7 (e) Final action. No final action may be taken at a closed
8 meeting. Final action shall be preceded by a public recital of
9 the nature of the matter being considered and other
10 information that will inform the public of the business being
11 conducted.

12 (Source: P.A. 103-311, eff. 7-28-23; 103-626, eff. 1-1-25;
13 104-438, eff. 1-1-26; revised 1-12-26.)

14 (Text of Section after amendment by P.A. 104-457 and
15 104-458)

16 Sec. 2. Open meetings.

17 (a) Openness required. All meetings of public bodies shall
18 be open to the public unless excepted in subsection (c) and
19 closed in accordance with Section 2a.

20 (b) Construction of exceptions. The exceptions contained
21 in subsection (c) are in derogation of the requirement that
22 public bodies meet in the open, and therefore, the exceptions
23 are to be strictly construed, extending only to subjects
24 clearly within their scope. The exceptions authorize but do
25 not require the holding of a closed meeting to discuss a

1 subject included within an enumerated exception.

2 (c) Exceptions. A public body may hold closed meetings to
3 consider the following subjects:

4 (1) The appointment, employment, compensation,
5 discipline, performance, or dismissal of specific
6 employees, specific individuals who serve as independent
7 contractors in a park, recreational, or educational
8 setting, or specific volunteers of the public body or
9 legal counsel for the public body, including hearing
10 testimony on a complaint lodged against an employee, a
11 specific individual who serves as an independent
12 contractor in a park, recreational, or educational
13 setting, or a volunteer of the public body or against
14 legal counsel for the public body to determine its
15 validity. However, a meeting to consider an increase in
16 compensation to a specific employee of a public body that
17 is subject to the Local Government Wage Increase
18 Transparency Act may not be closed and shall be open to the
19 public and posted and held in accordance with this Act.

20 (2) Collective negotiating matters between the public
21 body and its employees or their representatives, or
22 deliberations concerning salary schedules for one or more
23 classes of employees.

24 (3) The selection of a person to fill a public office,
25 as defined in this Act, including a vacancy in a public
26 office, when the public body is given power to appoint

1 under law or ordinance, or the discipline, performance or
2 removal of the occupant of a public office, when the
3 public body is given power to remove the occupant under
4 law or ordinance.

5 (4) Evidence or testimony presented in open hearing,
6 or in closed hearing where specifically authorized by law,
7 to a quasi-adjudicative body, as defined in this Act,
8 provided that the body prepares and makes available for
9 public inspection a written decision setting forth its
10 determinative reasoning.

11 (4.5) Evidence or testimony presented to a school
12 board regarding denial of admission to school events or
13 property pursuant to Section 24-24 of the School Code,
14 provided that the school board prepares and makes
15 available for public inspection a written decision setting
16 forth its determinative reasoning.

17 (5) The purchase or lease of real property for the use
18 of the public body, including meetings held for the
19 purpose of discussing whether a particular parcel should
20 be acquired.

21 (6) The setting of a price for sale or lease of
22 property owned by the public body.

23 (7) The sale or purchase of securities, investments,
24 or investment contracts. This exception shall not apply to
25 the investment of assets or income of funds deposited into
26 the Illinois Prepaid Tuition Trust Fund.

1 (8) Security procedures, school building safety and
2 security, and the use of personnel and equipment to
3 respond to an actual, a threatened, or a reasonably
4 potential danger to the safety of employees, students,
5 staff, the public, or public property.

6 (9) Student disciplinary cases.

7 (10) The placement of individual students in special
8 education programs and other matters relating to
9 individual students.

10 (11) Litigation, when an action against, affecting or
11 on behalf of the particular public body has been filed and
12 is pending before a court or administrative tribunal, or
13 when the public body finds that an action is probable or
14 imminent, in which case the basis for the finding shall be
15 recorded and entered into the minutes of the closed
16 meeting.

17 (12) The establishment of reserves or settlement of
18 claims as provided in the Local Governmental and
19 Governmental Employees Tort Immunity Act, if otherwise the
20 disposition of a claim or potential claim might be
21 prejudiced, or the review or discussion of claims, loss or
22 risk management information, records, data, advice or
23 communications from or with respect to any insurer of the
24 public body or any intergovernmental risk management
25 association or self-insurance pool of which the public
26 body is a member.

1 (13) Conciliation of complaints of discrimination in
2 the sale or rental of housing, when closed meetings are
3 authorized by the law or ordinance prescribing fair
4 housing practices and creating a commission or
5 administrative agency for their enforcement.

6 (14) Informant sources, the hiring or assignment of
7 undercover personnel or equipment, or ongoing, prior or
8 future criminal investigations, when discussed by a public
9 body with criminal investigatory responsibilities.

10 (15) Professional ethics or performance when
11 considered by an advisory body appointed to advise a
12 licensing or regulatory agency on matters germane to the
13 advisory body's field of competence.

14 (16) Self-evaluation ~~Self-evaluation~~, practices and
15 procedures, or professional ethics, when meeting with a
16 representative of a statewide or regional association of
17 which the public body is a member.

18 (17) The recruitment, credentialing, discipline or
19 formal peer review of physicians or other health care
20 professionals, or for the discussion of matters protected
21 under the federal Patient Safety and Quality Improvement
22 Act of 2005, and the regulations promulgated thereunder,
23 including 42 CFR ~~C.F.R.~~ Part 3 (73 FR 70732), or the
24 federal Health Insurance Portability and Accountability
25 Act of 1996, and the regulations promulgated thereunder,
26 including 45 CFR ~~C.F.R.~~ Parts 160, 162, and 164, by a

1 hospital, or other institution providing medical care,
2 that is operated by the public body.

3 (18) Deliberations for decisions of the Prisoner
4 Review Board.

5 (19) Review or discussion of applications received
6 under the Experimental Organ Transplantation Procedures
7 Act.

8 (20) The classification and discussion of matters
9 classified as confidential or continued confidential by
10 the State Government Suggestion Award Board.

11 (21) Discussion of minutes of meetings lawfully closed
12 under this Act, whether for purposes of approval by the
13 body of the minutes or semi-annual review of the minutes
14 as mandated by Section 2.06.

15 (22) Deliberations for decisions of the State
16 Emergency Medical Services Disciplinary Review Board.

17 (23) The operation by a municipality of a municipal
18 utility or the operation of a municipal power agency or
19 municipal natural gas agency when the discussion involves:

20 (i) trade secrets or commercial or financial information
21 obtained from a person or business where the trade secrets
22 or commercial or financial information are furnished under
23 a claim that they are proprietary, privileged, or
24 confidential, and that disclosure of the trade secrets or
25 commercial or financial information would cause
26 competitive harm to the person or business; or

1 commercially sensitive information contained in offers to
2 buy or sell made in the competitive markets of a regional
3 transmission organization; and only insofar as the
4 discussion relates directly to such trade secrets or
5 information; (ii) physical or cybersecurity of facilities
6 or materials designated as Critical Energy/Electric
7 Infrastructure Information under federal law or
8 regulation; or (iii) ongoing contract negotiations or
9 results of a request for proposals relating to the
10 purchase, sale, or delivery of electricity or natural gas
11 from nonaffiliate entities; provided however, the
12 municipality, municipal power agency, or municipal natural
13 gas agency shall hold at least one public meeting as to any
14 contract discussed in whole or in part in closed session
15 prior to final action on the contract.

16 (24) Meetings of a residential health care facility
17 resident sexual assault and death review team or the
18 Executive Council under the Abuse Prevention Review Team
19 Act.

20 (25) Meetings of an independent team of experts under
21 the Developmental Disability and Mental Health Safety Act
22 or Brian's Law.

23 (26) Meetings of a mortality review team appointed
24 under the Department of Juvenile Justice Mortality Review
25 Team Act.

26 (27) (Blank).

1 (28) Correspondence and records (i) that may not be
2 disclosed under Section 11-9 of the Illinois Public Aid
3 Code or (ii) that pertain to appeals under Section 11-8 of
4 the Illinois Public Aid Code.

5 (29) Meetings between internal or external auditors
6 and governmental audit committees, finance committees, and
7 their equivalents, when the discussion involves internal
8 control weaknesses, identification of potential fraud risk
9 areas, known or suspected frauds, and fraud interviews
10 conducted in accordance with generally accepted auditing
11 standards of the United States of America.

12 (30) (Blank).

13 (31) Meetings and deliberations for decisions of the
14 Concealed Carry Licensing Review Board under the Firearm
15 Concealed Carry Act.

16 (32) Meetings between the Northern Illinois Transit
17 Authority Board and its Service Boards when the discussion
18 involves review by the Northern Illinois Transit Authority
19 Board of employment contracts under Section 28d of the
20 Chicago Transit Authority Act and Sections 3A.18 and 3B.26
21 of the Northern Illinois Transit Authority Act.

22 (33) Those meetings or portions of meetings of the
23 advisory committee and peer review subcommittee created
24 under Section 320 of the Illinois Controlled Substances
25 Act during which specific controlled substance prescriber,
26 dispenser, or patient information is discussed.

1 (34) Meetings of the Tax Increment Financing Reform
2 Task Force under Section 2505-800 of the Department of
3 Revenue Law of the Civil Administrative Code of Illinois.

4 (35) Meetings of the group established to discuss
5 Medicaid capitation rates under Section 5-30.8 of the
6 Illinois Public Aid Code.

7 (36) Those deliberations or portions of deliberations
8 for decisions of the Illinois Gaming Board in which there
9 is discussed any of the following: (i) personal,
10 commercial, financial, or other information obtained from
11 any source that is privileged, proprietary, confidential,
12 or a trade secret; or (ii) information specifically
13 exempted from the disclosure by federal or State law.

14 (37) Deliberations for decisions of the Illinois Law
15 Enforcement Training Standards Board, the Certification
16 Review Panel, and the Illinois State Police Merit Board
17 regarding certification and decertification.

18 (38) Meetings of the Ad Hoc Statewide Domestic
19 Violence Fatality Review Committee of the Illinois
20 Criminal Justice Information Authority Board that occur in
21 closed executive session under subsection (d) of Section
22 35 of the Domestic Violence Fatality Review Act.

23 (39) Meetings of the regional review teams under
24 subsection (a) of Section 75 of the Domestic Violence
25 Fatality Review Act.

26 (40) Meetings of the Firearm Owner's Identification

1 Card Review Board under Section 10 of the Firearm Owners
2 Identification Card Act.

3 (d) Definitions. For purposes of this Section:

4 "Employee" means a person employed by a public body whose
5 relationship with the public body constitutes an
6 employer-employee relationship under the usual common law
7 rules, and who is not an independent contractor.

8 "Public office" means a position created by or under the
9 Constitution or laws of this State, the occupant of which is
10 charged with the exercise of some portion of the sovereign
11 power of this State. The term "public office" shall include
12 members of the public body, but it shall not include
13 organizational positions filled by members thereof, whether
14 established by law or by a public body itself, that exist to
15 assist the body in the conduct of its business.

16 "Quasi-adjudicative body" means an administrative body
17 charged by law or ordinance with the responsibility to conduct
18 hearings, receive evidence or testimony and make
19 determinations based thereon, but does not include local
20 electoral boards when such bodies are considering petition
21 challenges.

22 (e) Final action. No final action may be taken at a closed
23 meeting. Final action shall be preceded by a public recital of
24 the nature of the matter being considered and other
25 information that will inform the public of the business being
26 conducted.

1 (Source: P.A. 103-311, eff. 7-28-23; 103-626, eff. 1-1-25;
2 104-438, eff. 1-1-26; 104-457, Article 10, Section 10-5, eff.
3 6-1-26; 104-457, Article 15, Section 15-5, eff. 6-1-26;
4 104-458, eff. 6-1-26; revised 1-12-26.)

5 Section 25. The Freedom of Information Act is amended by
6 changing Sections 7 and 7.5 as follows:

7 (5 ILCS 140/7)

8 (Text of Section before amendment by P.A. 104-300)

9 Sec. 7. Exemptions.

10 (1) When a request is made to inspect or copy a public
11 record that contains information that is exempt from
12 disclosure under this Section, but also contains information
13 that is not exempt from disclosure, the public body may elect
14 to redact the information that is exempt. The public body
15 shall make the remaining information available for inspection
16 and copying. Subject to this requirement, the following shall
17 be exempt from inspection and copying:

18 (a) Information specifically prohibited from
19 disclosure by federal or State law or rules and
20 regulations implementing federal or State law.

21 (b) Private information, unless disclosure is required
22 by another provision of this Act, a State or federal law,
23 or a court order.

24 (b-5) Files, documents, and other data or databases

1 maintained by one or more law enforcement agencies and
2 specifically designed to provide information to one or
3 more law enforcement agencies regarding the physical or
4 mental status of one or more individual subjects.

5 (c) Personal information contained within public
6 records, the disclosure of which would constitute a
7 clearly unwarranted invasion of personal privacy, unless
8 the disclosure is consented to in writing by the
9 individual subjects of the information. "Unwarranted
10 invasion of personal privacy" means the disclosure of
11 information that is highly personal or objectionable to a
12 reasonable person and in which the subject's right to
13 privacy outweighs any legitimate public interest in
14 obtaining the information. The disclosure of information
15 that bears on the public duties of public employees and
16 officials shall not be considered an invasion of personal
17 privacy.

18 (d) Records in the possession of any public body
19 created in the course of administrative enforcement
20 proceedings, and any law enforcement or correctional
21 agency for law enforcement purposes, but only to the
22 extent that disclosure would:

23 (i) interfere with pending or actually and
24 reasonably contemplated law enforcement proceedings
25 conducted by any law enforcement or correctional
26 agency that is the recipient of the request;

1 (ii) interfere with active administrative
2 enforcement proceedings conducted by the public body
3 that is the recipient of the request;

4 (iii) create a substantial likelihood that a
5 person will be deprived of a fair trial or an impartial
6 hearing;

7 (iv) unavoidably disclose the identity of a
8 confidential source, confidential information
9 furnished only by the confidential source, or persons
10 who file complaints with or provide information to
11 administrative, investigative, law enforcement, or
12 penal agencies; except that the identities of
13 witnesses to traffic crashes, traffic crash reports,
14 and rescue reports shall be provided by agencies of
15 local government, except when disclosure would
16 interfere with an active criminal investigation
17 conducted by the agency that is the recipient of the
18 request;

19 (v) disclose unique or specialized investigative
20 techniques other than those generally used and known
21 or disclose internal documents of correctional
22 agencies related to detection, observation, or
23 investigation of incidents of crime or misconduct, and
24 disclosure would result in demonstrable harm to the
25 agency or public body that is the recipient of the
26 request;

1 (vi) endanger the life or physical safety of law
2 enforcement personnel or any other person; or

3 (vii) obstruct an ongoing criminal investigation
4 by the agency that is the recipient of the request.

5 (d-5) A law enforcement record created for law
6 enforcement purposes and contained in a shared electronic
7 record management system if the law enforcement agency or
8 criminal justice agency that is the recipient of the
9 request did not create the record, did not participate in
10 or have a role in any of the events which are the subject
11 of the record, and only has access to the record through
12 the shared electronic record management system. As used in
13 this subsection (d-5), "criminal justice agency" means the
14 Illinois Criminal Justice Information Authority or the
15 Illinois Sentencing Policy Advisory Council.

16 (d-6) Records contained in the Officer Professional
17 Conduct Database under Section 9.2 of the Illinois Police
18 Training Act, except to the extent authorized under that
19 Section. This includes the documents supplied to the
20 Illinois Law Enforcement Training Standards Board from the
21 Illinois State Police and Illinois State Police Merit
22 Board.

23 (d-7) Information gathered or records created from the
24 use of automatic license plate readers in connection with
25 Section 2-130 of the Illinois Vehicle Code.

26 (e) Records that relate to or affect the security of

1 correctional institutions and detention facilities.

2 (e-5) Records requested by persons committed to the
3 Department of Corrections, Department of Human Services
4 Division of Mental Health, or a county jail if those
5 materials are available in the library of the correctional
6 institution or facility or jail where the inmate is
7 confined.

8 (e-6) Records requested by persons committed to the
9 Department of Corrections, Department of Human Services
10 Division of Mental Health, or a county jail if those
11 materials include records from staff members' personnel
12 files, staff rosters, or other staffing assignment
13 information.

14 (e-7) Records requested by persons committed to the
15 Department of Corrections or Department of Human Services
16 Division of Mental Health if those materials are available
17 through an administrative request to the Department of
18 Corrections or Department of Human Services Division of
19 Mental Health.

20 (e-8) Records requested by a person committed to the
21 Department of Corrections, Department of Human Services
22 Division of Mental Health, or a county jail, the
23 disclosure of which would result in the risk of harm to any
24 person or the risk of an escape from a jail or correctional
25 institution or facility.

26 (e-9) Records requested by a person in a county jail

1 or committed to the Department of Corrections or
2 Department of Human Services Division of Mental Health,
3 containing personal information pertaining to the person's
4 victim or the victim's family, including, but not limited
5 to, a victim's home address, home telephone number, work
6 or school address, work telephone number, social security
7 number, or any other identifying information, except as
8 may be relevant to a requester's current or potential case
9 or claim.

10 (e-10) Law enforcement records of other persons
11 requested by a person committed to the Department of
12 Corrections, Department of Human Services Division of
13 Mental Health, or a county jail, including, but not
14 limited to, arrest and booking records, mug shots, and
15 crime scene photographs, except as these records may be
16 relevant to the requester's current or potential case or
17 claim.

18 (f) Preliminary drafts, notes, recommendations,
19 memoranda, and other records in which opinions are
20 expressed, or policies or actions are formulated, except
21 that a specific record or relevant portion of a record
22 shall not be exempt when the record is publicly cited and
23 identified by the head of the public body. The exemption
24 provided in this paragraph (f) extends to all those
25 records of officers and agencies of the General Assembly
26 that pertain to the preparation of legislative documents.

1 (g) Trade secrets and commercial or financial
2 information obtained from a person or business where the
3 trade secrets or commercial or financial information are
4 furnished under a claim that they are proprietary,
5 privileged, or confidential, and that disclosure of the
6 trade secrets or commercial or financial information would
7 cause competitive harm to the person or business, and only
8 insofar as the claim directly applies to the records
9 requested.

10 The information included under this exemption includes
11 all trade secrets and commercial or financial information
12 obtained by a public body, including a public pension
13 fund, from a private equity fund or a privately held
14 company within the investment portfolio of a private
15 equity fund as a result of either investing or evaluating
16 a potential investment of public funds in a private equity
17 fund. The exemption contained in this item does not apply
18 to the aggregate financial performance information of a
19 private equity fund, nor to the identity of the fund's
20 managers or general partners. The exemption contained in
21 this item does not apply to the identity of a privately
22 held company within the investment portfolio of a private
23 equity fund, unless the disclosure of the identity of a
24 privately held company may cause competitive harm.

25 Nothing contained in this paragraph (g) shall be
26 construed to prevent a person or business from consenting

1 to disclosure.

2 (h) Proposals and bids for any contract, grant, or
3 agreement, including information which if it were
4 disclosed would frustrate procurement or give an advantage
5 to any person proposing to enter into a contractor
6 agreement with the body, until an award or final selection
7 is made. Information prepared by or for the body in
8 preparation of a bid solicitation shall be exempt until an
9 award or final selection is made.

10 (i) Valuable formulae, computer geographic systems,
11 designs, drawings, and research data obtained or produced
12 by any public body when disclosure could reasonably be
13 expected to produce private gain or public loss. The
14 exemption for "computer geographic systems" provided in
15 this paragraph (i) does not extend to requests made by
16 news media as defined in Section 2 of this Act when the
17 requested information is not otherwise exempt and the only
18 purpose of the request is to access and disseminate
19 information regarding the health, safety, welfare, or
20 legal rights of the general public.

21 (j) The following information pertaining to
22 educational matters:

23 (i) test questions, scoring keys, and other
24 examination data used to administer an academic
25 examination;

26 (ii) information received by a primary or

1 secondary school, college, or university under its
2 procedures for the evaluation of faculty members by
3 their academic peers;

4 (iii) information concerning a school or
5 university's adjudication of student disciplinary
6 cases, but only to the extent that disclosure would
7 unavoidably reveal the identity of the student; and

8 (iv) course materials or research materials used
9 by faculty members.

10 (k) Architects' plans, engineers' technical
11 submissions, and other construction related technical
12 documents for projects not constructed or developed in
13 whole or in part with public funds and the same for
14 projects constructed or developed with public funds,
15 including, but not limited to, power generating and
16 distribution stations and other transmission and
17 distribution facilities, water treatment facilities,
18 airport facilities, sport stadiums, convention centers,
19 and all government owned, operated, or occupied buildings,
20 but only to the extent that disclosure would compromise
21 security.

22 (l) Minutes of meetings of public bodies closed to the
23 public as provided in the Open Meetings Act until the
24 public body makes the minutes available to the public
25 under Section 2.06 of the Open Meetings Act.

26 (m) Communications between a public body and an

1 attorney or auditor representing the public body that
2 would not be subject to discovery in litigation, and
3 materials prepared or compiled by or for a public body in
4 anticipation of a criminal, civil, or administrative
5 proceeding upon the request of an attorney advising the
6 public body, and materials prepared or compiled with
7 respect to internal audits of public bodies.

8 (n) Records relating to a public body's adjudication
9 of employee grievances or disciplinary cases; however,
10 this exemption shall not extend to the final outcome of
11 cases in which discipline is imposed.

12 (o) Administrative or technical information associated
13 with automated data processing operations, including, but
14 not limited to, software, operating protocols, computer
15 program abstracts, file layouts, source listings, object
16 modules, load modules, user guides, documentation
17 pertaining to all logical and physical design of
18 computerized systems, employee manuals, and any other
19 information that, if disclosed, would jeopardize the
20 security of the system or its data or the security of
21 materials exempt under this Section.

22 (p) Records relating to collective negotiating matters
23 between public bodies and their employees or
24 representatives, except that any final contract or
25 agreement shall be subject to inspection and copying.

26 (q) Test questions, scoring keys, and other

1 examination data used to determine the qualifications of
2 an applicant for a license or employment.

3 (r) The records, documents, and information relating
4 to real estate purchase negotiations until those
5 negotiations have been completed or otherwise terminated.
6 With regard to a parcel involved in a pending or actually
7 and reasonably contemplated eminent domain proceeding
8 under the Eminent Domain Act, records, documents, and
9 information relating to that parcel shall be exempt except
10 as may be allowed under discovery rules adopted by the
11 Illinois Supreme Court. The records, documents, and
12 information relating to a real estate sale shall be exempt
13 until a sale is consummated.

14 (s) Any and all proprietary information and records
15 related to the operation of an intergovernmental risk
16 management association or self-insurance pool or jointly
17 self-administered health and accident cooperative or pool.
18 Insurance or self-insurance (including any
19 intergovernmental risk management association or
20 self-insurance pool) claims, loss or risk management
21 information, records, data, advice, or communications.

22 (t) Information contained in or related to
23 examination, operating, or condition reports prepared by,
24 on behalf of, or for the use of a public body responsible
25 for the regulation or supervision of financial
26 institutions, insurance companies, or pharmacy benefit

1 managers, unless disclosure is otherwise required by State
2 law.

3 (u) Information that would disclose or might lead to
4 the disclosure of secret or confidential information,
5 codes, algorithms, programs, or private keys intended to
6 be used to create electronic signatures under the Uniform
7 Electronic Transactions Act.

8 (v) Vulnerability assessments, security measures, and
9 response policies or plans that are designed to identify,
10 prevent, or respond to potential attacks upon a
11 community's population or systems, facilities, or
12 installations, but only to the extent that disclosure
13 could reasonably be expected to expose the vulnerability
14 or jeopardize the effectiveness of the measures, policies,
15 or plans, or the safety of the personnel who implement
16 them or the public. Information exempt under this item may
17 include such things as details pertaining to the
18 mobilization or deployment of personnel or equipment, to
19 the operation of communication systems or protocols, to
20 cybersecurity vulnerabilities, or to tactical operations.

21 (w) (Blank).

22 (x) Maps and other records regarding the location or
23 security of generation, transmission, distribution,
24 storage, gathering, treatment, or switching facilities
25 owned by a utility, by a power generator, or by the
26 Illinois Power Agency.

1 (y) Information contained in or related to proposals,
2 bids, or negotiations related to electric power
3 procurement under Section 1-75 of the Illinois Power
4 Agency Act and Section 16-111.5 of the Public Utilities
5 Act that is determined to be confidential and proprietary
6 by the Illinois Power Agency or by the Illinois Commerce
7 Commission.

8 (z) Information about students exempted from
9 disclosure under Section 10-20.38 or 34-18.29 of the
10 School Code, and information about undergraduate students
11 enrolled at an institution of higher education exempted
12 from disclosure under Section 25 of the Illinois Credit
13 Card Marketing Act of 2009.

14 (aa) Information the disclosure of which is exempted
15 under the Viatical Settlements Act of 2009.

16 (bb) Records and information provided to a mortality
17 review team and records maintained by a mortality review
18 team appointed under the Department of Juvenile Justice
19 Mortality Review Team Act.

20 (cc) Information regarding interments, entombments, or
21 inurnments of human remains that are submitted to the
22 Cemetery Oversight Database under the Cemetery Care Act or
23 the Cemetery Oversight Act, whichever is applicable.

24 (dd) Correspondence and records (i) that may not be
25 disclosed under Section 11-9 of the Illinois Public Aid
26 Code or (ii) that pertain to appeals under Section 11-8 of

1 the Illinois Public Aid Code.

2 (ee) The names, addresses, or other personal
3 information of persons who are minors and are also
4 participants and registrants in programs of park
5 districts, forest preserve districts, conservation
6 districts, recreation agencies, and special recreation
7 associations.

8 (ff) The names, addresses, or other personal
9 information of participants and registrants in programs of
10 park districts, forest preserve districts, conservation
11 districts, recreation agencies, and special recreation
12 associations where such programs are targeted primarily to
13 minors.

14 (gg) Confidential information described in Section
15 1-100 of the Illinois Independent Tax Tribunal Act of
16 2012.

17 (hh) The report submitted to the State Board of
18 Education by the School Security and Standards Task Force
19 under item (8) of subsection (d) of Section 2-3.160 of the
20 School Code and any information contained in that report.

21 (ii) Records requested by persons committed to or
22 detained by the Department of Human Services under the
23 Sexually Violent Persons Commitment Act or committed to
24 the Department of Corrections under the Sexually Dangerous
25 Persons Act if those materials: (i) are available in the
26 library of the facility where the individual is confined;

1 (ii) include records from staff members' personnel files,
2 staff rosters, or other staffing assignment information;
3 or (iii) are available through an administrative request
4 to the Department of Human Services or the Department of
5 Corrections.

6 (jj) Confidential information described in Section
7 5-535 of the Civil Administrative Code of Illinois.

8 (kk) The public body's credit card numbers, debit card
9 numbers, bank account numbers, Federal Employer
10 Identification Number, security code numbers, passwords,
11 and similar account information, the disclosure of which
12 could result in identity theft or impression or defrauding
13 of a governmental entity or a person.

14 (ll) Records concerning the work of the threat
15 assessment team of a school district, including, but not
16 limited to, any threat assessment procedure under the
17 School Safety Drill Act and any information contained in
18 the procedure.

19 (mm) Information prohibited from being disclosed under
20 subsections (a) and (b) of Section 15 of the Student
21 Confidential Reporting Act.

22 (nn) Proprietary information submitted to the
23 Environmental Protection Agency under the Drug Take-Back
24 Act.

25 (oo) Records described in subsection (f) of Section
26 3-5-1 of the Unified Code of Corrections.

1 (pp) Any and all information regarding burials,
2 interments, or entombments of human remains as required to
3 be reported to the Department of Natural Resources
4 pursuant either to the Archaeological and Paleontological
5 Resources Protection Act or the Human Remains Protection
6 Act.

7 (qq) Reports described in subsection (e) of Section
8 16-15 of the Abortion Care Clinical Training Program Act.

9 (rr) Information obtained by a certified local health
10 department under the Access to Public Health Data Act.

11 (ss) For a request directed to a public body that is
12 also a HIPAA-covered entity, all information that is
13 protected health information, including demographic
14 information, that may be contained within or extracted
15 from any record held by the public body in compliance with
16 State and federal medical privacy laws and regulations,
17 including, but not limited to, the Health Insurance
18 Portability and Accountability Act and its regulations, 45
19 CFR Parts 160 and 164. As used in this paragraph,
20 "HIPAA-covered entity" has the meaning given to the term
21 "covered entity" in 45 CFR 160.103 and "protected health
22 information" has the meaning given to that term in 45 CFR
23 160.103.

24 (tt) Proposals or bids submitted by engineering
25 consultants in response to requests for proposal or other
26 competitive bidding requests by the Department of

1 Transportation or the Illinois Toll Highway Authority.

2 (uu) Documents that, pursuant to the State of
3 Illinois' 1987 Agreement with the U.S. Nuclear Regulatory
4 Commission and the corresponding requirement to maintain
5 compatibility with the National Materials Program, have
6 been determined to be security sensitive. These documents
7 include information classified as safeguards,
8 safeguards-modified, and sensitive unclassified
9 nonsafeguards information, as identified in U.S. Nuclear
10 Regulatory Commission regulatory information summaries,
11 security advisories, and other applicable communications
12 or regulations related to the control and distribution of
13 security sensitive information.

14 (1.5) Any information exempt from disclosure under the
15 Judicial Privacy Act shall be redacted from public records
16 prior to disclosure under this Act.

17 (1.6) Any information exempt from disclosure under the
18 Public Official Safety and Privacy Act shall be redacted from
19 public records prior to disclosure under this Act.

20 (1.7) Any information exempt from disclosure under
21 paragraph (3.5) of Section 9-15 of the Election Code shall be
22 redacted from public records prior to disclosure under this
23 Act.

24 (2) A public record that is not in the possession of a
25 public body but is in the possession of a party with whom the
26 agency has contracted to perform a governmental function on

1 behalf of the public body, and that directly relates to the
2 governmental function and is not otherwise exempt under this
3 Act, shall be considered a public record of the public body,
4 for purposes of this Act.

5 (3) This Section does not authorize withholding of
6 information or limit the availability of records to the
7 public, except as stated in this Section or otherwise provided
8 in this Act.

9 (Source: P.A. 103-154, eff. 6-30-23; 103-423, eff. 1-1-24;
10 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff.
11 1-1-24; 103-554, eff. 1-1-24; 103-605, eff. 7-1-24; 103-865,
12 eff. 1-1-25; 104-438, eff. 1-1-26; 104-443, eff. 1-1-26;
13 revised 1-7-26.)

14 (Text of Section after amendment by P.A. 104-300)

15 Sec. 7. Exemptions.

16 (1) When a request is made to inspect or copy a public
17 record that contains information that is exempt from
18 disclosure under this Section, but also contains information
19 that is not exempt from disclosure, the public body may elect
20 to redact the information that is exempt. The public body
21 shall make the remaining information available for inspection
22 and copying. Subject to this requirement, the following shall
23 be exempt from inspection and copying:

24 (a) Records created or compiled by a State public
25 defender agency or commission subject to the State Public

1 Defender Act that contain: individual client identity;
2 individual case file information; individual investigation
3 records and other records that are otherwise subject to
4 attorney-client privilege; records that would not be
5 discoverable in litigation; records under Section 2.15;
6 training materials; records related to attorney
7 consultation and representation strategy; or any of the
8 above concerning clients of county public defenders or
9 other defender agencies and firms. This exclusion does not
10 apply to deidentified, aggregated, administrative records,
11 such as general case processing and workload information.

12 (a-5) Information specifically prohibited from
13 disclosure by federal or State law or rules and
14 regulations implementing federal or State law.

15 (b) Private information, unless disclosure is required
16 by another provision of this Act, a State or federal law,
17 or a court order.

18 (b-5) Files, documents, and other data or databases
19 maintained by one or more law enforcement agencies and
20 specifically designed to provide information to one or
21 more law enforcement agencies regarding the physical or
22 mental status of one or more individual subjects.

23 (c) Personal information contained within public
24 records, the disclosure of which would constitute a
25 clearly unwarranted invasion of personal privacy, unless
26 the disclosure is consented to in writing by the

1 individual subjects of the information. "Unwarranted
2 invasion of personal privacy" means the disclosure of
3 information that is highly personal or objectionable to a
4 reasonable person and in which the subject's right to
5 privacy outweighs any legitimate public interest in
6 obtaining the information. The disclosure of information
7 that bears on the public duties of public employees and
8 officials shall not be considered an invasion of personal
9 privacy.

10 (d) Records in the possession of any public body
11 created in the course of administrative enforcement
12 proceedings, and any law enforcement or correctional
13 agency for law enforcement purposes, but only to the
14 extent that disclosure would:

15 (i) interfere with pending or actually and
16 reasonably contemplated law enforcement proceedings
17 conducted by any law enforcement or correctional
18 agency that is the recipient of the request;

19 (ii) interfere with active administrative
20 enforcement proceedings conducted by the public body
21 that is the recipient of the request;

22 (iii) create a substantial likelihood that a
23 person will be deprived of a fair trial or an impartial
24 hearing;

25 (iv) unavoidably disclose the identity of a
26 confidential source, confidential information

1 furnished only by the confidential source, or persons
2 who file complaints with or provide information to
3 administrative, investigative, law enforcement, or
4 penal agencies; except that the identities of
5 witnesses to traffic crashes, traffic crash reports,
6 and rescue reports shall be provided by agencies of
7 local government, except when disclosure would
8 interfere with an active criminal investigation
9 conducted by the agency that is the recipient of the
10 request;

11 (v) disclose unique or specialized investigative
12 techniques other than those generally used and known
13 or disclose internal documents of correctional
14 agencies related to detection, observation, or
15 investigation of incidents of crime or misconduct, and
16 disclosure would result in demonstrable harm to the
17 agency or public body that is the recipient of the
18 request;

19 (vi) endanger the life or physical safety of law
20 enforcement personnel or any other person; or

21 (vii) obstruct an ongoing criminal investigation
22 by the agency that is the recipient of the request.

23 (d-5) A law enforcement record created for law
24 enforcement purposes and contained in a shared electronic
25 record management system if the law enforcement agency or
26 criminal justice agency that is the recipient of the

1 request did not create the record, did not participate in
2 or have a role in any of the events which are the subject
3 of the record, and only has access to the record through
4 the shared electronic record management system. As used in
5 this subsection (d-5), "criminal justice agency" means the
6 Illinois Criminal Justice Information Authority or the
7 Illinois Sentencing Policy Advisory Council.

8 (d-6) Records contained in the Officer Professional
9 Conduct Database under Section 9.2 of the Illinois Police
10 Training Act, except to the extent authorized under that
11 Section. This includes the documents supplied to the
12 Illinois Law Enforcement Training Standards Board from the
13 Illinois State Police and Illinois State Police Merit
14 Board.

15 (d-7) Information gathered or records created from the
16 use of automatic license plate readers in connection with
17 Section 2-130 of the Illinois Vehicle Code.

18 (e) Records that relate to or affect the security of
19 correctional institutions and detention facilities.

20 (e-5) Records requested by persons committed to the
21 Department of Corrections, Department of Human Services
22 Division of Mental Health, or a county jail if those
23 materials are available in the library of the correctional
24 institution or facility or jail where the inmate is
25 confined.

26 (e-6) Records requested by persons committed to the

1 Department of Corrections, Department of Human Services
2 Division of Mental Health, or a county jail if those
3 materials include records from staff members' personnel
4 files, staff rosters, or other staffing assignment
5 information.

6 (e-7) Records requested by persons committed to the
7 Department of Corrections or Department of Human Services
8 Division of Mental Health if those materials are available
9 through an administrative request to the Department of
10 Corrections or Department of Human Services Division of
11 Mental Health.

12 (e-8) Records requested by a person committed to the
13 Department of Corrections, Department of Human Services
14 Division of Mental Health, or a county jail, the
15 disclosure of which would result in the risk of harm to any
16 person or the risk of an escape from a jail or correctional
17 institution or facility.

18 (e-9) Records requested by a person in a county jail
19 or committed to the Department of Corrections or
20 Department of Human Services Division of Mental Health,
21 containing personal information pertaining to the person's
22 victim or the victim's family, including, but not limited
23 to, a victim's home address, home telephone number, work
24 or school address, work telephone number, social security
25 number, or any other identifying information, except as
26 may be relevant to a requester's current or potential case

1 or claim.

2 (e-10) Law enforcement records of other persons
3 requested by a person committed to the Department of
4 Corrections, Department of Human Services Division of
5 Mental Health, or a county jail, including, but not
6 limited to, arrest and booking records, mug shots, and
7 crime scene photographs, except as these records may be
8 relevant to the requester's current or potential case or
9 claim.

10 (f) Preliminary drafts, notes, recommendations,
11 memoranda, and other records in which opinions are
12 expressed, or policies or actions are formulated, except
13 that a specific record or relevant portion of a record
14 shall not be exempt when the record is publicly cited and
15 identified by the head of the public body. The exemption
16 provided in this paragraph (f) extends to all those
17 records of officers and agencies of the General Assembly
18 that pertain to the preparation of legislative documents.

19 (g) Trade secrets and commercial or financial
20 information obtained from a person or business where the
21 trade secrets or commercial or financial information are
22 furnished under a claim that they are proprietary,
23 privileged, or confidential, and that disclosure of the
24 trade secrets or commercial or financial information would
25 cause competitive harm to the person or business, and only
26 insofar as the claim directly applies to the records

1 requested.

2 The information included under this exemption includes
3 all trade secrets and commercial or financial information
4 obtained by a public body, including a public pension
5 fund, from a private equity fund or a privately held
6 company within the investment portfolio of a private
7 equity fund as a result of either investing or evaluating
8 a potential investment of public funds in a private equity
9 fund. The exemption contained in this item does not apply
10 to the aggregate financial performance information of a
11 private equity fund, nor to the identity of the fund's
12 managers or general partners. The exemption contained in
13 this item does not apply to the identity of a privately
14 held company within the investment portfolio of a private
15 equity fund, unless the disclosure of the identity of a
16 privately held company may cause competitive harm.

17 Nothing contained in this paragraph (g) shall be
18 construed to prevent a person or business from consenting
19 to disclosure.

20 (h) Proposals and bids for any contract, grant, or
21 agreement, including information which if it were
22 disclosed would frustrate procurement or give an advantage
23 to any person proposing to enter into a contractor
24 agreement with the body, until an award or final selection
25 is made. Information prepared by or for the body in
26 preparation of a bid solicitation shall be exempt until an

1 award or final selection is made.

2 (i) Valuable formulae, computer geographic systems,
3 designs, drawings, and research data obtained or produced
4 by any public body when disclosure could reasonably be
5 expected to produce private gain or public loss. The
6 exemption for "computer geographic systems" provided in
7 this paragraph (i) does not extend to requests made by
8 news media as defined in Section 2 of this Act when the
9 requested information is not otherwise exempt and the only
10 purpose of the request is to access and disseminate
11 information regarding the health, safety, welfare, or
12 legal rights of the general public.

13 (j) The following information pertaining to
14 educational matters:

15 (i) test questions, scoring keys, and other
16 examination data used to administer an academic
17 examination;

18 (ii) information received by a primary or
19 secondary school, college, or university under its
20 procedures for the evaluation of faculty members by
21 their academic peers;

22 (iii) information concerning a school or
23 university's adjudication of student disciplinary
24 cases, but only to the extent that disclosure would
25 unavoidably reveal the identity of the student; and

26 (iv) course materials or research materials used

1 by faculty members.

2 (k) Architects' plans, engineers' technical
3 submissions, and other construction related technical
4 documents for projects not constructed or developed in
5 whole or in part with public funds and the same for
6 projects constructed or developed with public funds,
7 including, but not limited to, power generating and
8 distribution stations and other transmission and
9 distribution facilities, water treatment facilities,
10 airport facilities, sport stadiums, convention centers,
11 and all government owned, operated, or occupied buildings,
12 but only to the extent that disclosure would compromise
13 security.

14 (l) Minutes of meetings of public bodies closed to the
15 public as provided in the Open Meetings Act until the
16 public body makes the minutes available to the public
17 under Section 2.06 of the Open Meetings Act.

18 (m) Communications between a public body and an
19 attorney or auditor representing the public body that
20 would not be subject to discovery in litigation, and
21 materials prepared or compiled by or for a public body in
22 anticipation of a criminal, civil, or administrative
23 proceeding upon the request of an attorney advising the
24 public body, and materials prepared or compiled with
25 respect to internal audits of public bodies.

26 (n) Records relating to a public body's adjudication

1 of employee grievances or disciplinary cases; however,
2 this exemption shall not extend to the final outcome of
3 cases in which discipline is imposed.

4 (o) Administrative or technical information associated
5 with automated data processing operations, including, but
6 not limited to, software, operating protocols, computer
7 program abstracts, file layouts, source listings, object
8 modules, load modules, user guides, documentation
9 pertaining to all logical and physical design of
10 computerized systems, employee manuals, and any other
11 information that, if disclosed, would jeopardize the
12 security of the system or its data or the security of
13 materials exempt under this Section.

14 (p) Records relating to collective negotiating matters
15 between public bodies and their employees or
16 representatives, except that any final contract or
17 agreement shall be subject to inspection and copying.

18 (q) Test questions, scoring keys, and other
19 examination data used to determine the qualifications of
20 an applicant for a license or employment.

21 (r) The records, documents, and information relating
22 to real estate purchase negotiations until those
23 negotiations have been completed or otherwise terminated.
24 With regard to a parcel involved in a pending or actually
25 and reasonably contemplated eminent domain proceeding
26 under the Eminent Domain Act, records, documents, and

1 information relating to that parcel shall be exempt except
2 as may be allowed under discovery rules adopted by the
3 Illinois Supreme Court. The records, documents, and
4 information relating to a real estate sale shall be exempt
5 until a sale is consummated.

6 (s) Any and all proprietary information and records
7 related to the operation of an intergovernmental risk
8 management association or self-insurance pool or jointly
9 self-administered health and accident cooperative or pool.
10 Insurance or self-insurance (including any
11 intergovernmental risk management association or
12 self-insurance pool) claims, loss or risk management
13 information, records, data, advice, or communications.

14 (t) Information contained in or related to
15 examination, operating, or condition reports prepared by,
16 on behalf of, or for the use of a public body responsible
17 for the regulation or supervision of financial
18 institutions, insurance companies, or pharmacy benefit
19 managers, unless disclosure is otherwise required by State
20 law.

21 (u) Information that would disclose or might lead to
22 the disclosure of secret or confidential information,
23 codes, algorithms, programs, or private keys intended to
24 be used to create electronic signatures under the Uniform
25 Electronic Transactions Act.

26 (v) Vulnerability assessments, security measures, and

1 response policies or plans that are designed to identify,
2 prevent, or respond to potential attacks upon a
3 community's population or systems, facilities, or
4 installations, but only to the extent that disclosure
5 could reasonably be expected to expose the vulnerability
6 or jeopardize the effectiveness of the measures, policies,
7 or plans, or the safety of the personnel who implement
8 them or the public. Information exempt under this item may
9 include such things as details pertaining to the
10 mobilization or deployment of personnel or equipment, to
11 the operation of communication systems or protocols, to
12 cybersecurity vulnerabilities, or to tactical operations.

13 (w) (Blank).

14 (x) Maps and other records regarding the location or
15 security of generation, transmission, distribution,
16 storage, gathering, treatment, or switching facilities
17 owned by a utility, by a power generator, or by the
18 Illinois Power Agency.

19 (y) Information contained in or related to proposals,
20 bids, or negotiations related to electric power
21 procurement under Section 1-75 of the Illinois Power
22 Agency Act and Section 16-111.5 of the Public Utilities
23 Act that is determined to be confidential and proprietary
24 by the Illinois Power Agency or by the Illinois Commerce
25 Commission.

26 (z) Information about students exempted from

1 disclosure under Section 10-20.38 or 34-18.29 of the
2 School Code, and information about undergraduate students
3 enrolled at an institution of higher education exempted
4 from disclosure under Section 25 of the Illinois Credit
5 Card Marketing Act of 2009.

6 (aa) Information the disclosure of which is exempted
7 under the Viatical Settlements Act of 2009.

8 (bb) Records and information provided to a mortality
9 review team and records maintained by a mortality review
10 team appointed under the Department of Juvenile Justice
11 Mortality Review Team Act.

12 (cc) Information regarding interments, entombments, or
13 inurnments of human remains that are submitted to the
14 Cemetery Oversight Database under the Cemetery Care Act or
15 the Cemetery Oversight Act, whichever is applicable.

16 (dd) Correspondence and records (i) that may not be
17 disclosed under Section 11-9 of the Illinois Public Aid
18 Code or (ii) that pertain to appeals under Section 11-8 of
19 the Illinois Public Aid Code.

20 (ee) The names, addresses, or other personal
21 information of persons who are minors and are also
22 participants and registrants in programs of park
23 districts, forest preserve districts, conservation
24 districts, recreation agencies, and special recreation
25 associations.

26 (ff) The names, addresses, or other personal

1 information of participants and registrants in programs of
2 park districts, forest preserve districts, conservation
3 districts, recreation agencies, and special recreation
4 associations where such programs are targeted primarily to
5 minors.

6 (gg) Confidential information described in Section
7 1-100 of the Illinois Independent Tax Tribunal Act of
8 2012.

9 (hh) The report submitted to the State Board of
10 Education by the School Security and Standards Task Force
11 under item (8) of subsection (d) of Section 2-3.160 of the
12 School Code and any information contained in that report.

13 (ii) Records requested by persons committed to or
14 detained by the Department of Human Services under the
15 Sexually Violent Persons Commitment Act or committed to
16 the Department of Corrections under the Sexually Dangerous
17 Persons Act if those materials: (i) are available in the
18 library of the facility where the individual is confined;
19 (ii) include records from staff members' personnel files,
20 staff rosters, or other staffing assignment information;
21 or (iii) are available through an administrative request
22 to the Department of Human Services or the Department of
23 Corrections.

24 (jj) Confidential information described in Section
25 5-535 of the Civil Administrative Code of Illinois.

26 (kk) The public body's credit card numbers, debit card

1 numbers, bank account numbers, Federal Employer
2 Identification Number, security code numbers, passwords,
3 and similar account information, the disclosure of which
4 could result in identity theft or impression or defrauding
5 of a governmental entity or a person.

6 (ll) Records concerning the work of the threat
7 assessment team of a school district, including, but not
8 limited to, any threat assessment procedure under the
9 School Safety Drill Act and any information contained in
10 the procedure.

11 (mm) Information prohibited from being disclosed under
12 subsections (a) and (b) of Section 15 of the Student
13 Confidential Reporting Act.

14 (nn) Proprietary information submitted to the
15 Environmental Protection Agency under the Drug Take-Back
16 Act.

17 (oo) Records described in subsection (f) of Section
18 3-5-1 of the Unified Code of Corrections.

19 (pp) Any and all information regarding burials,
20 interments, or entombments of human remains as required to
21 be reported to the Department of Natural Resources
22 pursuant either to the Archaeological and Paleontological
23 Resources Protection Act or the Human Remains Protection
24 Act.

25 (qq) Reports described in subsection (e) of Section
26 16-15 of the Abortion Care Clinical Training Program Act.

1 (rr) Information obtained by a certified local health
2 department under the Access to Public Health Data Act.

3 (ss) For a request directed to a public body that is
4 also a HIPAA-covered entity, all information that is
5 protected health information, including demographic
6 information, that may be contained within or extracted
7 from any record held by the public body in compliance with
8 State and federal medical privacy laws and regulations,
9 including, but not limited to, the Health Insurance
10 Portability and Accountability Act and its regulations, 45
11 CFR Parts 160 and 164. As used in this paragraph,
12 "HIPAA-covered entity" has the meaning given to the term
13 "covered entity" in 45 CFR 160.103 and "protected health
14 information" has the meaning given to that term in 45 CFR
15 160.103.

16 (tt) Proposals or bids submitted by engineering
17 consultants in response to requests for proposal or other
18 competitive bidding requests by the Department of
19 Transportation or the Illinois Toll Highway Authority.

20 (uu) Documents that, pursuant to the State of
21 Illinois' 1987 Agreement with the U.S. Nuclear Regulatory
22 Commission and the corresponding requirement to maintain
23 compatibility with the National Materials Program, have
24 been determined to be security sensitive. These documents
25 include information classified as safeguards,
26 safeguards-modified, and sensitive unclassified

1 nonsafeguards information, as identified in U.S. Nuclear
2 Regulatory Commission regulatory information summaries,
3 security advisories, and other applicable communications
4 or regulations related to the control and distribution of
5 security sensitive information.

6 (1.5) Any information exempt from disclosure under the
7 Judicial Privacy Act shall be redacted from public records
8 prior to disclosure under this Act.

9 (1.6) Any information exempt from disclosure under the
10 Public Official Safety and Privacy Act shall be redacted from
11 public records prior to disclosure under this Act.

12 (1.7) Any information exempt from disclosure under
13 paragraph (3.5) of Section 9-15 of the Election Code shall be
14 redacted from public records prior to disclosure under this
15 Act.

16 (2) A public record that is not in the possession of a
17 public body but is in the possession of a party with whom the
18 agency has contracted to perform a governmental function on
19 behalf of the public body, and that directly relates to the
20 governmental function and is not otherwise exempt under this
21 Act, shall be considered a public record of the public body,
22 for purposes of this Act.

23 (3) This Section does not authorize withholding of
24 information or limit the availability of records to the
25 public, except as stated in this Section or otherwise provided
26 in this Act.

1 (Source: P.A. 103-154, eff. 6-30-23; 103-423, eff. 1-1-24;
2 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff.
3 1-1-24; 103-554, eff. 1-1-24; 103-605, eff. 7-1-24; 103-865,
4 eff. 1-1-25; 104-300, eff. 1-1-27; 104-438, eff. 1-1-26;
5 104-443, eff. 1-1-26; revised 1-7-26.)

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 104-441 and
8 104-457)

9 Sec. 7.5. Statutory exemptions. To the extent provided for
10 by the statutes referenced below, the following shall be
11 exempt from inspection and copying:

12 (a) All information determined to be confidential
13 under Section 4002 of the Technology Advancement and
14 Development Act.

15 (b) Library circulation and order records identifying
16 library users with specific materials under the Library
17 Records Confidentiality Act.

18 (c) Applications, related documents, and medical
19 records received by the Experimental Organ Transplantation
20 Procedures Board and any and all documents or other
21 records prepared by the Experimental Organ Transplantation
22 Procedures Board or its staff relating to applications it
23 has received.

24 (d) Information and records held by the Department of
25 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmitted
2 infection or any information the disclosure of which is
3 restricted under the Illinois Sexually Transmitted
4 Infection Control Act.

5 (e) Information the disclosure of which is exempted
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of
8 the Architectural, Engineering, and Land Surveying
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted
11 and exempted under Section 50 of the Illinois Prepaid
12 Tuition Act.

13 (h) Information the disclosure of which is exempted
14 under the State Officials and Employees Ethics Act, and
15 records of any lawfully created State or local inspector
16 general's office that would be exempt if created or
17 obtained by an Executive Inspector General's office under
18 that Act.

19 (i) Information contained in a local emergency energy
20 plan submitted to a municipality in accordance with a
21 local emergency energy plan ordinance that is adopted
22 under Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution
24 of surcharge moneys collected and remitted by carriers
25 under the Emergency Telephone System Act.

26 (k) Law enforcement officer identification information

1 or driver identification information compiled by a law
2 enforcement agency or the Department of Transportation
3 under Section 11-212 of the Illinois Vehicle Code.

4 (l) Records and information provided to a residential
5 health care facility resident sexual assault and death
6 review team or the Executive Council under the Abuse
7 Prevention Review Team Act.

8 (m) Information provided to the predatory lending
9 database created pursuant to Article 3 of the Residential
10 Real Property Disclosure Act, except to the extent
11 authorized under that Article.

12 (n) Defense budgets and petitions for certification of
13 compensation and expenses for court appointed trial
14 counsel as provided under Sections 10 and 15 of the
15 Capital Crimes Litigation Act (repealed). This subsection
16 (n) shall apply until the conclusion of the trial of the
17 case, even if the prosecution chooses not to pursue the
18 death penalty prior to trial or sentencing.

19 (o) Information that is prohibited from being
20 disclosed under Section 4 of the Illinois Health and
21 Hazardous Substances Registry Act.

22 (p) Security portions of system safety program plans,
23 investigation reports, surveys, schedules, lists, data, or
24 information compiled, collected, or prepared by or for the
25 Department of Transportation under Sections 2705-300 and
26 2705-616 of the Department of Transportation Law of the

1 Civil Administrative Code of Illinois, the Regional
2 Transportation Authority under Section 2.11 of the
3 Regional Transportation Authority Act, or the St. Clair
4 County Transit District under the Bi-State Transit Safety
5 Act (repealed).

6 (q) Information prohibited from being disclosed by the
7 Personnel Record Review Act.

8 (r) Information prohibited from being disclosed by the
9 Illinois School Student Records Act.

10 (s) Information the disclosure of which is restricted
11 under Section 5-108 of the Public Utilities Act.

12 (t) (Blank).

13 (u) Records and information provided to an independent
14 team of experts under the Developmental Disability and
15 Mental Health Safety Act (also known as Brian's Law).

16 (v) Names and information of people who have applied
17 for or received Firearm Owner's Identification Cards under
18 the Firearm Owners Identification Card Act or applied for
19 or received a concealed carry license under the Firearm
20 Concealed Carry Act, unless otherwise authorized by the
21 Firearm Concealed Carry Act; and databases under the
22 Firearm Concealed Carry Act, records of the Concealed
23 Carry Licensing Review Board under the Firearm Concealed
24 Carry Act, and law enforcement agency objections under the
25 Firearm Concealed Carry Act.

26 (v-5) Records of the Firearm Owner's Identification

1 Card Review Board that are exempted from disclosure under
2 Section 10 of the Firearm Owners Identification Card Act.

3 (w) Personally identifiable information which is
4 exempted from disclosure under subsection (g) of Section
5 19.1 of the Toll Highway Act.

6 (x) Information which is exempted from disclosure
7 under Section 5-1014.3 of the Counties Code or Section
8 8-11-21 of the Illinois Municipal Code.

9 (y) Confidential information under the Adult
10 Protective Services Act and its predecessor enabling
11 statute, the Elder Abuse and Neglect Act, including
12 information about the identity and administrative finding
13 against any caregiver of a verified and substantiated
14 decision of abuse, neglect, or financial exploitation of
15 an eligible adult maintained in the Registry established
16 under Section 7.5 of the Adult Protective Services Act.

17 (z) Records and information provided to a fatality
18 review team or the Illinois Fatality Review Team Advisory
19 Council under Section 15 of the Adult Protective Services
20 Act.

21 (aa) Information which is exempted from disclosure
22 under Section 2.37 of the Wildlife Code.

23 (bb) Information which is or was prohibited from
24 disclosure by the Juvenile Court Act of 1987.

25 (cc) Recordings made under the Law Enforcement
26 Officer-Worn Body Camera Act, except to the extent

1 authorized under that Act.

2 (dd) Information that is prohibited from being
3 disclosed under Section 45 of the Condominium and Common
4 Interest Community Ombudsperson Act.

5 (ee) Information that is exempted from disclosure
6 under Section 30.1 of the Pharmacy Practice Act.

7 (ff) Information that is exempted from disclosure
8 under the Revised Uniform Unclaimed Property Act.

9 (gg) Information that is prohibited from being
10 disclosed under Section 7-603.5 of the Illinois Vehicle
11 Code.

12 (hh) Records that are exempt from disclosure under
13 Section 1A-16.7 of the Election Code.

14 (ii) Information which is exempted from disclosure
15 under Section 2505-800 of the Department of Revenue Law of
16 the Civil Administrative Code of Illinois.

17 (jj) Information and reports that are required to be
18 submitted to the Department of Labor by registering day
19 and temporary labor service agencies but are exempt from
20 disclosure under subsection (a-1) of Section 45 of the Day
21 and Temporary Labor Services Act.

22 (kk) Information prohibited from disclosure under the
23 Seizure and Forfeiture Reporting Act.

24 (ll) Information the disclosure of which is restricted
25 and exempted under Section 5-30.8 of the Illinois Public
26 Aid Code.

1 (mm) Records that are exempt from disclosure under
2 Section 4.2 of the Crime Victims Compensation Act.

3 (nn) Information that is exempt from disclosure under
4 Section 70 of the Higher Education Student Assistance Act.

5 (oo) Communications, notes, records, and reports
6 arising out of a peer support counseling session
7 prohibited from disclosure under the First Responders
8 Suicide Prevention Act.

9 (pp) Names and all identifying information relating to
10 an employee of an emergency services provider or law
11 enforcement agency under the First Responders Suicide
12 Prevention Act.

13 (qq) Information and records held by the Department of
14 Public Health and its authorized representatives collected
15 under the Reproductive Health Act.

16 (rr) Information that is exempt from disclosure under
17 the Cannabis Regulation and Tax Act.

18 (ss) Data reported by an employer to the Department of
19 Human Rights pursuant to Section 2-108 of the Illinois
20 Human Rights Act.

21 (tt) Recordings made under the Children's Advocacy
22 Center Act, except to the extent authorized under that
23 Act.

24 (uu) Information that is exempt from disclosure under
25 Section 50 of the Sexual Assault Evidence Submission Act.

26 (vv) Information that is exempt from disclosure under

1 subsections (f) and (j) of Section 5-36 of the Illinois
2 Public Aid Code.

3 (ww) Information that is exempt from disclosure under
4 Section 16.8 of the State Treasurer Act.

5 (xx) Information that is exempt from disclosure or
6 information that shall not be made public under the
7 Illinois Insurance Code.

8 (yy) Information prohibited from being disclosed under
9 the Illinois Educational Labor Relations Act.

10 (zz) Information prohibited from being disclosed under
11 the Illinois Public Labor Relations Act.

12 (aaa) Information prohibited from being disclosed
13 under Section 1-167 of the Illinois Pension Code.

14 (bbb) Information that is prohibited from disclosure
15 by the Illinois Police Training Act and the Illinois State
16 Police Act.

17 (ccc) Records exempt from disclosure under Section
18 2605-304 of the Illinois State Police Law of the Civil
19 Administrative Code of Illinois.

20 (ddd) Information prohibited from being disclosed
21 under Section 35 of the Address Confidentiality for
22 Victims of Domestic Violence, Sexual Assault, Human
23 Trafficking, or Stalking Act.

24 (eee) Information prohibited from being disclosed
25 under subsection (b) of Section 75 of the Domestic
26 Violence Fatality Review Act.

1 (fff) Images from cameras under the Expressway Camera
2 Act and all automated license plate reader (ALPR)
3 information used and collected by the Illinois State
4 Police. "ALPR information" means information gathered by
5 an ALPR or created from the analysis of data generated by
6 an ALPR. This subsection (fff) is inoperative on and after
7 July 1, 2028.

8 (ggg) Information prohibited from disclosure under
9 paragraph (3) of subsection (a) of Section 14 of the Nurse
10 Agency Licensing Act.

11 (hhh) Information submitted to the Illinois State
12 Police in an affidavit or application for an assault
13 weapon endorsement, assault weapon attachment endorsement,
14 .50 caliber rifle endorsement, or .50 caliber cartridge
15 endorsement under the Firearm Owners Identification Card
16 Act.

17 (iii) Data exempt from disclosure under Section 50 of
18 the School Safety Drill Act.

19 (jjj) Information exempt from disclosure under Section
20 30 of the Insurance Data Security Law.

21 (kkk) Confidential business information prohibited
22 from disclosure under Section 45 of the Paint Stewardship
23 Act.

24 (lll) Data exempt from disclosure under Section
25 2-3.196 of the School Code.

26 (mmm) Information prohibited from being disclosed

1 under subsection (e) of Section 1-129 of the Illinois
2 Power Agency Act.

3 (nnn) Materials received by the Department of Commerce
4 and Economic Opportunity that are confidential under the
5 Music and Musicians Tax Credit and Jobs Act.

6 (ooo) Data or information provided pursuant to Section
7 20 of the Statewide Recycling Needs and Assessment Act.

8 (ppp) Information that is exempt from disclosure under
9 Section 28-11 of the Lawful Health Care Activity Act.

10 (qqq) Information that is exempt from disclosure under
11 Section 7-101 of the Illinois Human Rights Act.

12 (rrr) Information prohibited from being disclosed
13 under Section 4-2 of the Uniform Money Transmission
14 Modernization Act.

15 (sss) Information exempt from disclosure under Section
16 40 of the Student-Athlete Endorsement Rights Act.

17 (ttt) Audio recordings made under Section 30 of the
18 Illinois State Police Act, except to the extent authorized
19 under that Section.

20 (uuu) Information prohibited from being disclosed
21 under Section 30-5 of the Digital Assets Regulation Act.

22 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;
23 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.
24 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,
25 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;
26 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.

1 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,
2 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;
3 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; revised
4 9-10-25.)

5 (Text of Section after amendment by P.A. 104-457 but
6 before 104-441)

7 Sec. 7.5. Statutory exemptions. To the extent provided for
8 by the statutes referenced below, the following shall be
9 exempt from inspection and copying:

10 (a) All information determined to be confidential
11 under Section 4002 of the Technology Advancement and
12 Development Act.

13 (b) Library circulation and order records identifying
14 library users with specific materials under the Library
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical
17 records received by the Experimental Organ Transplantation
18 Procedures Board and any and all documents or other
19 records prepared by the Experimental Organ Transplantation
20 Procedures Board or its staff relating to applications it
21 has received.

22 (d) Information and records held by the Department of
23 Public Health and its authorized representatives relating
24 to known or suspected cases of sexually transmitted
25 infection or any information the disclosure of which is

1 restricted under the Illinois Sexually Transmitted
2 Infection Control Act.

3 (e) Information the disclosure of which is exempted
4 under Section 30 of the Radon Industry Licensing Act.

5 (f) Firm performance evaluations under Section 55 of
6 the Architectural, Engineering, and Land Surveying
7 Qualifications Based Selection Act.

8 (g) Information the disclosure of which is restricted
9 and exempted under Section 50 of the Illinois Prepaid
10 Tuition Act.

11 (h) Information the disclosure of which is exempted
12 under the State Officials and Employees Ethics Act, and
13 records of any lawfully created State or local inspector
14 general's office that would be exempt if created or
15 obtained by an Executive Inspector General's office under
16 that Act.

17 (i) Information contained in a local emergency energy
18 plan submitted to a municipality in accordance with a
19 local emergency energy plan ordinance that is adopted
20 under Section 11-21.5-5 of the Illinois Municipal Code.

21 (j) Information and data concerning the distribution
22 of surcharge moneys collected and remitted by carriers
23 under the Emergency Telephone System Act.

24 (k) Law enforcement officer identification information
25 or driver identification information compiled by a law
26 enforcement agency or the Department of Transportation

1 under Section 11-212 of the Illinois Vehicle Code.

2 (l) Records and information provided to a residential
3 health care facility resident sexual assault and death
4 review team or the Executive Council under the Abuse
5 Prevention Review Team Act.

6 (m) Information provided to the predatory lending
7 database created pursuant to Article 3 of the Residential
8 Real Property Disclosure Act, except to the extent
9 authorized under that Article.

10 (n) Defense budgets and petitions for certification of
11 compensation and expenses for court appointed trial
12 counsel as provided under Sections 10 and 15 of the
13 Capital Crimes Litigation Act (repealed). This subsection
14 (n) shall apply until the conclusion of the trial of the
15 case, even if the prosecution chooses not to pursue the
16 death penalty prior to trial or sentencing.

17 (o) Information that is prohibited from being
18 disclosed under Section 4 of the Illinois Health and
19 Hazardous Substances Registry Act.

20 (p) Security portions of system safety program plans,
21 investigation reports, surveys, schedules, lists, data, or
22 information compiled, collected, or prepared by or for the
23 Department of Transportation under Sections 2705-300 and
24 2705-616 of the Department of Transportation Law of the
25 Civil Administrative Code of Illinois, the Northern
26 Illinois Transit Authority under Section 2.11 of the

1 Northern Illinois Transit Authority Act, or the St. Clair
2 County Transit District under the Bi-State Transit Safety
3 Act (repealed).

4 (q) Information prohibited from being disclosed by the
5 Personnel Record Review Act.

6 (r) Information prohibited from being disclosed by the
7 Illinois School Student Records Act.

8 (s) Information the disclosure of which is restricted
9 under Section 5-108 of the Public Utilities Act.

10 (t) (Blank).

11 (u) Records and information provided to an independent
12 team of experts under the Developmental Disability and
13 Mental Health Safety Act (also known as Brian's Law).

14 (v) Names and information of people who have applied
15 for or received Firearm Owner's Identification Cards under
16 the Firearm Owners Identification Card Act or applied for
17 or received a concealed carry license under the Firearm
18 Concealed Carry Act, unless otherwise authorized by the
19 Firearm Concealed Carry Act; and databases under the
20 Firearm Concealed Carry Act, records of the Concealed
21 Carry Licensing Review Board under the Firearm Concealed
22 Carry Act, and law enforcement agency objections under the
23 Firearm Concealed Carry Act.

24 (v-5) Records of the Firearm Owner's Identification
25 Card Review Board that are exempted from disclosure under
26 Section 10 of the Firearm Owners Identification Card Act.

1 (w) Personally identifiable information which is
2 exempted from disclosure under subsection (g) of Section
3 19.1 of the Toll Highway Act.

4 (x) Information which is exempted from disclosure
5 under Section 5-1014.3 of the Counties Code or Section
6 8-11-21 of the Illinois Municipal Code.

7 (y) Confidential information under the Adult
8 Protective Services Act and its predecessor enabling
9 statute, the Elder Abuse and Neglect Act, including
10 information about the identity and administrative finding
11 against any caregiver of a verified and substantiated
12 decision of abuse, neglect, or financial exploitation of
13 an eligible adult maintained in the Registry established
14 under Section 7.5 of the Adult Protective Services Act.

15 (z) Records and information provided to a fatality
16 review team or the Illinois Fatality Review Team Advisory
17 Council under Section 15 of the Adult Protective Services
18 Act.

19 (aa) Information which is exempted from disclosure
20 under Section 2.37 of the Wildlife Code.

21 (bb) Information which is or was prohibited from
22 disclosure by the Juvenile Court Act of 1987.

23 (cc) Recordings made under the Law Enforcement
24 Officer-Worn Body Camera Act, except to the extent
25 authorized under that Act.

26 (dd) Information that is prohibited from being

1 disclosed under Section 45 of the Condominium and Common
2 Interest Community Ombudsperson Act.

3 (ee) Information that is exempted from disclosure
4 under Section 30.1 of the Pharmacy Practice Act.

5 (ff) Information that is exempted from disclosure
6 under the Revised Uniform Unclaimed Property Act.

7 (gg) Information that is prohibited from being
8 disclosed under Section 7-603.5 of the Illinois Vehicle
9 Code.

10 (hh) Records that are exempt from disclosure under
11 Section 1A-16.7 of the Election Code.

12 (ii) Information which is exempted from disclosure
13 under Section 2505-800 of the Department of Revenue Law of
14 the Civil Administrative Code of Illinois.

15 (jj) Information and reports that are required to be
16 submitted to the Department of Labor by registering day
17 and temporary labor service agencies but are exempt from
18 disclosure under subsection (a-1) of Section 45 of the Day
19 and Temporary Labor Services Act.

20 (kk) Information prohibited from disclosure under the
21 Seizure and Forfeiture Reporting Act.

22 (ll) Information the disclosure of which is restricted
23 and exempted under Section 5-30.8 of the Illinois Public
24 Aid Code.

25 (mm) Records that are exempt from disclosure under
26 Section 4.2 of the Crime Victims Compensation Act.

1 (nn) Information that is exempt from disclosure under
2 Section 70 of the Higher Education Student Assistance Act.

3 (oo) Communications, notes, records, and reports
4 arising out of a peer support counseling session
5 prohibited from disclosure under the First Responders
6 Suicide Prevention Act.

7 (pp) Names and all identifying information relating to
8 an employee of an emergency services provider or law
9 enforcement agency under the First Responders Suicide
10 Prevention Act.

11 (qq) Information and records held by the Department of
12 Public Health and its authorized representatives collected
13 under the Reproductive Health Act.

14 (rr) Information that is exempt from disclosure under
15 the Cannabis Regulation and Tax Act.

16 (ss) Data reported by an employer to the Department of
17 Human Rights pursuant to Section 2-108 of the Illinois
18 Human Rights Act.

19 (tt) Recordings made under the Children's Advocacy
20 Center Act, except to the extent authorized under that
21 Act.

22 (uu) Information that is exempt from disclosure under
23 Section 50 of the Sexual Assault Evidence Submission Act.

24 (vv) Information that is exempt from disclosure under
25 subsections (f) and (j) of Section 5-36 of the Illinois
26 Public Aid Code.

1 (wv) Information that is exempt from disclosure under
2 Section 16.8 of the State Treasurer Act.

3 (xx) Information that is exempt from disclosure or
4 information that shall not be made public under the
5 Illinois Insurance Code.

6 (yy) Information prohibited from being disclosed under
7 the Illinois Educational Labor Relations Act.

8 (zz) Information prohibited from being disclosed under
9 the Illinois Public Labor Relations Act.

10 aaa) Information prohibited from being disclosed
11 under Section 1-167 of the Illinois Pension Code.

12 bbb) Information that is prohibited from disclosure
13 by the Illinois Police Training Act and the Illinois State
14 Police Act.

15 ccc) Records exempt from disclosure under Section
16 2605-304 of the Illinois State Police Law of the Civil
17 Administrative Code of Illinois.

18 ddd) Information prohibited from being disclosed
19 under Section 35 of the Address Confidentiality for
20 Victims of Domestic Violence, Sexual Assault, Human
21 Trafficking, or Stalking Act.

22 eee) Information prohibited from being disclosed
23 under subsection (b) of Section 75 of the Domestic
24 Violence Fatality Review Act.

25 fff) Images from cameras under the Expressway Camera
26 Act and all automated license plate reader (ALPR)

1 information used and collected by the Illinois State
2 Police. "ALPR information" means information gathered by
3 an ALPR or created from the analysis of data generated by
4 an ALPR. This subsection (fff) is inoperative on and after
5 July 1, 2028.

6 (ggg) Information prohibited from disclosure under
7 paragraph (3) of subsection (a) of Section 14 of the Nurse
8 Agency Licensing Act.

9 (hhh) Information submitted to the Illinois State
10 Police in an affidavit or application for an assault
11 weapon endorsement, assault weapon attachment endorsement,
12 .50 caliber rifle endorsement, or .50 caliber cartridge
13 endorsement under the Firearm Owners Identification Card
14 Act.

15 (iii) Data exempt from disclosure under Section 50 of
16 the School Safety Drill Act.

17 (jjj) Information exempt from disclosure under Section
18 30 of the Insurance Data Security Law.

19 (kkk) Confidential business information prohibited
20 from disclosure under Section 45 of the Paint Stewardship
21 Act.

22 (lll) Data exempt from disclosure under Section
23 2-3.196 of the School Code.

24 (mmm) Information prohibited from being disclosed
25 under subsection (e) of Section 1-129 of the Illinois
26 Power Agency Act.

1 (nnn) Materials received by the Department of Commerce
2 and Economic Opportunity that are confidential under the
3 Music and Musicians Tax Credit and Jobs Act.

4 (ooo) Data or information provided pursuant to Section
5 20 of the Statewide Recycling Needs and Assessment Act.

6 (ppp) Information that is exempt from disclosure under
7 Section 28-11 of the Lawful Health Care Activity Act.

8 (qqq) Information that is exempt from disclosure under
9 Section 7-101 of the Illinois Human Rights Act.

10 (rrr) Information prohibited from being disclosed
11 under Section 4-2 of the Uniform Money Transmission
12 Modernization Act.

13 (sss) Information exempt from disclosure under Section
14 40 of the Student-Athlete Endorsement Rights Act.

15 (ttt) Audio recordings made under Section 30 of the
16 Illinois State Police Act, except to the extent authorized
17 under that Section.

18 (uuu) Information prohibited from being disclosed
19 under Section 30-5 of the Digital Assets Regulation Act.

20 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;
21 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.
22 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,
23 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;
24 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.
25 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,
26 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;

1 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-457, eff.
2 6-1-26; revised 1-7-26.)

3 (Text of Section after amendment by P.A. 104-441)

4 Sec. 7.5. Statutory exemptions. To the extent provided for
5 by the statutes referenced below, the following shall be
6 exempt from inspection and copying:

7 (a) All information determined to be confidential
8 under Section 4002 of the Technology Advancement and
9 Development Act.

10 (b) Library circulation and order records identifying
11 library users with specific materials under the Library
12 Records Confidentiality Act.

13 (c) Applications, related documents, and medical
14 records received by the Experimental Organ Transplantation
15 Procedures Board and any and all documents or other
16 records prepared by the Experimental Organ Transplantation
17 Procedures Board or its staff relating to applications it
18 has received.

19 (d) Information and records held by the Department of
20 Public Health and its authorized representatives relating
21 to known or suspected cases of sexually transmitted
22 infection or any information the disclosure of which is
23 restricted under the Illinois Sexually Transmitted
24 Infection Control Act.

25 (e) Information the disclosure of which is exempted

1 under Section 30 of the Radon Industry Licensing Act.

2 (f) Firm performance evaluations under Section 55 of
3 the Architectural, Engineering, and Land Surveying
4 Qualifications Based Selection Act.

5 (g) Information the disclosure of which is restricted
6 and exempted under Section 50 of the Illinois Prepaid
7 Tuition Act.

8 (h) Information the disclosure of which is exempted
9 under the State Officials and Employees Ethics Act, and
10 records of any lawfully created State or local inspector
11 general's office that would be exempt if created or
12 obtained by an Executive Inspector General's office under
13 that Act.

14 (i) Information contained in a local emergency energy
15 plan submitted to a municipality in accordance with a
16 local emergency energy plan ordinance that is adopted
17 under Section 11-21.5-5 of the Illinois Municipal Code.

18 (j) Information and data concerning the distribution
19 of surcharge moneys collected and remitted by carriers
20 under the Emergency Telephone System Act.

21 (k) Law enforcement officer identification information
22 or driver identification information compiled by a law
23 enforcement agency or the Department of Transportation
24 under Section 11-212 of the Illinois Vehicle Code.

25 (l) Records and information provided to a residential
26 health care facility resident sexual assault and death

1 review team or the Executive Council under the Abuse
2 Prevention Review Team Act.

3 (m) Information provided to the predatory lending
4 database created pursuant to Article 3 of the Residential
5 Real Property Disclosure Act, except to the extent
6 authorized under that Article.

7 (n) Defense budgets and petitions for certification of
8 compensation and expenses for court appointed trial
9 counsel as provided under Sections 10 and 15 of the
10 Capital Crimes Litigation Act (repealed). This subsection
11 (n) shall apply until the conclusion of the trial of the
12 case, even if the prosecution chooses not to pursue the
13 death penalty prior to trial or sentencing.

14 (o) Information that is prohibited from being
15 disclosed under Section 4 of the Illinois Health and
16 Hazardous Substances Registry Act.

17 (p) Security portions of system safety program plans,
18 investigation reports, surveys, schedules, lists, data, or
19 information compiled, collected, or prepared by or for the
20 Department of Transportation under Sections 2705-300 and
21 2705-616 of the Department of Transportation Law of the
22 Civil Administrative Code of Illinois, the Northern
23 Illinois Transit Authority under Section 2.11 of the
24 Northern Illinois Transit Authority Act, or the St. Clair
25 County Transit District under the Bi-State Transit Safety
26 Act (repealed).

1 (q) Information prohibited from being disclosed by the
2 Personnel Record Review Act.

3 (r) Information prohibited from being disclosed by the
4 Illinois School Student Records Act.

5 (s) Information the disclosure of which is restricted
6 under Section 5-108 of the Public Utilities Act.

7 (t) (Blank).

8 (u) Records and information provided to an independent
9 team of experts under the Developmental Disability and
10 Mental Health Safety Act (also known as Brian's Law).

11 (v) Names and information of people who have applied
12 for or received Firearm Owner's Identification Cards under
13 the Firearm Owners Identification Card Act or applied for
14 or received a concealed carry license under the Firearm
15 Concealed Carry Act, unless otherwise authorized by the
16 Firearm Concealed Carry Act; and databases under the
17 Firearm Concealed Carry Act, records of the Concealed
18 Carry Licensing Review Board under the Firearm Concealed
19 Carry Act, and law enforcement agency objections under the
20 Firearm Concealed Carry Act.

21 (v-5) Records of the Firearm Owner's Identification
22 Card Review Board that are exempted from disclosure under
23 Section 10 of the Firearm Owners Identification Card Act.

24 (w) Personally identifiable information which is
25 exempted from disclosure under subsection (g) of Section
26 19.1 of the Toll Highway Act.

1 (x) Information which is exempted from disclosure
2 under Section 5-1014.3 of the Counties Code or Section
3 8-11-21 of the Illinois Municipal Code.

4 (y) Confidential information under the Adult
5 Protective Services Act and its predecessor enabling
6 statute, the Elder Abuse and Neglect Act, including
7 information about the identity and administrative finding
8 against any caregiver of a verified and substantiated
9 decision of abuse, neglect, or financial exploitation of
10 an eligible adult maintained in the Registry established
11 under Section 7.5 of the Adult Protective Services Act.

12 (z) Records and information provided to a fatality
13 review team or the Illinois Fatality Review Team Advisory
14 Council under Section 15 of the Adult Protective Services
15 Act.

16 (aa) Information which is exempted from disclosure
17 under Section 2.37 of the Wildlife Code.

18 (bb) Information which is or was prohibited from
19 disclosure by the Juvenile Court Act of 1987.

20 (cc) Recordings made under the Law Enforcement
21 Officer-Worn Body Camera Act, except to the extent
22 authorized under that Act.

23 (dd) Information that is prohibited from being
24 disclosed under Section 45 of the Condominium and Common
25 Interest Community Ombudsperson Act.

26 (ee) Information that is exempted from disclosure

1 under Section 30.1 of the Pharmacy Practice Act.

2 (ff) Information that is exempted from disclosure
3 under the Revised Uniform Unclaimed Property Act.

4 (gg) Information that is prohibited from being
5 disclosed under Section 7-603.5 of the Illinois Vehicle
6 Code.

7 (hh) Records that are exempt from disclosure under
8 Section 1A-16.7 of the Election Code.

9 (ii) Information which is exempted from disclosure
10 under Section 2505-800 of the Department of Revenue Law of
11 the Civil Administrative Code of Illinois.

12 (jj) Information and reports that are required to be
13 submitted to the Department of Labor by registering day
14 and temporary labor service agencies but are exempt from
15 disclosure under subsection (a-1) of Section 45 of the Day
16 and Temporary Labor Services Act.

17 (kk) Information prohibited from disclosure under the
18 Seizure and Forfeiture Reporting Act.

19 (ll) Information the disclosure of which is restricted
20 and exempted under Section 5-30.8 of the Illinois Public
21 Aid Code.

22 (mm) Records that are exempt from disclosure under
23 Section 4.2 of the Crime Victims Compensation Act.

24 (nn) Information that is exempt from disclosure under
25 Section 70 of the Higher Education Student Assistance Act.

26 (oo) Communications, notes, records, and reports

1 arising out of a peer support counseling session
2 prohibited from disclosure under the First Responders
3 Suicide Prevention Act.

4 (pp) Names and all identifying information relating to
5 an employee of an emergency services provider or law
6 enforcement agency under the First Responders Suicide
7 Prevention Act.

8 (qq) Information and records held by the Department of
9 Public Health and its authorized representatives collected
10 under the Reproductive Health Act.

11 (rr) Information that is exempt from disclosure under
12 the Cannabis Regulation and Tax Act.

13 (ss) Data reported by an employer to the Department of
14 Human Rights pursuant to Section 2-108 of the Illinois
15 Human Rights Act.

16 (tt) Recordings made under the Children's Advocacy
17 Center Act, except to the extent authorized under that
18 Act.

19 (uu) Information that is exempt from disclosure under
20 Section 50 of the Sexual Assault Evidence Submission Act.

21 (vv) Information that is exempt from disclosure under
22 subsections (f) and (j) of Section 5-36 of the Illinois
23 Public Aid Code.

24 (ww) Information that is exempt from disclosure under
25 Section 16.8 of the State Treasurer Act.

26 (xx) Information that is exempt from disclosure or

1 information that shall not be made public under the
2 Illinois Insurance Code.

3 (yy) Information prohibited from being disclosed under
4 the Illinois Educational Labor Relations Act.

5 (zz) Information prohibited from being disclosed under
6 the Illinois Public Labor Relations Act.

7 (aaa) Information prohibited from being disclosed
8 under Section 1-167 of the Illinois Pension Code.

9 (bbb) Information that is prohibited from disclosure
10 by the Illinois Police Training Act and the Illinois State
11 Police Act.

12 (ccc) Records exempt from disclosure under Section
13 2605-304 of the Illinois State Police Law of the Civil
14 Administrative Code of Illinois.

15 (ddd) Information prohibited from being disclosed
16 under Section 35 of the Address Confidentiality for
17 Victims of Domestic Violence, Sexual Assault, Human
18 Trafficking, or Stalking Act.

19 (eee) Information prohibited from being disclosed
20 under subsection (b) of Section 75 of the Domestic
21 Violence Fatality Review Act.

22 (fff) Images from cameras under the Expressway Camera
23 Act and all automated license plate reader (ALPR)
24 information used and collected by the Illinois State
25 Police. "ALPR information" means information gathered by
26 an ALPR or created from the analysis of data generated by

1 an ALPR. This subsection (fff) is inoperative on and after
2 July 1, 2028.

3 (ggg) Information prohibited from disclosure under
4 paragraph (3) of subsection (a) of Section 14 of the Nurse
5 Agency Licensing Act.

6 (hhh) Information submitted to the Illinois State
7 Police in an affidavit or application for an assault
8 weapon endorsement, assault weapon attachment endorsement,
9 .50 caliber rifle endorsement, or .50 caliber cartridge
10 endorsement under the Firearm Owners Identification Card
11 Act.

12 (iii) Data exempt from disclosure under Section 50 of
13 the School Safety Drill Act.

14 (jjj) Information exempt from disclosure under Section
15 30 of the Insurance Data Security Law.

16 (kkk) Confidential business information prohibited
17 from disclosure under Section 45 of the Paint Stewardship
18 Act.

19 (lll) Data exempt from disclosure under Section
20 2-3.196 of the School Code.

21 (mmm) Information prohibited from being disclosed
22 under subsection (e) of Section 1-129 of the Illinois
23 Power Agency Act.

24 (nnn) Materials received by the Department of Commerce
25 and Economic Opportunity that are confidential under the
26 Music and Musicians Tax Credit and Jobs Act.

1 (ooo) Data or information provided pursuant to Section
2 20 of the Statewide Recycling Needs and Assessment Act.

3 (ppp) Information that is exempt from disclosure under
4 Section 28-11 of the Lawful Health Care Activity Act.

5 (qqq) Information that is exempt from disclosure under
6 Section 7-101 of the Illinois Human Rights Act.

7 (rrr) Information prohibited from being disclosed
8 under Section 4-2 of the Uniform Money Transmission
9 Modernization Act.

10 (sss) Information exempt from disclosure under Section
11 40 of the Student-Athlete Endorsement Rights Act.

12 (ttt) Audio recordings made under Section 30 of the
13 Illinois State Police Act, except to the extent authorized
14 under that Section.

15 (uuu) Information prohibited from being disclosed
16 under Section 30-5 of the Digital Assets Regulation Act.

17 (vvv) ~~(uuu)~~ Information exempt from disclosure under
18 Section 70 of the End-of-Life Options for Terminally Ill
19 Patients Act.

20 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23;
21 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff.
22 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592,
23 eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24;
24 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff.
25 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081,
26 eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25;

1 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-441, eff.
2 9-12-26; 104-457, eff. 6-1-26; revised 1-7-26.)

3 Section 30. The Uniform Electronic Legal Material Act is
4 amended by changing Section 2 as follows:

5 (5 ILCS 180/2)

6 Sec. 2. Definitions. In this Act:

7 (1) "Electronic" means relating to technology having
8 electrical, digital, magnetic, wireless, optical,
9 electromagnetic, or similar capabilities.

10 (2) "Legal material" means, whether or not in effect:

11 (A) the Illinois Constitution;

12 (B) the Laws of Illinois;

13 (C) the Illinois Compiled Statutes;

14 (D) the Illinois Administrative Code;

15 (E) the following categories of State administrative
16 agency decisions: final administrative decisions;

17 (F) reported decisions of the following State courts:
18 Illinois Supreme Court, Illinois Appellate Court, and
19 Illinois Court of Claims; or

20 (G) Illinois Supreme Court rules.

21 (3) "Official publisher" means:

22 (A) for the Illinois Constitution, the Secretary of
23 State;

24 (B) for the Laws of Illinois, the Secretary of State;

1 (C) for Illinois Compiled Statutes, the Secretary of
2 State;

3 (D) for a rule published in the Illinois
4 Administrative Code, the Secretary of State;

5 (E) for a rule not published in the Illinois
6 Administrative Code, the State agency adopting the rule;

7 (F) for a State agency decision included under
8 paragraph (2) (E), the State agency issuing the decision;

9 (G) for a State court decision included under
10 paragraph (2) (F), the Illinois Supreme Court, Reporter of
11 Decisions;

12 (H) for State court rules, the Illinois Supreme Court;
13 or

14 (I) for Decisions of the Court of Claims, the
15 Secretary of State.

16 (4) "Publish" means to display, present, or release to the
17 public, or cause to be displayed, presented, or released to
18 the public, by the official publisher.

19 (5) "Record" means information that is inscribed on a
20 tangible medium or that is stored in an electronic or other
21 medium and is retrievable in perceivable form.

22 (6) "State" means a state of the United States, the
23 District of Columbia, Puerto Rico, the United States Virgin
24 Islands, or any territory or insular possession subject to the
25 jurisdiction of the United States.

26 (Source: P.A. 98-1097, eff. 1-1-15; revised 6-26-25.)

1 Section 35. The State Employee Indemnification Act is
2 amended by changing Section 1 as follows:

3 (5 ILCS 350/1)

4 Sec. 1. Definitions. For the purpose of this Act:

5 (a) The term "State" means the State of Illinois, the
6 General Assembly, the court, or any State office, department,
7 division, bureau, board, commission, or committee, the
8 governing boards of the public institutions of higher
9 education created by the State, the Illinois National Guard,
10 the Illinois State Guard, the Comprehensive Health Insurance
11 Board, any poison control center designated under the Poison
12 Control System Act that receives State funding, or any other
13 agency or instrumentality of the State. It does not mean any
14 local public entity as that term is defined in Section 1-206 of
15 the Local Governmental and Governmental Employees Tort
16 Immunity Act or a pension fund.

17 (b) The term "employee" means: any present or former
18 elected or appointed officer, trustee or employee of the
19 State, or of a pension fund; any present or former
20 commissioner or employee of the Executive Ethics Commission or
21 of the Legislative Ethics Commission; any present or former
22 Executive, Legislative, or Auditor General's Inspector
23 General; any present or former employee of an Office of an
24 Executive, Legislative, or Auditor General's Inspector

1 General; any present or former member of the Illinois National
2 Guard while on active duty; any present or former member of the
3 Illinois State Guard while on State active duty; individuals
4 or organizations who contract with the Department of
5 Corrections, the Department of Juvenile Justice, the
6 Comprehensive Health Insurance Board, or the Department of
7 Veterans Affairs to provide services; individuals or
8 organizations who contract with the Department of Human
9 Services (as successor to the Department of Mental Health and
10 Developmental Disabilities) to provide services including but
11 not limited to treatment and other services for sexually
12 violent persons; individuals or organizations who contract
13 with the Department of Military Affairs for youth programs;
14 individuals or organizations who contract to perform carnival
15 and amusement ride safety inspections for the Department of
16 Labor; individuals who contract with the Office of the State's
17 Attorneys Appellate Prosecutor to provide legal services, but
18 only when performing duties within the scope of the Office's
19 prosecutorial activities; individual representatives of or
20 designated organizations authorized to represent the Office of
21 State Long-Term Ombudsman for the Department on Aging;
22 individual representatives of or organizations designated by
23 the Department on Aging in the performance of their duties as
24 adult protective services agencies or regional administrative
25 agencies under the Adult Protective Services Act; individuals
26 or organizations appointed as members of a review team or the

1 Advisory Council under the Adult Protective Services Act;
2 individuals or organizations who perform volunteer services
3 for the State where such volunteer relationship is reduced to
4 writing; individuals who serve on any public entity (whether
5 created by law or administrative action) described in
6 paragraph (a) of this Section; individuals or not for profit
7 organizations who, either as volunteers, where such volunteer
8 relationship is reduced to writing, or pursuant to contract,
9 furnish professional advice or consultation to any agency or
10 instrumentality of the State; individuals who serve as foster
11 parents for the Department of Children and Family Services
12 when caring for youth in care as defined in Section 4d of the
13 Children and Family Services Act; individuals who serve as
14 members of an independent team of experts under the
15 Developmental Disability and Mental Health Safety Act (also
16 known as Brian's Law); and individuals who serve as
17 arbitrators pursuant to Part 10A of Article II of the Code of
18 Civil Procedure and the rules of the Supreme Court
19 implementing Part 10A, each as now or hereafter amended; the
20 members of the Certification Review Panel under the Illinois
21 Police Training Act; the term "employee" does not mean an
22 independent contractor except as provided in this Section. The
23 term includes (1) an individual appointed as an inspector by
24 the Director of the Illinois State Police when performing
25 duties within the scope of the activities of a Metropolitan
26 Enforcement Group or a law enforcement organization

1 established under the Intergovernmental Cooperation Act; (2)
2 any Metropolitan Enforcement Group created under the
3 Intergovernmental Drug Laws Enforcement Act if all sworn
4 members of the Metropolitan Enforcement Group are employees
5 under this Act; and (3) any law enforcement organization
6 established under a written agreement under the
7 Intergovernmental Cooperation Act for the purpose of enforcing
8 and investigating the offenses listed in paragraph (4) of
9 Section 3 of the Intergovernmental Drug Laws Enforcement Act,
10 or similar offenses, if the Illinois State Police is a party to
11 the agreement and all sworn members of the law enforcement
12 organization are employees under this Act. An individual who
13 renders professional advice and consultation to the State
14 through an organization which qualifies as an "employee" under
15 the Act is also an employee. The term includes the estate or
16 personal representative of an employee.

17 (c) The term "pension fund" means a retirement system or
18 pension fund created under the Illinois Pension Code.

19 (Source: P.A. 104-157, eff. 1-1-26; 104-234, eff. 8-15-25;
20 revised 11-19-25.)

21 Section 40. The State Employees Group Insurance Act of
22 1971 is amended by changing Section 6.11 as follows:

23 (5 ILCS 375/6.11)

24 (Text of Section before amendment by P.A. 104-1)

1 Sec. 6.11. Required health benefits; Illinois Insurance
2 Code requirements. The program of health benefits shall
3 provide the post-mastectomy care benefits required to be
4 covered by a policy of accident and health insurance under
5 Section 356t of the Illinois Insurance Code. The program of
6 health benefits shall provide the coverage required under
7 Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10,
8 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8,
9 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,
10 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,
11 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,
12 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59,
13 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70,
14 356z.71, 356z.74, 356z.76, ~~and~~ 356z.77, ~~and~~ 356z.80, 356z.81,
15 356z.82, 356z.83, 356z.84, and 356z.85 of the Illinois
16 Insurance Code. The program of health benefits must comply
17 with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1
18 and Article XXXIIB of the Illinois Insurance Code. The program
19 of health benefits shall provide the coverage required under
20 Section 356m of the Illinois Insurance Code and, for the
21 employees of the State Employee Group Insurance Program only,
22 the coverage as also provided in Section 6.11B of this Act. The
23 Department of Insurance shall enforce the requirements of this
24 Section with respect to Sections 370c and 370c.1 and Article
25 XXXIIB of the Illinois Insurance Code; all other requirements
26 of this Section shall be enforced by the Department of Central

1 Management Services.

2 Rulemaking authority to implement Public Act 95-1045, if
3 any, is conditioned on the rules being adopted in accordance
4 with all provisions of the Illinois Administrative Procedure
5 Act and all rules and procedures of the Joint Committee on
6 Administrative Rules; any purported rule not so adopted, for
7 whatever reason, is unauthorized.

8 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,
9 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;
10 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.
11 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,
12 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;
13 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-27, eff.
14 1-1-26, 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
15 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
16 eff. 1-1-26; 104-417, eff. 8-15-25; revised 11-19-25.)

17 (Text of Section after amendment by P.A. 104-1)

18 Sec. 6.11. Required health benefits; Illinois Insurance
19 Code requirements. The program of health benefits shall
20 provide the post-mastectomy care benefits required to be
21 covered by a policy of accident and health insurance under
22 Section 356t of the Illinois Insurance Code. The program of
23 health benefits shall provide the coverage required under
24 Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10,
25 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8,

1 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,
2 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,
3 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,
4 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59,
5 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70,
6 356z.71, 356z.74, 356z.76, ~~and~~ 356z.77, 356z.79, ~~and~~ 356z.80,
7 356z.81, 356z.82, 356z.83, 356z.84, and 356z.85 of the
8 Illinois Insurance Code. The program of health benefits must
9 comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and
10 370c.1 and Article XXXIIB of the Illinois Insurance Code. The
11 program of health benefits shall provide the coverage required
12 under Section 356m of the Illinois Insurance Code and, for the
13 employees of the State Employee Group Insurance Program only,
14 the coverage as also provided in Section 6.11B of this Act. The
15 Department of Insurance shall enforce the requirements of this
16 Section with respect to Sections 370c and 370c.1 and Article
17 XXXIIB of the Illinois Insurance Code; all other requirements
18 of this Section shall be enforced by the Department of Central
19 Management Services.

20 Rulemaking authority to implement Public Act 95-1045, if
21 any, is conditioned on the rules being adopted in accordance
22 with all provisions of the Illinois Administrative Procedure
23 Act and all rules and procedures of the Joint Committee on
24 Administrative Rules; any purported rule not so adopted, for
25 whatever reason, is unauthorized.

26 (Source: P.A. 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91,

1 eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24;
2 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff.
3 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-870,
4 eff. 1-1-25; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25;
5 103-951, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
6 7-1-27; 104-27, eff. 1-1-26, 104-42, eff. 8-1-25; 104-68, eff.
7 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,
8 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;
9 revised 11-19-25.)

10 Section 45. The State Officials and Employees Ethics Act
11 is amended by changing Section 1-5 as follows:

12 (5 ILCS 430/1-5)

13 (Text of Section before amendment by P.A. 104-435 and
14 104-457)

15 Sec. 1-5. Definitions. As used in this Act:

16 "Appointee" means a person appointed to a position in or
17 with a State agency, regardless of whether the position is
18 compensated.

19 "Board members of Regional Development Authorities" means
20 any person appointed to serve on the governing board of a
21 Regional Development Authority.

22 "Board members of Regional Transit Boards" means any
23 person appointed to serve on the governing board of a Regional
24 Transit Board.

1 "Campaign for elective office" means any activity in
2 furtherance of an effort to influence the selection,
3 nomination, election, or appointment of any individual to any
4 federal, State, or local public office or office in a
5 political organization, or the selection, nomination, or
6 election of Presidential or Vice-Presidential electors, but
7 does not include activities (i) relating to the support or
8 opposition of any executive, legislative, or administrative
9 action (as those terms are defined in Section 2 of the Lobbyist
10 Registration Act), (ii) relating to collective bargaining, or
11 (iii) that are otherwise in furtherance of the person's
12 official State duties.

13 "Candidate" means a person who has filed nominating papers
14 or petitions for nomination or election to an elected State
15 office, or who has been appointed to fill a vacancy in
16 nomination, and who remains eligible for placement on the
17 ballot at either a general primary election or general
18 election.

19 "Collective bargaining" has the same meaning as that term
20 is defined in Section 3 of the Illinois Public Labor Relations
21 Act.

22 "Commission" means an ethics commission created by this
23 Act.

24 "Compensated time" means any time worked by or credited to
25 a State employee that counts toward any minimum work time
26 requirement imposed as a condition of employment with a State

1 agency, but does not include any designated State holidays or
2 any period when the employee is on a leave of absence.

3 "Compensatory time off" means authorized time off earned
4 by or awarded to a State employee to compensate in whole or in
5 part for time worked in excess of the minimum work time
6 required of that employee as a condition of employment with a
7 State agency.

8 "Contribution" has the same meaning as that term is
9 defined in Section 9-1.4 of the Election Code.

10 "Employee" means (i) any person employed full-time,
11 part-time, or pursuant to a contract and whose employment
12 duties are subject to the direction and control of an employer
13 with regard to the material details of how the work is to be
14 performed or (ii) any appointed or elected commissioner,
15 trustee, director, or board member of a board of a State
16 agency, including any retirement system or investment board
17 subject to the Illinois Pension Code or (iii) any other
18 appointee.

19 "Employment benefits" include but are not limited to the
20 following: modified compensation or benefit terms; compensated
21 time off; or change of title, job duties, or location of office
22 or employment. An employment benefit may also include
23 favorable treatment in determining whether to bring any
24 disciplinary or similar action or favorable treatment during
25 the course of any disciplinary or similar action or other
26 performance review.

1 "Executive branch constitutional officer" means the
2 Governor, Lieutenant Governor, Attorney General, Secretary of
3 State, Comptroller, and Treasurer.

4 "Gift" means any gratuity, discount, entertainment,
5 hospitality, loan, forbearance, or other tangible or
6 intangible item having monetary value including, but not
7 limited to, cash, food and drink, and honoraria for speaking
8 engagements related to or attributable to government
9 employment or the official position of an employee, member, or
10 officer. The value of a gift may be further defined by rules
11 adopted by the appropriate ethics commission or by the Auditor
12 General for the Auditor General and for employees of the
13 office of the Auditor General.

14 "Governmental entity" means a unit of local government
15 (including a community college district) or a school district
16 but not a State agency, a Regional Transit Board, or a Regional
17 Development Authority.

18 "Leave of absence" means any period during which a State
19 employee does not receive (i) compensation for State
20 employment, (ii) service credit towards State pension
21 benefits, and (iii) health insurance benefits paid for by the
22 State.

23 "Legislative branch constitutional officer" means a member
24 of the General Assembly and the Auditor General.

25 "Legislative leader" means the President and Minority
26 Leader of the Senate and the Speaker and Minority Leader of the

1 House of Representatives.

2 "Member" means a member of the General Assembly.

3 "Officer" means an executive branch constitutional officer
4 or a legislative branch constitutional officer.

5 "Political" means any activity in support of or in
6 connection with any campaign for elective office or any
7 political organization, but does not include activities (i)
8 relating to the support or opposition of any executive,
9 legislative, or administrative action (as those terms are
10 defined in Section 2 of the Lobbyist Registration Act), (ii)
11 relating to collective bargaining, or (iii) that are otherwise
12 in furtherance of the person's official State duties or
13 governmental and public service functions.

14 "Political organization" means a party, committee,
15 association, fund, or other organization (whether or not
16 incorporated) that is required to file a statement of
17 organization with the State Board of Elections or a county
18 clerk under Section 9-3 of the Election Code, but only with
19 regard to those activities that require filing with the State
20 Board of Elections or a county clerk.

21 "Prohibited political activity" means:

22 (1) Preparing for, organizing, or participating in any
23 political meeting, political rally, political
24 demonstration, or other political event.

25 (2) Soliciting contributions, including but not
26 limited to the purchase of, selling, distributing, or

1 receiving payment for tickets for any political
2 fundraiser, political meeting, or other political event.

3 (3) Soliciting, planning the solicitation of, or
4 preparing any document or report regarding any thing of
5 value intended as a campaign contribution.

6 (4) Planning, conducting, or participating in a public
7 opinion poll in connection with a campaign for elective
8 office or on behalf of a political organization for
9 political purposes or for or against any referendum
10 question.

11 (5) Surveying or gathering information from potential
12 or actual voters in an election to determine probable vote
13 outcome in connection with a campaign for elective office
14 or on behalf of a political organization for political
15 purposes or for or against any referendum question.

16 (6) Assisting at the polls on election day on behalf
17 of any political organization or candidate for elective
18 office or for or against any referendum question.

19 (7) Soliciting votes on behalf of a candidate for
20 elective office or a political organization or for or
21 against any referendum question or helping in an effort to
22 get voters to the polls.

23 (8) Initiating for circulation, preparing,
24 circulating, reviewing, or filing any petition on behalf
25 of a candidate for elective office or for or against any
26 referendum question.

1 (9) Making contributions on behalf of any candidate
2 for elective office in that capacity or in connection with
3 a campaign for elective office.

4 (10) Preparing or reviewing responses to candidate
5 questionnaires in connection with a campaign for elective
6 office or on behalf of a political organization for
7 political purposes.

8 (11) Distributing, preparing for distribution, or
9 mailing campaign literature, campaign signs, or other
10 campaign material on behalf of any candidate for elective
11 office or for or against any referendum question.

12 (12) Campaigning for any elective office or for or
13 against any referendum question.

14 (13) Managing or working on a campaign for elective
15 office or for or against any referendum question.

16 (14) Serving as a delegate, alternate, or proxy to a
17 political party convention.

18 (15) Participating in any recount or challenge to the
19 outcome of any election, except to the extent that under
20 subsection (d) of Section 6 of Article IV of the Illinois
21 Constitution each house of the General Assembly shall
22 judge the elections, returns, and qualifications of its
23 members.

24 "Prohibited source" means any person or entity who:

25 (1) is seeking official action (i) by the member or
26 officer or (ii) in the case of an employee, by the employee

1 or by the member, officer, State agency, or other employee
2 directing the employee;

3 (2) does business or seeks to do business (i) with the
4 member or officer or (ii) in the case of an employee, with
5 the employee or with the member, officer, State agency, or
6 other employee directing the employee;

7 (3) conducts activities regulated (i) by the member or
8 officer or (ii) in the case of an employee, by the employee
9 or by the member, officer, State agency, or other employee
10 directing the employee;

11 (4) has interests that may be substantially affected
12 by the performance or non-performance of the official
13 duties of the member, officer, or employee;

14 (5) is registered or required to be registered with
15 the Secretary of State under the Lobbyist Registration
16 Act, except that an entity not otherwise a prohibited
17 source does not become a prohibited source merely because
18 a registered lobbyist is one of its members or serves on
19 its board of directors; or

20 (6) is an agent of, a spouse of, or an immediate family
21 member who is living with a "prohibited source".

22 "Regional Development Authority" means the following
23 regional development authorities:

24 (1) the Central Illinois Economic Development
25 Authority created by the Central Illinois Economic
26 Development Authority Act;

1 (2) the Eastern Illinois Economic Development
2 Authority created by the Eastern Illinois Economic
3 Development Authority Act;

4 (3) the Joliet Arsenal Development Authority created
5 by the Joliet Arsenal Development Authority Act;

6 (4) the Quad Cities Regional Economic Development
7 Authority created by Quad Cities Regional Economic
8 Development Authority Act, approved September 22, 1987;

9 (5) the Riverdale Development Authority created by the
10 Riverdale Development Authority Act;

11 (6) the Southeastern Illinois Economic Development
12 Authority created by the Southeastern Illinois Economic
13 Development Authority Act;

14 (7) the Southern Illinois Economic Development
15 Authority created by the Southern Illinois Economic
16 Development Authority Act;

17 (8) the Southwestern Illinois Development Authority
18 created by the Southwestern Illinois Development Authority
19 Act;

20 (9) the Tri-County River Valley Development Authority
21 created by the Tri-County River Valley Development
22 Authority Law;

23 (10) the Upper Illinois River Valley Development
24 Authority created by the Upper Illinois River Valley
25 Development Authority Act;

26 (11) the Illinois Urban Development Authority created

1 by the Illinois Urban Development Authority Act;

2 (12) the Western Illinois Economic Development
3 Authority created by the Western Illinois Economic
4 Development Authority Act; and

5 (13) the Will-Kankakee Regional Development Authority
6 created by the Will-Kankakee Regional Development
7 Authority Law.

8 "Regional Transit Boards" means (i) the Regional
9 Transportation Authority created by the Regional
10 Transportation Authority Act, (ii) the Suburban Bus Division
11 created by the Regional Transportation Authority Act, (iii)
12 the Commuter Rail Division created by the Regional
13 Transportation Authority Act, and (iv) the Chicago Transit
14 Authority created by the Metropolitan Transit Authority Act.

15 "State agency" includes all officers, boards, commissions
16 and agencies created by the Constitution, whether in the
17 executive or legislative branch; all officers, departments,
18 boards, commissions, agencies, institutions, authorities,
19 public institutions of higher learning as defined in Section 2
20 of the Higher Education Cooperation Act (except community
21 colleges), and bodies politic and corporate of the State; and
22 administrative units or corporate outgrowths of the State
23 government which are created by or pursuant to statute, other
24 than units of local government (including community college
25 districts) and their officers, school districts, and boards of
26 election commissioners; and all administrative units and

1 corporate outgrowths of the above and as may be created by
2 executive order of the Governor. "State agency" includes the
3 General Assembly, the Senate, the House of Representatives,
4 the President and Minority Leader of the Senate, the Speaker
5 and Minority Leader of the House of Representatives, the
6 Senate Operations Commission, and the legislative support
7 services agencies. "State agency" includes the Office of the
8 Auditor General. "State agency" does not include the judicial
9 branch.

10 "State employee" means any employee of a State agency.

11 "Ultimate jurisdictional authority" means the following:

12 (1) For members, legislative partisan staff, and
13 legislative secretaries, the appropriate legislative
14 leader: President of the Senate, Minority Leader of the
15 Senate, Speaker of the House of Representatives, or
16 Minority Leader of the House of Representatives.

17 (2) For State employees who are professional staff or
18 employees of the Senate and not covered under item (1),
19 the Senate Operations Commission.

20 (3) For State employees who are professional staff or
21 employees of the House of Representatives and not covered
22 under item (1), the Speaker of the House of
23 Representatives.

24 (4) For State employees who are employees of the
25 legislative support services agencies, the Joint Committee
26 on Legislative Support Services.

1 (5) For State employees of the Auditor General, the
2 Auditor General.

3 (6) For State employees of public institutions of
4 higher learning as defined in Section 2 of the Higher
5 Education Cooperation Act (except community colleges), the
6 board of trustees of the appropriate public institution of
7 higher learning.

8 (7) For State employees of an executive branch
9 constitutional officer other than those described in
10 paragraph (6), the appropriate executive branch
11 constitutional officer.

12 (8) For State employees not under the jurisdiction of
13 paragraph (1), (2), (3), (4), (5), (6), or (7), the
14 Governor.

15 (9) For employees of Regional Transit Boards, the
16 appropriate Regional Transit Board.

17 (10) For board members of Regional Transit Boards, the
18 Governor.

19 (11) For employees of Regional Development
20 Authorities, the appropriate Regional Development
21 Authority.

22 (12) For board members of Regional Development
23 Authorities, the Governor.

24 (Source: P.A. 103-517, eff. 8-11-23.)

25 (Text of Section after amendment by P.A. 104-457 but

1 before 104-435)

2 Sec. 1-5. Definitions. As used in this Act:

3 "Appointee" means a person appointed to a position in or
4 with a State agency, regardless of whether the position is
5 compensated.

6 "Board members of Regional Development Authorities" means
7 any person appointed to serve on the governing board of a
8 Regional Development Authority.

9 "Board members of Regional Transit Boards" means any
10 person appointed to serve on the governing board of a Regional
11 Transit Board.

12 "Campaign for elective office" means any activity in
13 furtherance of an effort to influence the selection,
14 nomination, election, or appointment of any individual to any
15 federal, State, or local public office or office in a
16 political organization, or the selection, nomination, or
17 election of Presidential or Vice-Presidential electors, but
18 does not include activities (i) relating to the support or
19 opposition of any executive, legislative, or administrative
20 action (as those terms are defined in Section 2 of the Lobbyist
21 Registration Act), (ii) relating to collective bargaining, or
22 (iii) that are otherwise in furtherance of the person's
23 official State duties.

24 "Candidate" means a person who has filed nominating papers
25 or petitions for nomination or election to an elected State
26 office, or who has been appointed to fill a vacancy in

1 nomination, and who remains eligible for placement on the
2 ballot at either a general primary election or general
3 election.

4 "Collective bargaining" has the same meaning as that term
5 is defined in Section 3 of the Illinois Public Labor Relations
6 Act.

7 "Commission" means an ethics commission created by this
8 Act.

9 "Compensated time" means any time worked by or credited to
10 a State employee that counts toward any minimum work time
11 requirement imposed as a condition of employment with a State
12 agency, but does not include any designated State holidays or
13 any period when the employee is on a leave of absence.

14 "Compensatory time off" means authorized time off earned
15 by or awarded to a State employee to compensate in whole or in
16 part for time worked in excess of the minimum work time
17 required of that employee as a condition of employment with a
18 State agency.

19 "Contribution" has the same meaning as that term is
20 defined in Section 9-1.4 of the Election Code.

21 "Employee" means (i) any person employed full-time,
22 part-time, or pursuant to a contract and whose employment
23 duties are subject to the direction and control of an employer
24 with regard to the material details of how the work is to be
25 performed or (ii) any appointed or elected commissioner,
26 trustee, director, or board member of a board of a State

1 agency, including any retirement system or investment board
2 subject to the Illinois Pension Code or (iii) any other
3 appointee.

4 "Employment benefits" include but are not limited to the
5 following: modified compensation or benefit terms; compensated
6 time off; or change of title, job duties, or location of office
7 or employment. An employment benefit may also include
8 favorable treatment in determining whether to bring any
9 disciplinary or similar action or favorable treatment during
10 the course of any disciplinary or similar action or other
11 performance review.

12 "Executive branch constitutional officer" means the
13 Governor, Lieutenant Governor, Attorney General, Secretary of
14 State, Comptroller, and Treasurer.

15 "Gift" means any gratuity, discount, entertainment,
16 hospitality, loan, forbearance, or other tangible or
17 intangible item having monetary value including, but not
18 limited to, cash, food and drink, and honoraria for speaking
19 engagements related to or attributable to government
20 employment or the official position of an employee, member, or
21 officer. The value of a gift may be further defined by rules
22 adopted by the appropriate ethics commission or by the Auditor
23 General for the Auditor General and for employees of the
24 office of the Auditor General.

25 "Governmental entity" means a unit of local government
26 (including a community college district) or a school district

1 but not a State agency, a Regional Transit Board, or a Regional
2 Development Authority.

3 "Leave of absence" means any period during which a State
4 employee does not receive (i) compensation for State
5 employment, (ii) service credit towards State pension
6 benefits, and (iii) health insurance benefits paid for by the
7 State.

8 "Legislative branch constitutional officer" means a member
9 of the General Assembly and the Auditor General.

10 "Legislative leader" means the President and Minority
11 Leader of the Senate and the Speaker and Minority Leader of the
12 House of Representatives.

13 "Member" means a member of the General Assembly.

14 "Officer" means an executive branch constitutional officer
15 or a legislative branch constitutional officer.

16 "Political" means any activity in support of or in
17 connection with any campaign for elective office or any
18 political organization, but does not include activities (i)
19 relating to the support or opposition of any executive,
20 legislative, or administrative action (as those terms are
21 defined in Section 2 of the Lobbyist Registration Act), (ii)
22 relating to collective bargaining, or (iii) that are otherwise
23 in furtherance of the person's official State duties or
24 governmental and public service functions.

25 "Political organization" means a party, committee,
26 association, fund, or other organization (whether or not

1 incorporated) that is required to file a statement of
2 organization with the State Board of Elections or a county
3 clerk under Section 9-3 of the Election Code, but only with
4 regard to those activities that require filing with the State
5 Board of Elections or a county clerk.

6 "Prohibited political activity" means:

7 (1) Preparing for, organizing, or participating in any
8 political meeting, political rally, political
9 demonstration, or other political event.

10 (2) Soliciting contributions, including but not
11 limited to the purchase of, selling, distributing, or
12 receiving payment for tickets for any political
13 fundraiser, political meeting, or other political event.

14 (3) Soliciting, planning the solicitation of, or
15 preparing any document or report regarding any thing of
16 value intended as a campaign contribution.

17 (4) Planning, conducting, or participating in a public
18 opinion poll in connection with a campaign for elective
19 office or on behalf of a political organization for
20 political purposes or for or against any referendum
21 question.

22 (5) Surveying or gathering information from potential
23 or actual voters in an election to determine probable vote
24 outcome in connection with a campaign for elective office
25 or on behalf of a political organization for political
26 purposes or for or against any referendum question.

1 (6) Assisting at the polls on election day on behalf
2 of any political organization or candidate for elective
3 office or for or against any referendum question.

4 (7) Soliciting votes on behalf of a candidate for
5 elective office or a political organization or for or
6 against any referendum question or helping in an effort to
7 get voters to the polls.

8 (8) Initiating for circulation, preparing,
9 circulating, reviewing, or filing any petition on behalf
10 of a candidate for elective office or for or against any
11 referendum question.

12 (9) Making contributions on behalf of any candidate
13 for elective office in that capacity or in connection with
14 a campaign for elective office.

15 (10) Preparing or reviewing responses to candidate
16 questionnaires in connection with a campaign for elective
17 office or on behalf of a political organization for
18 political purposes.

19 (11) Distributing, preparing for distribution, or
20 mailing campaign literature, campaign signs, or other
21 campaign material on behalf of any candidate for elective
22 office or for or against any referendum question.

23 (12) Campaigning for any elective office or for or
24 against any referendum question.

25 (13) Managing or working on a campaign for elective
26 office or for or against any referendum question.

1 (14) Serving as a delegate, alternate, or proxy to a
2 political party convention.

3 (15) Participating in any recount or challenge to the
4 outcome of any election, except to the extent that under
5 subsection (d) of Section 6 of Article IV of the Illinois
6 Constitution each house of the General Assembly shall
7 judge the elections, returns, and qualifications of its
8 members.

9 "Prohibited source" means any person or entity who:

10 (1) is seeking official action (i) by the member or
11 officer or (ii) in the case of an employee, by the employee
12 or by the member, officer, State agency, or other employee
13 directing the employee;

14 (2) does business or seeks to do business (i) with the
15 member or officer or (ii) in the case of an employee, with
16 the employee or with the member, officer, State agency, or
17 other employee directing the employee;

18 (3) conducts activities regulated (i) by the member or
19 officer or (ii) in the case of an employee, by the employee
20 or by the member, officer, State agency, or other employee
21 directing the employee;

22 (4) has interests that may be substantially affected
23 by the performance or non-performance of the official
24 duties of the member, officer, or employee;

25 (5) is registered or required to be registered with
26 the Secretary of State under the Lobbyist Registration

1 Act, except that an entity not otherwise a prohibited
2 source does not become a prohibited source merely because
3 a registered lobbyist is one of its members or serves on
4 its board of directors; or

5 (6) is an agent of, a spouse of, or an immediate family
6 member who is living with a "prohibited source".

7 "Regional Development Authority" means the following
8 regional development authorities:

9 (1) the Central Illinois Economic Development
10 Authority created by the Central Illinois Economic
11 Development Authority Act;

12 (2) the Eastern Illinois Economic Development
13 Authority created by the Eastern Illinois Economic
14 Development Authority Act;

15 (3) the Joliet Arsenal Development Authority created
16 by the Joliet Arsenal Development Authority Act;

17 (4) the Quad Cities Regional Economic Development
18 Authority created by Quad Cities Regional Economic
19 Development Authority Act, approved September 22, 1987;

20 (5) the Riverdale Development Authority created by the
21 Riverdale Development Authority Act;

22 (6) the Southeastern Illinois Economic Development
23 Authority created by the Southeastern Illinois Economic
24 Development Authority Act;

25 (7) the Southern Illinois Economic Development
26 Authority created by the Southern Illinois Economic

1 Development Authority Act;

2 (8) the Southwestern Illinois Development Authority
3 created by the Southwestern Illinois Development Authority
4 Act;

5 (9) the Tri-County River Valley Development Authority
6 created by the Tri-County River Valley Development
7 Authority Law;

8 (10) the Upper Illinois River Valley Development
9 Authority created by the Upper Illinois River Valley
10 Development Authority Act;

11 (11) the Illinois Urban Development Authority created
12 by the Illinois Urban Development Authority Act;

13 (12) the Western Illinois Economic Development
14 Authority created by the Western Illinois Economic
15 Development Authority Act; and

16 (13) the Will-Kankakee Regional Development Authority
17 created by the Will-Kankakee Regional Development
18 Authority Law.

19 "Regional Transit Boards" means (i) the Northern Illinois
20 Transit Authority created by the Northern Illinois Transit
21 Authority Act, (ii) the Suburban Bus Division created by the
22 Northern Illinois Transit Authority Act, (iii) the Commuter
23 Rail Division created by the Northern Illinois Transit
24 Authority Act, and (iv) the Chicago Transit Authority created
25 by the Chicago Transit Authority Act.

26 "State agency" includes all officers, boards, commissions

1 and agencies created by the Constitution, whether in the
2 executive or legislative branch; all officers, departments,
3 boards, commissions, agencies, institutions, authorities,
4 public institutions of higher learning as defined in Section 2
5 of the Higher Education Cooperation Act (except community
6 colleges), and bodies politic and corporate of the State; and
7 administrative units or corporate outgrowths of the State
8 government which are created by or pursuant to statute, other
9 than units of local government (including community college
10 districts) and their officers, school districts, and boards of
11 election commissioners; and all administrative units and
12 corporate outgrowths of the above and as may be created by
13 executive order of the Governor. "State agency" includes the
14 General Assembly, the Senate, the House of Representatives,
15 the President and Minority Leader of the Senate, the Speaker
16 and Minority Leader of the House of Representatives, the
17 Senate Operations Commission, and the legislative support
18 services agencies. "State agency" includes the Office of the
19 Auditor General. "State agency" does not include the judicial
20 branch.

21 "State employee" means any employee of a State agency.

22 "Ultimate jurisdictional authority" means the following:

23 (1) For members, legislative partisan staff, and
24 legislative secretaries, the appropriate legislative
25 leader: President of the Senate, Minority Leader of the
26 Senate, Speaker of the House of Representatives, or

1 Minority Leader of the House of Representatives.

2 (2) For State employees who are professional staff or
3 employees of the Senate and not covered under item (1),
4 the Senate Operations Commission.

5 (3) For State employees who are professional staff or
6 employees of the House of Representatives and not covered
7 under item (1), the Speaker of the House of
8 Representatives.

9 (4) For State employees who are employees of the
10 legislative support services agencies, the Joint Committee
11 on Legislative Support Services.

12 (5) For State employees of the Auditor General, the
13 Auditor General.

14 (6) For State employees of public institutions of
15 higher learning as defined in Section 2 of the Higher
16 Education Cooperation Act (except community colleges), the
17 board of trustees of the appropriate public institution of
18 higher learning.

19 (7) For State employees of an executive branch
20 constitutional officer other than those described in
21 paragraph (6), the appropriate executive branch
22 constitutional officer.

23 (8) For State employees not under the jurisdiction of
24 paragraph (1), (2), (3), (4), (5), (6), or (7), the
25 Governor.

26 (9) For employees of Regional Transit Boards, the

1 appropriate Regional Transit Board.

2 (10) For board members of Regional Transit Boards, the
3 Governor.

4 (11) For employees of Regional Development
5 Authorities, the appropriate Regional Development
6 Authority.

7 (12) For board members of Regional Development
8 Authorities, the Governor.

9 (Source: P.A. 103-517, eff. 8-11-23; 104-457, Article 10,
10 Section 10-20, eff. 6-1-26; 104-457, Article 15, Section
11 15-25, eff. 6-1-26; revised 1-7-26.)

12 (Text of Section after amendment by P.A. 104-435)

13 Sec. 1-5. Definitions. As used in this Act:

14 "Appointee" means a person appointed to a position in or
15 with a State agency, regardless of whether the position is
16 compensated.

17 "Board members of Regional Development Authorities" means
18 any person appointed to serve on the governing board of a
19 Regional Development Authority.

20 "Board members of Regional Transit Boards" means any
21 person appointed to serve on the governing board of a Regional
22 Transit Board.

23 "Campaign for elective office" means any activity in
24 furtherance of an effort to influence the selection,
25 nomination, election, or appointment of any individual to any

1 federal, State, or local public office or office in a
2 political organization, or the selection, nomination, or
3 election of Presidential or Vice-Presidential electors, but
4 does not include activities (i) relating to the support or
5 opposition of any executive, legislative, or administrative
6 action (as those terms are defined in Section 2 of the Lobbyist
7 Registration Act), (ii) relating to collective bargaining, or
8 (iii) that are otherwise in furtherance of the person's
9 official State duties.

10 "Candidate" means a person who has filed nominating papers
11 or petitions for nomination or election to an elected State
12 office, or who has been appointed to fill a vacancy in
13 nomination, and who remains eligible for placement on the
14 ballot at either a general primary election or general
15 election.

16 "Collective bargaining" has the same meaning as that term
17 is defined in Section 3 of the Illinois Public Labor Relations
18 Act.

19 "Commission" means an ethics commission created by this
20 Act.

21 "Compensated time" means any time worked by or credited to
22 a State employee that counts toward any minimum work time
23 requirement imposed as a condition of employment with a State
24 agency, but does not include any designated State holidays or
25 any period when the employee is on a leave of absence.

26 "Compensatory time off" means authorized time off earned

1 by or awarded to a State employee to compensate in whole or in
2 part for time worked in excess of the minimum work time
3 required of that employee as a condition of employment with a
4 State agency.

5 "Contribution" has the same meaning as that term is
6 defined in Section 9-1.4 of the Election Code.

7 "Employee" means (i) any person employed full-time,
8 part-time, or pursuant to a contract and whose employment
9 duties are subject to the direction and control of an employer
10 with regard to the material details of how the work is to be
11 performed or (ii) any appointed or elected commissioner,
12 trustee, director, or board member of a board of a State
13 agency, including any retirement system or investment board
14 subject to the Illinois Pension Code or (iii) any other
15 appointee.

16 "Employment benefits" include but are not limited to the
17 following: modified compensation or benefit terms; compensated
18 time off; or change of title, job duties, or location of office
19 or employment. An employment benefit may also include
20 favorable treatment in determining whether to bring any
21 disciplinary or similar action or favorable treatment during
22 the course of any disciplinary or similar action or other
23 performance review.

24 "Executive branch constitutional officer" means the
25 Governor, Lieutenant Governor, Attorney General, Secretary of
26 State, Comptroller, and Treasurer.

1 "Gift" means any gratuity, discount, entertainment,
2 hospitality, loan, forbearance, or other tangible or
3 intangible item having monetary value including, but not
4 limited to, cash, food and drink, and honoraria for speaking
5 engagements related to or attributable to government
6 employment or the official position of an employee, member, or
7 officer. The value of a gift may be further defined by rules
8 adopted by the appropriate ethics commission or by the Auditor
9 General for the Auditor General and for employees of the
10 office of the Auditor General.

11 "Governmental entity" means a unit of local government
12 (including a community college district) or a school district
13 but not a State agency, a Regional Transit Board, or a Regional
14 Development Authority.

15 "Leave of absence" means any period during which a State
16 employee does not receive (i) compensation for State
17 employment, (ii) service credit towards State pension
18 benefits, and (iii) health insurance benefits paid for by the
19 State.

20 "Legislative branch constitutional officer" means a member
21 of the General Assembly and the Auditor General.

22 "Legislative leader" means the President and Minority
23 Leader of the Senate and the Speaker and Minority Leader of the
24 House of Representatives.

25 "Member" means a member of the General Assembly.

26 "Officer" means an executive branch constitutional officer

1 or a legislative branch constitutional officer.

2 "Political" means any activity in support of or in
3 connection with any campaign for elective office or any
4 political organization, but does not include activities (i)
5 relating to the support or opposition of any executive,
6 legislative, or administrative action (as those terms are
7 defined in Section 2 of the Lobbyist Registration Act), (ii)
8 relating to collective bargaining, or (iii) that are otherwise
9 in furtherance of the person's official State duties or
10 governmental and public service functions.

11 "Political organization" means a party, committee,
12 association, fund, or other organization (whether or not
13 incorporated) that is required to file a statement of
14 organization with the State Board of Elections or a county
15 clerk under Section 9-3 of the Election Code, but only with
16 regard to those activities that require filing with the State
17 Board of Elections or a county clerk.

18 "Prohibited political activity" means:

19 (1) Preparing for, organizing, or participating in any
20 political meeting, political rally, political
21 demonstration, or other political event.

22 (2) Soliciting contributions, including, but not
23 limited to, the purchase of, selling, distributing, or
24 receiving payment for tickets for any political
25 fundraiser, political meeting, or other political event.

26 (3) Soliciting, planning the solicitation of, or

1 preparing any document or report regarding any thing of
2 value intended as a campaign contribution.

3 (4) Planning, conducting, or participating in a public
4 opinion poll in connection with a campaign for elective
5 office or on behalf of a political organization for
6 political purposes or for or against any referendum
7 question.

8 (5) Surveying or gathering information from potential
9 or actual voters in an election to determine probable vote
10 outcome in connection with a campaign for elective office
11 or on behalf of a political organization for political
12 purposes or for or against any referendum question.

13 (6) Assisting at the polls on election day on behalf
14 of any political organization or candidate for elective
15 office or for or against any referendum question.

16 (7) Soliciting votes on behalf of a candidate for
17 elective office or a political organization or for or
18 against any referendum question or helping in an effort to
19 get voters to the polls.

20 (8) Initiating for circulation, preparing,
21 circulating, reviewing, or filing any petition on behalf
22 of a candidate for elective office or for or against any
23 referendum question.

24 (9) Making contributions on behalf of any candidate
25 for elective office in that capacity or in connection with
26 a campaign for elective office.

1 (10) Preparing or reviewing responses to candidate
2 questionnaires in connection with a campaign for elective
3 office or on behalf of a political organization for
4 political purposes.

5 (11) Distributing, preparing for distribution, or
6 mailing campaign literature, campaign signs, or other
7 campaign material on behalf of any candidate for elective
8 office or for or against any referendum question.

9 (12) Campaigning for any elective office or for or
10 against any referendum question.

11 (13) Managing or working on a campaign for elective
12 office or for or against any referendum question.

13 (14) Serving as a delegate, alternate, or proxy to a
14 political party convention.

15 (15) Participating in any recount or challenge to the
16 outcome of any election, except to the extent that under
17 subsection (d) of Section 6 of Article IV of the Illinois
18 Constitution each house of the General Assembly shall
19 judge the elections, returns, and qualifications of its
20 members.

21 "Prohibited source" means any person or entity who:

22 (1) is seeking official action (i) by the member or
23 officer or (ii) in the case of an employee, by the employee
24 or by the member, officer, State agency, or other employee
25 directing the employee;

26 (2) does business or seeks to do business (i) with the

1 member or officer or (ii) in the case of an employee, with
2 the employee or with the member, officer, State agency, or
3 other employee directing the employee;

4 (3) conducts activities regulated (i) by the member or
5 officer or (ii) in the case of an employee, by the employee
6 or by the member, officer, State agency, or other employee
7 directing the employee;

8 (4) has interests that may be substantially affected
9 by the performance or non-performance of the official
10 duties of the member, officer, or employee;

11 (5) is registered or required to be registered with
12 the Secretary of State under the Lobbyist Registration
13 Act, except that an entity not otherwise a prohibited
14 source does not become a prohibited source merely because
15 a registered lobbyist is one of its members or serves on
16 its board of directors; or

17 (6) is an agent of, a spouse of, or an immediate family
18 member who is living with a "prohibited source".

19 "Regional Development Authority" means the following
20 regional development authorities:

21 (1) the Central Illinois Economic Development
22 Authority created by the Central Illinois Economic
23 Development Authority Act;

24 (2) the Eastern Illinois Economic Development
25 Authority created by the Eastern Illinois Economic
26 Development Authority Act;

1 (3) the Joliet Arsenal Development Authority created
2 by the Joliet Arsenal Development Authority Act;

3 (4) the Quad Cities Regional Economic Development
4 Authority created by Quad Cities Regional Economic
5 Development Authority Act, approved September 22, 1987;

6 (5) the Riverdale Development Authority created by the
7 Riverdale Development Authority Act;

8 (6) the Southeastern Illinois Economic Development
9 Authority created by the Southeastern Illinois Economic
10 Development Authority Act;

11 (7) the Southern Illinois Economic Development
12 Authority created by the Southern Illinois Economic
13 Development Authority Act;

14 (8) the Southwestern Illinois Development Authority
15 created by the Southwestern Illinois Development Authority
16 Act;

17 (9) the Tri-County River Valley Development Authority
18 created by the Tri-County River Valley Development
19 Authority Law;

20 (10) the Upper Illinois River Valley Development
21 Authority created by the Upper Illinois River Valley
22 Development Authority Act;

23 (11) the Illinois Urban Development Authority created
24 by the Illinois Urban Development Authority Act;

25 (12) the Western Illinois Economic Development
26 Authority created by the Western Illinois Economic

1 Development Authority Act; and

2 (13) the Will-Kankakee Regional Development Authority
3 created by the Will-Kankakee Regional Development
4 Authority Law.

5 "Regional Transit Boards" means (i) the Northern Illinois
6 Transit Authority created by the Northern Illinois Transit
7 Authority Act, (ii) the Suburban Bus Division created by the
8 Northern Illinois Transit Authority Act, (iii) the Commuter
9 Rail Division created by the Northern Illinois Transit
10 Authority Act, and (iv) the Chicago Transit Authority created
11 by the Chicago Transit Authority Act.

12 "State agency" includes all officers, boards, commissions
13 and agencies created by the Constitution, whether in the
14 executive or legislative branch; all officers, departments,
15 boards, commissions, agencies, institutions, authorities,
16 public institutions of higher learning as defined in Section 2
17 of the Higher Education Cooperation Act (except community
18 colleges), and bodies politic and corporate of the State; and
19 administrative units or corporate outgrowths of the State
20 government which are created by or pursuant to statute, other
21 than units of local government (including community college
22 districts) and their officers, school districts, and boards of
23 election commissioners; and all administrative units and
24 corporate outgrowths of the above and as may be created by
25 executive order of the Governor. "State agency" includes the
26 General Assembly, the Senate, the House of Representatives,

1 the President and Minority Leader of the Senate, the Speaker
2 and Minority Leader of the House of Representatives, and the
3 legislative support services agencies. "State agency" includes
4 the Office of the Auditor General. "State agency" does not
5 include the judicial branch.

6 "State employee" means any employee of a State agency.

7 "Ultimate jurisdictional authority" means the following:

8 (1) For members, legislative partisan staff, and
9 legislative secretaries, the appropriate legislative
10 leader: President of the Senate, Minority Leader of the
11 Senate, Speaker of the House of Representatives, or
12 Minority Leader of the House of Representatives.

13 (2) For State employees who are professional staff or
14 employees of the Senate and not covered under item (1),
15 the President of the Senate.

16 (3) For State employees who are professional staff or
17 employees of the House of Representatives and not covered
18 under item (1), the Speaker of the House of
19 Representatives.

20 (4) For State employees who are employees of the
21 legislative support services agencies, the Joint Committee
22 on Legislative Support Services.

23 (5) For State employees of the Auditor General, the
24 Auditor General.

25 (6) For State employees of public institutions of
26 higher learning as defined in Section 2 of the Higher

1 Education Cooperation Act (except community colleges), the
2 board of trustees of the appropriate public institution of
3 higher learning.

4 (7) For State employees of an executive branch
5 constitutional officer other than those described in
6 paragraph (6), the appropriate executive branch
7 constitutional officer.

8 (8) For State employees not under the jurisdiction of
9 paragraph (1), (2), (3), (4), (5), (6), or (7), the
10 Governor.

11 (9) For employees of Regional Transit Boards, the
12 appropriate Regional Transit Board.

13 (10) For board members of Regional Transit Boards, the
14 Governor.

15 (11) For employees of Regional Development
16 Authorities, the appropriate Regional Development
17 Authority.

18 (12) For board members of Regional Development
19 Authorities, the Governor.

20 (Source: P.A. 103-517, eff. 8-11-23; 104-435, eff. 7-1-26;
21 104-457, Article 10, Section 10-20, eff. 6-1-26; 104-457,
22 Article 15, Section 15-25, eff. 6-1-26; revised 1-7-26.)

23 Section 50. The Law Enforcement Gang Database Information
24 Act is amended by changing Section 10 as follows:

1 (5 ILCS 865/10)

2 Sec. 10. Requirements for use of gang databases and shared
3 gang databases. Each law enforcement agency that maintains a
4 gang database or has access to a shared gang database shall
5 have a policy regarding those databases. Each policy shall be
6 implemented on or before January~~7~~ 1, 2024, except the
7 requirements in paragraph (1) shall be implemented as soon as
8 practicable after June 30, 2023 (the effective date of this
9 Act). The policy shall include, but not be limited to:

10 (1) that personnel authorized to access a gang
11 database or shared gang database are limited to sworn law
12 enforcement personnel, non-sworn law enforcement support
13 personnel, criminal justice entities, or non-criminal
14 justice technical or maintenance personnel, including
15 information technology and information security staff and
16 contract employees, who have been subject to character or
17 security clearance and who have received approved
18 training;

19 (2) that any records contained in a gang database,
20 shared gang database, gang-related information in a law
21 enforcement agency case report, gang-related information
22 in a law enforcement agency dispatch note, or gang-related
23 information in a law enforcement agency dispatch system
24 record shall not be disclosed for the following purposes:
25 employment, education, licensing, or housing, except that
26 law enforcement and criminal justice entities may use

1 information contained in a gang database or shared gang
2 database for employment purposes, and records contained in
3 a gang database or shared gang database may be disclosed
4 to comply with federal law, for national security or
5 homeland security purposes, for military screening
6 purposes, or for other appropriate law enforcement
7 purpose;

8 (3) security procedures; and

9 (4) the review and purge process from gang databases
10 and shared gang databases.

11 (Source: P.A. 103-185, eff. 6-30-23; revised 6-26-25.)

12 Section 55. The Election Code is amended by changing
13 Sections 2A-1, 4-14.1, 5-9.1, 6-39, 6-42, 7-8, 10-8, 11-2,
14 13-10, 19-2, and 19-8 as follows:

15 (10 ILCS 5/2A-1) (from Ch. 46, par. 2A-1)

16 (Text of Section WITHOUT the changes made by P.A. 89-719,
17 which has been held unconstitutional)

18 Sec. 2A-1. All elections; governed ~~Elections—Governed~~ by
19 this Code; construction Code—Construction of Article 2A.

20 (a) No public question may be submitted to any voters in
21 this State, nor may any person be nominated for public office
22 or elected to public or political party office in this State
23 except pursuant to this Code, notwithstanding the provisions
24 of any other statute or municipal charter. However, this Code

1 shall not apply to elections for officers or public questions
2 of local school councils established pursuant to Article
3 ~~Chapter~~ 34 of the School Code, soil and water conservation
4 districts or drainage districts, except as specifically made
5 applicable by another statute.

6 (b) All elections in this State shall be held in
7 accordance with the consolidated schedule of elections
8 established in Sections 2A-1.1 and 2A-1.2. No election may be
9 held on any date other than a date on which an election is
10 scheduled under Section 2A-1.1, except special elections to
11 fill congressional vacancies held pursuant to writs of
12 election issued by the Governor, township referenda and votes
13 of the town electors held at the annual town meeting,
14 emergency referenda approved pursuant to Section 2A-1.4,
15 special elections held between January 1, 1995 and July 1,
16 1995 under Section 34-53 of the School Code, and city,
17 village, or incorporated town primary elections in
18 even-numbered years expressly authorized in this Article to
19 provide for annual partisan elections.

20 (c) At the respective elections established in Section
21 2A-1.1, candidates shall be elected to office, nominated for
22 election thereto or placed on the ballot as otherwise required
23 by this Code, and public questions may be submitted, as
24 specified in Section 2A-1.2.

25 (d) If the requirements of Section 2A-1.2 conflict with
26 any specific provision of Sections 2A-2 through 2A-54, as

1 applied to any office or election, the requirements of Section
2 2A-1.2 prevail, and shall be enforced by the State Board of
3 Elections.

4 (e) In the event any court of competent jurisdiction
5 declares an election void, the court may order another
6 election without regard to the schedule of elections set forth
7 in this Article.

8 (Source: P.A. 88-511; revised 6-24-25.)

9 (10 ILCS 5/4-14.1) (from Ch. 46, par. 4-14.1)

10 Sec. 4-14.1. Cancellation ~~Cancellation~~ of deceased voter's
11 registration. Upon establishment of an electronic reporting
12 system for death registrations as provided in the Vital
13 Records Act, the county clerk of the county where a decedent
14 last resided, as indicated on the decedent's death
15 certificate, may issue certifications of death records from
16 that system and may use that system to cancel the registration
17 of any person who has died during the preceding month.
18 Regardless of whether or not such a system has been
19 established, it is the duty of the county clerk to examine,
20 monthly, the records deposited in his or her office pursuant
21 to the Vital Records Act that relate to deaths in the county,
22 and to cancel the registration of any person who has died
23 during the preceding month.

24 (Source: P.A. 96-1484, eff. 1-1-11; revised 6-24-25.)

1 (10 ILCS 5/5-9.1) (from Ch. 46, par. 5-9.1)

2 Sec. 5-9.1. Cancellation ~~Cancellation~~ of deceased voter's
3 registration. Upon establishment of an electronic reporting
4 system for death registrations as provided in the Vital
5 Records Act, the county clerk of the county where a decedent
6 last resided, as indicated on the decedent's death
7 certificate, may issue certifications of death records from
8 that system and may use that system to cancel the registration
9 of any person who has died during the preceding month and cause
10 the name of each such deceased person to be erased from the
11 register of the precinct in which the deceased person was
12 registered. Regardless of whether or not such a system has
13 been established, it is the duty of the county clerk to examine
14 monthly the records deposited in his or her office pursuant to
15 the Vital Records Act that relate to deaths in the county, to
16 cancel the registration of any person who has died during the
17 preceding month and cause the name of each such deceased
18 person to be erased from the register of the precinct in which
19 the deceased person was registered.

20 (Source: P.A. 96-1484, eff. 1-1-11; revised 6-24-25.)

21 (10 ILCS 5/6-39) (from Ch. 46, par. 6-39)

22 Sec. 6-39. Upon the Wednesday and Thursday following the
23 last day of registration, and upon the Wednesday and Thursday
24 following the last day of precinct registration provided for
25 in Section 6-49.1 of this Article, if so much time is required,

1 the 2 deputy registrars shall go together and canvass the
2 precinct for which they have been appointed, calling at each
3 dwelling place or each house from which any one is registered
4 in such precinct and each dwelling place as indicated upon
5 said "Verification Lists"; and, if they shall find that any
6 person whose name appears upon their verification lists does
7 not reside at the place designated thereupon, they shall make
8 a notation in the column headed "Remarks" as follows: "Changed
9 Name", "Died", or "Moved", as the case may be, indicating
10 that such person does not reside at such place.

11 Whenever deemed necessary by the canvassers, or either of
12 them, he or they may demand of the person having command of the
13 police in such precinct to furnish a policeman, to accompany
14 them and protect them in the performance of their duties; and
15 it shall be the duty of the person having command of the police
16 in such precinct to furnish a policeman for such purpose. In
17 such canvass, no person shall refuse to answer questions and
18 give the information asked for and known to him or her, or
19 shall knowingly give false information, or make false
20 statements. In making such canvass, the canvassers shall make
21 special inquiry at the residence or place designated on the
22 verification lists, as to all the persons registered as
23 qualified voters, and shall receive information from judges of
24 election, party canvassers, or other persons.

25 (Source: Laws 1967, p. 2987; revised 6-24-25.)

(10 ILCS 5/6-42) (from Ch. 46, par. 6-42)

Sec. 6-42. With respect to those who register at the office of the Board of Election Commissioners preceding the election to be held on the first Tuesday after the first Monday in November, 1936, as provided by Section 6-29 of this Article, and preceding the last day of registration as provided for in Section 6-49.1, such board shall, immediately after completion of the precinct registration, or by the last day of such registration, transmit to the deputy registrar of each precinct the original registration record cards of each person who has registered at the office of the Board of Election Commissioners as a qualified elector of such precinct; and the provisions of Sections 6-38, 6-39, 6-40u and 6-417 of this Article shall apply to the persons registered at such office in the same manner as if they had registered in the precinct. The Board of Election Commissioners shall have power to provide by rule for the manner of returning such original registration cards and for a separate report upon electors who have registered at its office.

(Source: Laws 1961, p. 1806; revised 6-24-25.)

(10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

Sec. 7-8. The State central committee shall be composed of one or 2 ~~two~~ members from each congressional district in the State and shall be elected as follows:

State Central Committee

1 (a) Within 30 days after January 1, 1984 (the effective
2 date of Public Act 83-33), the State central committee of each
3 political party shall certify to the State Board of Elections
4 which of the following alternatives it wishes to apply to the
5 State central committee of that party.

6 Alternative A. At the primary in 1970 and at the general
7 primary election held every 4 years thereafter, each primary
8 elector may vote for one candidate of his party for member of
9 the State central committee for the congressional district in
10 which he resides. The candidate receiving the highest number
11 of votes shall be declared elected State central
12 committeeperson from the district. A political party may, in
13 lieu of the foregoing, by a majority vote of delegates at any
14 State convention of such party, determine to thereafter elect
15 the State central committeepersons in the manner following:

16 At the county convention held by such political party,
17 State central committeepersons shall be elected in the same
18 manner as provided in this Article for the election of
19 officers of the county central committee, and such election
20 shall follow the election of officers of the county central
21 committee. Each elected ward, township or precinct
22 committeeperson shall cast as his vote one vote for each
23 ballot voted in his ward, township, part of a township or
24 precinct in the last preceding primary election of his
25 political party. In the case of a county lying partially
26 within one congressional district and partially within another

1 congressional district, each ward, township, or precinct
2 committeeperson shall vote only with respect to the
3 congressional district in which his ward, township, part of a
4 township, or precinct is located. In the case of a
5 congressional district which encompasses more than one county,
6 each ward, township, or precinct committeeperson residing
7 within the congressional district shall cast as his vote one
8 vote for each ballot voted in his ward, township, part of a
9 township, or precinct in the last preceding primary election
10 of his political party for one candidate of his party for
11 member of the State central committee for the congressional
12 district in which he resides and the Chair of the county
13 central committee shall report the results of the election to
14 the State Board of Elections. The State Board of Elections
15 shall certify the candidate receiving the highest number of
16 votes elected State central committeeperson for that
17 congressional district.

18 The State central committee shall adopt rules to provide
19 for and govern the procedures to be followed in the election of
20 members of the State central committee.

21 After August 6, 1999 (the effective date of Public Act
22 91-426), whenever a vacancy occurs in the office of Chair of a
23 State central committee, or at the end of the term of office of
24 Chair, the State central committee of each political party
25 that has selected Alternative A shall elect a Chair who shall
26 not be required to be a member of the State Central Committee.

1 The Chair shall be a registered voter in this State and of the
2 same political party as the State central committee.

3 Alternative B. Each congressional committee shall, within
4 30 days after the adoption of this alternative, appoint a
5 person of a different gender than that of the incumbent member
6 for that congressional district to serve as an additional
7 member of the State central committee until the member's
8 successor is elected at the general primary election in 1986.
9 Each congressional committee shall make this appointment by
10 voting on the basis set forth in paragraph (e) of this Section.
11 In each congressional district at the general primary election
12 held in 1986 and every 4 years thereafter, the person
13 receiving the highest number of votes for State central
14 committeeperson, and the person of a different gender
15 receiving the highest number of votes, shall be declared
16 elected State central committeepersons from the district. At
17 the general primary election held in 1986 and every 4 years
18 thereafter, if all a party's candidates for State central
19 committeeperson from a congressional district are of the same
20 gender, the candidate receiving the highest number of votes
21 shall be declared elected a State central committeeperson from
22 the district, and, because of a failure to elect 2 persons from
23 different genders to the committee, a vacancy shall be
24 declared to exist in the office of the second member of the
25 State central committee from the district. This vacancy shall
26 be filled by appointment by the congressional committee of the

1 political party, and the person appointed to fill the vacancy
2 shall be a resident of the congressional district and of a
3 different gender than the committeeperson elected at the
4 general primary election. Each congressional committee shall
5 make this appointment by voting on the basis set forth in
6 paragraph (e) of this Section.

7 The Chair of a State central committee composed as
8 provided in this Alternative B must be selected from the
9 committee's members.

10 Beginning on August 4, 2023 (the effective date of Public
11 Act 103-467) ~~this amendatory Act of the 103rd General~~
12 ~~Assembly,~~ a State central committee organized under
13 Alternative B shall include as an honorary member any person
14 affiliated with the same political party and serving as the
15 Governor, President of the Senate, and the Speaker of the
16 House of Representatives.

17 Except as provided for in Alternative A with respect to
18 the selection of the Chair of the State central committee and
19 for in Alternative B with respect to the President of the
20 Senate and the Speaker of the House of Representatives, under
21 both of the foregoing alternatives, the State central
22 committee of each political party shall be composed of members
23 elected or appointed from the several congressional districts
24 of the State, and of no other person or persons whomsoever. The
25 members of the State central committee shall, within 41 days
26 after each quadrennial election of the full committee, meet in

1 the city of Springfield and organize by electing a Chair, and
2 may at such time elect such officers from among their own
3 number (or otherwise), as they may deem necessary or
4 expedient. The outgoing chair of the State central committee
5 of the party shall, 10 days before the meeting, notify each
6 member of the State central committee elected at the primary
7 of the time and place of such meeting. In the organization and
8 proceedings of the State central committee, the 2 elected or
9 appointed committeepersons shall each have one vote for each
10 ballot voted in their congressional district by the primary
11 electors of the committeepersons' party at the primary
12 election immediately preceding the meeting of the State
13 central committee. Whenever a vacancy occurs in the State
14 central committee of any political party, the vacancy shall be
15 filled by appointment of the chairmen of the county central
16 committees of the political party of the counties located
17 within the congressional district in which the vacancy occurs
18 and, if applicable, the ward and township committeepersons of
19 the political party in counties of 2,000,000 or more
20 inhabitants located within the congressional district. If the
21 congressional district in which the vacancy occurs lies wholly
22 within a county of 2,000,000 or more inhabitants, the ward and
23 township committeepersons of the political party in that
24 congressional district shall vote to fill the vacancy. In
25 voting to fill the vacancy, each chair of a county central
26 committee and each ward and township committeeperson in

1 counties of 2,000,000 or more inhabitants shall have one vote
2 for each ballot voted in each precinct of the congressional
3 district in which the vacancy exists of the chair's or
4 committeeperson's county, township, or ward cast by the
5 primary electors of the chair's or committeeperson's party at
6 the primary election immediately preceding the meeting to fill
7 the vacancy in the State central committee. The person
8 appointed to fill the vacancy shall be a resident of the
9 congressional district in which the vacancy occurs, shall be a
10 qualified voter, and, in a committee composed as provided in
11 Alternative B, shall be of the same gender as the appointee's
12 predecessor. A political party may, by a majority vote of the
13 delegates of any State convention of such party, determine to
14 return to the election of State central committeepersons by
15 the vote of primary electors. Any action taken by a political
16 party at a State convention in accordance with this Section
17 shall be reported to the State Board of Elections by the chair
18 and secretary of such convention within 10 days after such
19 action.

20 Ward, Township, and Precinct Committeepersons

21 (b) At the primary in 1972 and at the general primary
22 election every 4 years thereafter, each primary elector in
23 cities having a population of 200,000 or over may vote for one
24 candidate of his party in his ward for ward committeeperson.
25 Each candidate for ward committeeperson must be a resident of
26 and in the ward where he seeks to be elected ward

1 committeeperson. The one having the highest number of votes
2 shall be such ward committeeperson of such party for such
3 ward. At the primary election in 1970 and at the general
4 primary election every 4 years thereafter, each primary
5 elector in counties containing a population of 2,000,000 or
6 more, outside of cities containing a population of 200,000 or
7 more, may vote for one candidate of his party for township
8 committeeperson. Each candidate for township committeeperson
9 must be a resident of and in the township or part of a township
10 (which lies outside of a city having a population of 200,000 or
11 more, in counties containing a population of 2,000,000 or
12 more), and in which township or part of a township he seeks to
13 be elected township committeeperson. The one having the
14 highest number of votes shall be such township committeeperson
15 of such party for such township or part of a township. At the
16 primary in 1970 and at the general primary election every 2
17 years thereafter, each primary elector, except in counties
18 having a population of 2,000,000 or over, may vote for one
19 candidate of his party in his precinct for precinct
20 committeeperson. Each candidate for precinct committeeperson
21 must be a bona fide resident of the precinct where he seeks to
22 be elected precinct committeeperson. The one having the
23 highest number of votes shall be such precinct committeeperson
24 of such party for such precinct. The official returns of the
25 primary shall show the name of the committeeperson of each
26 political party.

Terms of Committeepersons. All precinct committeepersons elected under the provisions of this Article shall continue as such committeepersons until the date of the primary to be held in the second year after their election. Except as otherwise provided in this Section for certain State central committeepersons who have 2-year ~~2-year~~ terms, all State central committeepersons, township committeepersons, and ward committeepersons shall continue as such committeepersons until the date of primary to be held in the fourth year after their election. However, a vacancy exists in the office of precinct committeeperson when a precinct committeeperson ceases to reside in the precinct in which he was elected and such precinct committeeperson shall thereafter neither have nor exercise any rights, powers or duties as committeeperson in that precinct, even if a successor has not been elected or appointed.

(c) The Multi-Township Central Committee shall consist of the precinct committeepersons of such party, in the multi-township assessing district formed pursuant to Section 2-10 of the Property Tax Code and shall be organized for the purposes set forth in Section 45-25 of the Township Code. In the organization and proceedings of the Multi-Township Central Committee, each precinct committeeperson shall have one vote for each ballot voted in his precinct by the primary electors of his party at the primary at which he was elected.

County Central Committee

1 (d) The county central committee of each political party
2 in each county shall consist of the various township
3 committeepersons, precinct committeepersons, and ward
4 committeepersons, if any, of such party in the county. In the
5 organization and proceedings of the county central committee,
6 each precinct committeeperson shall have one vote for each
7 ballot voted in his precinct by the primary electors of his
8 party at the primary at which he was elected; each township
9 committeeperson shall have one vote for each ballot voted in
10 his township or part of a township as the case may be by the
11 primary electors of his party at the primary election for the
12 nomination of candidates for election to the General Assembly
13 immediately preceding the meeting of the county central
14 committee; and in the organization and proceedings of the
15 county central committee, each ward committeeperson shall have
16 one vote for each ballot voted in his ward by the primary
17 electors of his party at the primary election for the
18 nomination of candidates for election to the General Assembly
19 immediately preceding the meeting of the county central
20 committee.

21 Cook County Board of Review Election District Committee

22 (d-1) Each board of review election district committee of
23 each political party in Cook County shall consist of the
24 various township committeepersons and ward committeepersons,
25 if any, of that party in the portions of the county composing
26 the board of review election district. In the organization and

1 proceedings of each of the 3 election district committees,
2 each township committeeperson shall have one vote for each
3 ballot voted in the committeeperson's township or part of a
4 township, as the case may be, by the primary electors of the
5 committeeperson's party at the primary election immediately
6 preceding the meeting of the board of review election district
7 committee; and in the organization and proceedings of each of
8 the 3 election district committees, each ward committeeperson
9 shall have one vote for each ballot voted in the
10 committeeperson's ward or part of that ward, as the case may
11 be, by the primary electors of the committeeperson's party at
12 the primary election immediately preceding the meeting of the
13 board of review election district committee.

14 Congressional Committee

15 (e) The congressional committee of each party in each
16 congressional district shall be composed of the chairmen of
17 the county central committees of the counties composing the
18 congressional district, except that in congressional districts
19 wholly within the territorial limits of one county, the
20 precinct committeepersons, township committeepersons, and ward
21 committeepersons, if any, of the party representing the
22 precincts within the limits of the congressional district,
23 shall compose the congressional committee. A State central
24 committeeperson in each district shall be a member and the
25 chair or, when a district has 2 State central
26 committeepersons, a co-chairperson of the congressional

1 committee, but shall not have the right to vote except in case
2 of a tie.

3 In the organization and proceedings of congressional
4 committees composed of precinct committeepersons or township
5 committeepersons or ward committeepersons, or any combination
6 thereof, each precinct committeeperson shall have one vote for
7 each ballot voted in his precinct by the primary electors of
8 his party at the primary at which he was elected, each township
9 committeeperson shall have one vote for each ballot voted in
10 his township or part of a township as the case may be by the
11 primary electors of his party at the primary election
12 immediately preceding the meeting of the congressional
13 committee, and each ward committeeperson shall have one vote
14 for each ballot voted in each precinct of his ward located in
15 such congressional district by the primary electors of his
16 party at the primary election immediately preceding the
17 meeting of the congressional committee; and in the
18 organization and proceedings of congressional committees
19 composed of the chairmen of the county central committees of
20 the counties within such district, each chair of such county
21 central committee shall have one vote for each ballot voted in
22 his county by the primary electors of his party at the primary
23 election immediately preceding the meeting of the
24 congressional committee.

25 Judicial District Committee

26 (f) The judicial district committee of each political

1 party in each judicial district shall be composed of the chair
2 of the county central committees of the counties composing the
3 judicial district.

4 In the organization and proceedings of judicial district
5 committees composed of the chairmen of the county central
6 committees of the counties within such district, each chair of
7 such county central committee shall have one vote for each
8 ballot voted in his county by the primary electors of his party
9 at the primary election immediately preceding the meeting of
10 the judicial district committee.

11 Circuit Court Committee

12 (g) The circuit court committee of each political party in
13 each judicial circuit outside Cook County shall be composed of
14 the chairmen of the county central committees of the counties
15 composing the judicial circuit.

16 In the organization and proceedings of circuit court
17 committees, each chair of a county central committee shall
18 have one vote for each ballot voted in his county by the
19 primary electors of his party at the primary election
20 immediately preceding the meeting of the circuit court
21 committee.

22 Judicial Subcircuit Committee

23 (g-1) The judicial subcircuit committee of each political
24 party in each judicial subcircuit in a judicial circuit
25 divided into subcircuits shall be composed of (i) the ward and
26 township committeepersons of the townships and wards composing

1 the judicial subcircuit in Cook County and (ii) the precinct
2 committeepersons of the precincts composing the judicial
3 subcircuit in any county other than Cook County.

4 In the organization and proceedings of each judicial
5 subcircuit committee, each township committeeperson shall have
6 one vote for each ballot voted in his township or part of a
7 township, as the case may be, in the judicial subcircuit by the
8 primary electors of his party at the primary election
9 immediately preceding the meeting of the judicial subcircuit
10 committee; each precinct committeeperson shall have one vote
11 for each ballot voted in his precinct or part of a precinct, as
12 the case may be, in the judicial subcircuit by the primary
13 electors of his party at the primary election immediately
14 preceding the meeting of the judicial subcircuit committee;
15 and each ward committeeperson shall have one vote for each
16 ballot voted in his ward or part of a ward, as the case may be,
17 in the judicial subcircuit by the primary electors of his
18 party at the primary election immediately preceding the
19 meeting of the judicial subcircuit committee.

20 Municipal Central Committee

21 (h) The municipal central committee of each political
22 party shall be composed of the precinct, township or ward
23 committeepersons, as the case may be, of such party
24 representing the precincts or wards, embraced in such city,
25 incorporated town or village. The voting strength of each
26 precinct, township or ward committeeperson on the municipal

1 central committee shall be the same as his voting strength on
2 the county central committee.

3 For political parties, other than a statewide political
4 party, established only within a municipality or township, the
5 municipal or township managing committee shall be composed of
6 the party officers of the local established party. The party
7 officers of a local established party shall be as follows: the
8 chair and secretary of the caucus for those municipalities and
9 townships authorized by statute to nominate candidates by
10 caucus shall serve as party officers for the purpose of
11 filling vacancies in nomination under Section 7-61; for
12 municipalities and townships authorized by statute or
13 ordinance to nominate candidates by petition and primary
14 election, the party officers shall be the party's candidates
15 who are nominated at the primary. If no party primary was held
16 because of the provisions of Section 7-5, vacancies in
17 nomination shall be filled by the party's remaining candidates
18 who shall serve as the party's officers.

19 Powers

20 (i) Each committee and its officers shall have the powers
21 usually exercised by such committees and by the officers
22 thereof, not inconsistent with the provisions of this Article.
23 The several committees herein provided for shall not have
24 power to delegate any of their powers, or functions to any
25 other person, officer or committee, but this shall not be
26 construed to prevent a committee from appointing from its own

1 membership proper and necessary subcommittees.

2 (j) The State central committee of a political party which
3 elects its members by Alternative B under paragraph (a) of
4 this Section shall adopt a plan to give effect to the delegate
5 selection rules of the national political party and file a
6 copy of such plan with the State Board of Elections when
7 approved by a national political party.

8 (k) For the purpose of the designation of a proxy by a
9 Congressional Committee to vote in place of an absent State
10 central committeeperson at meetings of the State central
11 committee of a political party which elects its members by
12 Alternative B under paragraph (a) of this Section, the proxy
13 shall be appointed by the vote of the ward and township
14 committeepersons, if any, of the wards and townships which lie
15 entirely or partially within the Congressional District from
16 which the absent State central committeeperson was elected and
17 the vote of the chairmen of the county central committees of
18 those counties which lie entirely or partially within that
19 Congressional District and in which there are no ward or
20 township committeepersons. When voting for such proxy, the
21 county chair, ward committeeperson or township
22 committeeperson, as the case may be, shall have one vote for
23 each ballot voted in his county, ward, or township, or portion
24 thereof within the Congressional District, by the primary
25 electors of his party at the primary at which he was elected.
26 However, the absent State central committeeperson may

1 designate a proxy when permitted by the rules of a political
2 party which elects its members by Alternative B under
3 paragraph (a) of this Section.

4 Notwithstanding any law to the contrary, a person is
5 ineligible to hold the position of committeeperson in any
6 committee established pursuant to this Section if he or she is
7 statutorily ineligible to vote in a general election because
8 of conviction of a felony. When a committeeperson is convicted
9 of a felony, the position occupied by that committeeperson
10 shall automatically become vacant.

11 (Source: P.A. 102-15, eff. 7-1-23; 103-467, eff. 8-4-23;
12 revised 6-30-25.)

13 (10 ILCS 5/10-8) (from Ch. 46, par. 10-8)

14 Sec. 10-8. Except as otherwise provided in this Code,
15 certificates of nomination and nomination papers, and
16 petitions to submit public questions to a referendum, being
17 filed as required by this Code, and being in apparent
18 conformity with the provisions of this Code Act, shall be
19 deemed to be valid unless objection thereto is duly made in
20 writing within 5 business days after the last day for filing
21 the certificate of nomination or nomination papers or petition
22 for a public question, with the following exceptions:

23 A. In the case of petitions to amend Article IV of the
24 Constitution of the State of Illinois, there shall be a
25 period of 35 business days after the last day for the

1 filing of such petitions in which objections can be filed.

2 B. In the case of petitions for advisory questions of
3 public policy to be submitted to the voters of the entire
4 State, there shall be a period of 35 business days after
5 the last day for the filing of such petitions in which
6 objections can be filed.

7 Any legal voter of the political subdivision or district
8 in which the candidate or public question is to be voted on, or
9 any legal voter in the State in the case of a proposed
10 amendment to Article IV of the Constitution or an advisory
11 public question to be submitted to the voters of the entire
12 State, having objections to any certificate of nomination or
13 nomination papers or petitions filed, shall file an objector's
14 petition together with 2 copies thereof in the principal
15 office or the permanent branch office of the State Board of
16 Elections, or in the office of the election authority or local
17 election official with whom the certificate of nomination,
18 nomination papers or petitions are on file. Objection
19 petitions that do not include 2 copies thereof, shall not be
20 accepted. In the case of nomination papers or certificates of
21 nomination, the State Board of Elections, election authority
22 or local election official shall note the day and hour upon
23 which such objector's petition is filed, and shall, not later
24 than 12:00 p.m. ~~noon~~ on the second business day after receipt
25 of the petition, transmit by registered mail or receipted
26 personal delivery the certificate of nomination or nomination

1 papers and the original objector's petition to the chair of
2 the proper electoral board designated in Section 10-9 of this
3 Code ~~hereof~~, or his authorized agent, and shall transmit a
4 copy by registered mail or receipted personal delivery of the
5 objector's petition, to the candidate whose certificate of
6 nomination or nomination papers are objected to, addressed to
7 the place of residence designated in said certificate of
8 nomination or nomination papers. In the case of objections to
9 a petition for a proposed amendment to Article IV of the
10 Constitution or for an advisory public question to be
11 submitted to the voters of the entire State, the State Board of
12 Elections shall note the day and hour upon which such
13 objector's petition is filed and shall transmit a copy of the
14 objector's petition by registered mail or receipted personal
15 delivery to the person designated on a certificate attached to
16 the petition as the principal proponent of such proposed
17 amendment or public question, or as the proponents' attorney,
18 for the purpose of receiving notice of objections. In the case
19 of objections to a petition for a public question, to be
20 submitted to the voters of a political subdivision, or
21 district thereof, the election authority or local election
22 official with whom such petition is filed shall note the day
23 and hour upon which such objector's petition was filed, and
24 shall, not later than 12:00 p.m. ~~noon~~ on the second business
25 day after receipt of the petition, transmit by registered mail
26 or receipted personal delivery the petition for the public

1 question and the original objector's petition to the chair of
2 the proper electoral board designated in Section 10-9 of this
3 Code ~~hereof~~, or his authorized agent, and shall transmit a
4 copy by registered mail or receipted personal delivery, of the
5 objector's petition to the person designated on a certificate
6 attached to the petition as the principal proponent of the
7 public question, or as the proponent's attorney, for the
8 purposes of receiving notice of objections.

9 The objector's petition shall give the objector's name and
10 residence address, and shall state fully the nature of the
11 objections to the certificate of nomination or nomination
12 papers or petitions in question, and shall state the interest
13 of the objector and shall state what relief is requested of the
14 electoral board.

15 The provisions of this Section and of Sections 10-9,
16 10-10, and 10-10.1 shall also apply to and govern objections
17 to petitions for nomination filed under Article 7 or Article
18 8, except as otherwise provided in Section 7-13 for cases to
19 which it is applicable, and also apply to and govern petitions
20 for the submission of public questions under Article 28.

21 (Source: P.A. 102-15, eff. 6-17-21; revised 6-24-25.)

22 (10 ILCS 5/11-2) (from Ch. 46, par. 11-2)

23 Sec. 11-2. Election precincts. The County Board in each
24 county, except in counties having a population of 3,000,000
25 inhabitants or over, shall, at its regular meeting in June or

1 an adjourned meeting in July, divide its election precincts so
2 that each precinct shall contain, as near as may be
3 practicable, 1,200 registered voters. Insofar as is
4 practicable, each precinct shall be situated within a single
5 congressional, legislative and representative district and in
6 not more than one County Board district and one municipal
7 ward. In order to situate each precinct within a single
8 district or ward, the County Board shall change the boundaries
9 of election precincts after each decennial census as soon as
10 is practicable following the completion of congressional and
11 legislative redistricting, except that, in 2021, the county
12 board shall change the boundaries at a regular or special
13 meeting within 60 days after November 15, 2021 (the effective
14 date of Public Act 102-668) ~~this amendatory Act of the 102nd~~
15 ~~General Assembly~~. In determining whether a division of
16 precincts should be made, the county board may anticipate
17 increased voter registration in any precinct in which there is
18 in progress new construction of dwelling units which will be
19 occupied by voters more than 30 days before the next election.
20 Each district shall be composed of contiguous territory in as
21 compact form as can be for the convenience of the electors
22 voting therein. The several county boards in establishing
23 districts shall describe them by metes and bounds and number
24 them. And so often thereafter as it shall appear by the number
25 of votes cast at the general election held in November of any
26 year, that any election district or undivided election

1 precinct contains more than 1,200 registered voters, the
2 County Board of the county in which the district or precinct
3 may be, shall at its regular meeting in June, or an adjourned
4 meeting in July next, after such November election, redivide
5 or readjust such election district or election precinct, so
6 that no district or election precinct shall contain more than
7 the number of votes above specified. If for any reason the
8 County Board fails in any year to redivide or readjust the
9 election districts or election precinct, then the districts or
10 precincts as then existing shall continue until the next
11 regular June meeting of the County Board; at which regular
12 June meeting or an adjourned meeting in July the County Board
13 shall redivide or readjust the election districts or election
14 precincts in manner as herein required. When at any meeting of
15 the County Board any redivision, readjustment, or change in
16 name or number of election districts or election precincts is
17 made by the County Board, the County Clerk shall immediately
18 notify the State Board of Elections of such redivision,
19 readjustment, or change. The County Board in every case shall
20 fix and establish the places for holding elections in its
21 respective county and all elections shall be held at the
22 places so fixed. The polling places shall in all cases be upon
23 the ground floor in the front room, the entrance to which is in
24 a highway or public street which is at least 40 feet wide, and
25 is as near the center of the voting population of the precinct
26 as is practicable, and for the convenience of the greatest

1 number of electors to vote thereat; provided, however, where
2 the County Board is unable to secure a suitable polling place
3 within the boundaries of a precinct, it may select a polling
4 place at the most conveniently located suitable place outside
5 the precinct; but in no case shall an election be held in any
6 room used or occupied as a saloon, dramshop, bowling alley or
7 as a place of resort for idlers and disreputable persons,
8 billiard hall or in any room connected therewith by doors or
9 hallways. No person shall be permitted to vote at any election
10 except at the polling place for the precinct in which he
11 resides, except as otherwise provided in this Section or
12 Article 19 of this Code Act. In counties having a population of
13 3,000,000 inhabitants or over the County Board shall divide
14 its election precincts and shall fix and establish places for
15 holding elections as hereinbefore provided during the month of
16 January instead of at its regular meeting in June or at an
17 adjourned meeting in July.

18 However, in the event that additional divisions of
19 election precincts are indicated after a division made by the
20 County Board in the month of January, such additional
21 divisions may be made by the County Board in counties having a
22 population of 3,000,000 inhabitants or over, at the regular
23 meeting in June or at adjourned meeting in July. The county
24 board of such county may divide or readjust precincts at any
25 meeting of the county board when the voter registration in a
26 precinct has increased beyond 1,800 registered voters and an

1 election is scheduled before the next regular January or June
2 meeting of the county board.

3 When in any city, village or incorporated town territory
4 has been annexed thereto or disconnected therefrom, which
5 annexation or disconnection becomes effective after election
6 precincts or election districts have been established as above
7 provided in this Section, the clerk of the municipality shall
8 inform the county clerk thereof as provided in Section 4-21,
9 5-28.1, or 6-31.1, whichever is applicable. In the event that
10 a regular meeting of the County Board is to be held after such
11 notification and before any election, the County Board shall,
12 at its next regular meeting, l establish new election precinct
13 lines in affected territory. In the event that no regular
14 meeting of the County Board is to be held before such election
15 the county clerk shall, within 5 days after being so informed,
16 call a special meeting of the county board on a day fixed by
17 him not more than 20 days thereafter for the purpose of
18 establishing election precincts or election districts in the
19 affected territory for the ensuing elections.

20 At any consolidated primary or consolidated election at
21 which municipal officers are to be elected, and at any
22 emergency referendum at which a public question relating to a
23 municipality is to be voted on, notwithstanding any other
24 provision of this Code, the election authority shall establish
25 a polling place within such municipality, upon the request of
26 the municipal council or board of trustees at least 60 days

1 before the election and provided that the municipality
2 provides a suitable polling place. To accomplish this purpose,
3 the election authority may establish an election precinct
4 constituting a single municipality of under 500 population for
5 all elections, notwithstanding the minimum precinct size
6 otherwise specified herein.

7 Notwithstanding the above, when there are no more than 50
8 registered voters in a precinct who are entitled to vote in a
9 local government or school district election, the election
10 authority having jurisdiction over the precinct is authorized
11 to reassign such voters to one or more polling places in
12 adjacent precincts, within or without the election authority's
13 jurisdiction, for that election. For the purposes of such
14 local government or school district election only, the votes
15 of the reassigned voters shall be tallied and canvassed as
16 votes from the precinct of the polling place to which such
17 voters have been reassigned. The election authority having
18 jurisdiction over the precinct shall approve all
19 administrative and polling place procedures. Such procedures
20 shall take into account voter convenience, and ensure that the
21 integrity of the election process is maintained and that the
22 secrecy of the ballot is not violated.

23 Except in the event of a fire, flood or total loss of heat
24 in a place fixed or established by any county board or election
25 authority pursuant to this Section as a polling place for an
26 election, no election authority shall change the location of a

1 polling place so established for any precinct after notice of
2 the place of holding the election for that precinct has been
3 given as required under Article 12 unless the election
4 authority notifies all registered voters in the precinct of
5 the change in location by first class mail in sufficient time
6 for such notice to be received by the registered voters in the
7 precinct at least one day prior to the date of the election.

8 The provisions of this Section apply to all precincts,
9 including those where voting machines or electronic voting
10 systems are used.

11 (Source: P.A. 102-668, eff. 11-15-21; revised 6-24-25.)

12 (10 ILCS 5/13-10) (from Ch. 46, par. 13-10)

13 Sec. 13-10. The compensation of the judges of all
14 primaries and all elections, except judges supervising vote by
15 mail ballots as provided in Section 19-12.2 of this Code Act,
16 in counties of less than 600,000 inhabitants shall be fixed by
17 the respective county boards or boards of election
18 commissioners in all counties and municipalities, but in no
19 case shall such compensation be less than \$35 per day. The
20 compensation of judges of all primaries and all elections not
21 under the jurisdiction of the county clerk, except judges
22 supervising vote by mail balloting as provided in Section
23 19-12.2 of this Code Act, in counties having a population of
24 2,000,000 or more shall be not less than \$60 per day. The
25 compensation of judges of all primaries and all elections

1 under the jurisdiction of the county clerk, except judges
2 supervising vote by mail balloting as provided in Section
3 19-12.2 of this Code Act, in counties having a population of
4 2,000,000 or more shall be not less than \$60 per day. The
5 compensation of judges of all primaries and all elections,
6 except judges supervising vote by mail ballots as provided in
7 Section 19-12.2 of this Code Act, in counties having a
8 population of at least 600,000 but less than 2,000,000
9 inhabitants shall be not less than \$45 per day as fixed by the
10 county board of election commissioners of each such county. In
11 addition to their per day compensation and notwithstanding the
12 limitations thereon stated herein, the judges of election, in
13 all counties with a population of less than 600,000, shall be
14 paid \$3 each for each 100 voters or portion thereof, in excess
15 of 200 voters voting for candidates in the election district
16 or precinct wherein the judge is serving, whether a primary or
17 an election is being held. However, no such extra compensation
18 shall be paid to the judges of election in any precinct in
19 which no paper ballots are counted by such judges of election.
20 The 2 judges of election in counties having a population of
21 less than 600,000 who deliver the returns to the county clerk
22 shall each be allowed and paid a sum to be determined by the
23 election authority for such services and an additional sum per
24 mile to be determined by the election authority for every mile
25 necessarily traveled ~~travelled~~ in going to and returning from
26 the office or place to which they deliver the returns. The

1 compensation for mileage shall be consistent with current
2 rates paid for mileage to employees of the county.

3 However, all judges who have been certified by the County
4 Clerk or Board of Election Commissioners as having
5 satisfactorily completed, within the 2 years preceding the day
6 of election, the training course for judges of election, as
7 provided in Sections 13-2.1, 13-2.2, and 14-4.1 of this Code
8 ~~Act~~, shall receive additional compensation of not less than
9 \$10 per day in counties of less than 600,000 inhabitants, the
10 additional compensation of not less than \$10 per day in
11 counties having a population of at least 600,000 but less than
12 2,000,000 inhabitants as fixed by the county board of election
13 commissioners of each such county, and additional compensation
14 of not less than \$20 per day in counties having a population of
15 2,000,000 or more for primaries and elections not under the
16 jurisdiction of the county clerk, and additional compensation
17 of not less than \$20 per day in counties having a population of
18 2,000,000 or more for primaries and elections under the
19 jurisdiction of the county clerk.

20 In precincts in which there are tally judges, the
21 compensation of the tally judges shall be 2/3 of that of the
22 judges of election and each holdover judge shall be paid the
23 compensation of a judge of election plus that of a tally judge.

24 Beginning on July 31, 1998 (the effective date of Public
25 Act 90-672) ~~this amendatory Act of 1998~~, the portion of an
26 election judge's daily compensation reimbursed by the State

1 Board of Elections is increased by \$15. The increase provided
2 by Public Act 90-672 ~~this amendatory Act of 1998~~ must be used
3 to increase each judge's compensation and may not be used by
4 the county to reduce its portion of a judge's compensation.

5 Beginning on November 9, 2007 (the effective date of
6 Public Act 95-699) ~~this amendatory Act of the 95th General~~
7 ~~Assembly~~, the portion of an election judge's daily
8 compensation reimbursement by the State Board of Elections is
9 increased by an additional \$20. The increase provided by
10 Public Act 95-699 ~~this amendatory Act of the 95th General~~
11 ~~Assembly~~ must be used to increase each judge's compensation
12 and may not be used by the election authority or election
13 jurisdiction to reduce its portion of a judge's compensation.

14 Beginning on July 1, 2023 (the effective date of the
15 changes made to this Section by Public Act 103-8) ~~this~~
16 ~~amendatory Act of the 103rd General Assembly~~, the portion of
17 an election judge's daily compensation reimbursement by the
18 State Board of Elections is increased by an additional \$20.
19 The increase provided by Public Act 103-8 ~~this amendatory Act~~
20 ~~of the 103rd General Assembly~~ must be used to increase each
21 judge's compensation and may not be used by the election
22 authority or election jurisdiction to reduce its portion of a
23 judge's compensation.

24 (Source: P.A. 103-8, eff. 7-1-23; revised 6-24-25.)

1 Sec. 19-2. Except as otherwise provided in this Code, any
2 elector as defined in Section 19-1 may by mail or
3 electronically on the website of the appropriate election
4 authority, not more than 90 nor less than 5 days prior to the
5 date of such election, or by personal delivery not more than 90
6 nor less than one day prior to the date of such election, make
7 application to the county clerk or to the Board of Election
8 Commissioners for an official ballot for the voter's precinct
9 to be voted at such election. Such a ballot shall be delivered
10 to the elector only upon separate application by the elector
11 for each election. Voters who make an application for
12 permanent vote by mail ballot status shall follow the
13 procedures specified in Section 19-3 and may apply year round.
14 A voter ~~Voters~~ whose application for permanent vote by mail
15 status is accepted by the election authority shall remain on
16 the permanent vote by mail list until the voter requests to be
17 removed from permanent vote by mail status, the voter provides
18 notice to the election authority of a change in registration
19 that affects the voter's ~~their~~ registration status, or the
20 election authority receives confirmation that the voter has
21 subsequently registered to vote in another election authority
22 jurisdiction. The URL address at which voters may
23 electronically request a vote by mail ballot shall be fixed no
24 later than 90 calendar days before an election and shall not be
25 changed until after the election.

26 (Source: P.A. 102-15, eff. 6-17-21; 102-668, eff. 11-15-21;

1 102-687, eff. 12-17-21; 102-813, eff. 5-13-22; revised
2 6-24-25.)

3 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

4 Sec. 19-8. Time and place of counting ballots.

5 (a) (Blank). ~~(Blank.)~~

6 (b) Each vote by mail voter's ballot returned to an
7 election authority, by any means authorized by this Article,
8 and received by that election authority before the closing of
9 the polls on election day shall be endorsed by the receiving
10 election authority with the day and hour of receipt and may be
11 processed by the election authority beginning on the day it is
12 received by the election authority in the central ballot
13 counting location of the election authority, but the results
14 of the processing may not be counted until the day of the
15 election after 7:00 p.m., except as provided in subsections
16 (g) and (g-5).

17 (c) Each vote by mail voter's ballot that is mailed to an
18 election authority and postmarked no later than election day,
19 but that is received by the election authority after the polls
20 close on election day and before the close of the period for
21 counting provisional ballots cast at that election, shall be
22 endorsed by the receiving authority with the day and hour of
23 receipt and shall be counted at the central ballot counting
24 location of the election authority during the period for
25 counting provisional ballots.

1 Each vote by mail voter's ballot that is mailed to an
2 election authority absent a postmark or a barcode usable with
3 an intelligent mail barcode tracking system, but that is
4 received by the election authority after the polls close on
5 election day and before the close of the period for counting
6 provisional ballots cast at that election, shall be endorsed
7 by the receiving authority with the day and hour of receipt,
8 opened to inspect the date inserted on the certification, and,
9 if the certification date is election day or earlier and the
10 ballot is otherwise found to be valid under the requirements
11 of this Section, counted at the central ballot counting
12 location of the election authority during the period for
13 counting provisional ballots. Absent a date on the
14 certification, the ballot shall not be counted.

15 If an election authority is using an intelligent mail
16 barcode tracking system, a ballot that is mailed to an
17 election authority absent a postmark may be counted if the
18 intelligent mail barcode tracking system verifies the envelope
19 was mailed no later than election day.

20 (d) Special write-in vote by mail voter's blank ballots
21 returned to an election authority, by any means authorized by
22 this Article, and received by the election authority at any
23 time before the closing of the polls on election day shall be
24 endorsed by the receiving election authority with the day and
25 hour of receipt and shall be counted at the central ballot
26 counting location of the election authority during the same

1 period provided for counting vote by mail voters' ballots
2 under subsections (b), (g), and (g-5). Special write-in vote
3 by mail voter's blank ballots that are mailed to an election
4 authority and postmarked no later than election day, but that
5 are received by the election authority after the polls close
6 on election day and before the closing of the period for
7 counting provisional ballots cast at that election, shall be
8 endorsed by the receiving authority with the day and hour of
9 receipt and shall be counted at the central ballot counting
10 location of the election authority during the same periods
11 provided for counting vote by mail voters' ballots under
12 subsection (c).

13 (e) Except as otherwise provided in this Section, vote by
14 mail voters' ballots and special write-in vote by mail voter's
15 blank ballots received by the election authority after the
16 closing of the polls on an election day shall be endorsed by
17 the election authority receiving them with the day and hour of
18 receipt and shall be safely kept unopened by the election
19 authority for the period of time required for the preservation
20 of ballots used at the election, and shall then, without being
21 opened, be destroyed in like manner as the used ballots of that
22 election.

23 (f) Counting required under this Section to begin on
24 election day after the closing of the polls shall commence no
25 later than 8:00 p.m. and shall be conducted by a panel or
26 panels of election judges appointed in the manner provided by

1 law. The counting shall continue until all vote by mail
2 voters' ballots and special write-in vote by mail voter's
3 blank ballots required to be counted on election day have been
4 counted.

5 (g) The procedures set forth in Articles 17 and 18 of this
6 Code shall apply to all ballots counted under this Section. In
7 addition, within 2 days after a vote by mail ballot is
8 received, but in all cases before the close of the period for
9 counting provisional ballots, the election judge or official
10 shall compare the voter's signature on the certification
11 envelope of that vote by mail ballot with the voter's
12 signature on the application verified in accordance with
13 Section 19-4 or the signature of the voter on file in the
14 office of the election authority. If the election judge or
15 official determines that the 2 signatures match, and that the
16 vote by mail voter is otherwise qualified to cast a vote by
17 mail ballot, the election authority shall cast and count the
18 ballot on election day or the day the ballot is determined to
19 be valid, whichever is later, adding the results to the
20 precinct in which the voter is registered. If the election
21 judge or official determines that the signatures do not match,
22 or that the vote by mail voter is not qualified to cast a vote
23 by mail ballot, then without opening the certification
24 envelope, the judge or official shall mark across the face of
25 the certification envelope the word "Rejected" and shall not
26 cast or count the ballot.

1 In addition to the voter's signatures not matching, a vote
2 by mail ballot may be rejected by the election judge or
3 official:

4 (1) if the ballot envelope is open or has been opened
5 and resealed;

6 (2) if the voter has already cast an early or grace
7 period ballot;

8 (3) if the voter voted in person on election day or the
9 voter is not a duly registered voter in the precinct; or

10 (4) on any other basis set forth in this Code.

11 If the election judge or official determines that any of
12 these reasons apply, the judge or official shall mark across
13 the face of the certification envelope the word "Rejected" and
14 shall not cast or count the ballot.

15 (g-5) If a vote by mail ballot is rejected by the election
16 judge or official for any reason, the election authority
17 shall, within 2 days after the rejection but in all cases
18 before the close of the period for counting provisional
19 ballots, notify the vote by mail voter that his or her ballot
20 was rejected. The notice shall inform the voter of the reason
21 or reasons the ballot was rejected and shall state that the
22 voter may appear before the election authority, on or before
23 the 14th day after the election, to show cause as to why the
24 ballot should not be rejected. The voter may present evidence
25 to the election authority supporting his or her contention
26 that the ballot should be counted. The election authority

1 shall appoint a panel of 3 election judges to review the
2 contested ballot, application, and certification envelope, as
3 well as any evidence submitted by the vote by mail voter. No
4 more than 2 election judges on the reviewing panel shall be of
5 the same political party. The reviewing panel of election
6 judges shall make a final determination as to the validity of
7 the contested vote by mail ballot. The judges' determination
8 shall not be reviewable either administratively or judicially.

9 A vote by mail ballot subject to this subsection that is
10 determined to be valid shall be counted before the close of the
11 period for counting provisional ballots.

12 If a vote by mail ballot is rejected for any reason, the
13 election authority shall, within one day after the rejection,
14 transmit to the State Board of Elections by electronic means
15 the voter's name, street address, email address, and precinct,
16 ward, township, and district numbers, as the case may be. If a
17 rejected vote by mail ballot is determined to be valid, the
18 election authority shall, within one day after the
19 determination, remove the name of the voter from the list
20 transmitted to the State Board of Elections. The State Board
21 of Elections shall maintain the names and information in an
22 electronic format on its website accessible to State and local
23 political committees.

24 Upon request by the State or local political committee,
25 each election authority shall, within one day after the
26 request, provide the following information about all rejected

1 vote by mail ballots: voter's name, street address, email
2 address, and precinct, ward, township, and district numbers,
3 as the case may be.

4 (g-10) All vote by mail ballots determined to be valid
5 shall be added to the vote totals for the precincts for which
6 they were cast in the order in which the ballots were opened.

7 (h) Each political party, candidate, and qualified civic
8 organization shall be entitled to have present one pollwatcher
9 for each panel of election judges therein assigned.

10 (Source: P.A. 102-1126, eff. 2-10-23; 103-467, eff. 8-4-23;
11 revised 6-24-25.)

12 Section 60. The State Library Act is amended by changing
13 Section 10 as follows:

14 (15 ILCS 320/10) (from Ch. 128, par. 110)

15 Sec. 10. Users of the State Library. Library services,
16 including electronic resources to the fullest extent possible,
17 shall be supplied to: State officers ~~Officers~~ and officials
18 ~~Officials~~; members of the General Assembly and staff; State
19 agency employees ~~employees~~; patrons of libraries with whom
20 consortial agreements have been established; and the general
21 public.

22 (Source: P.A. 103-267, eff. 6-30-23; revised 6-24-25.)

23 Section 65. The Illinois Identification Card Act is

1 amended by changing Sections 4 and 5 as follows:

2 (15 ILCS 335/4)

3 (Text of Section before amendment by P.A. 104-457)

4 Sec. 4. Identification card.

5 (a) In accordance with the requirements of this Section,
6 the Secretary of State shall issue a standard Illinois
7 Identification Card, as well as a mobile Illinois
8 Identification Card, to any natural person who is a resident
9 of the State of Illinois who applies for such a card, or
10 renewal thereof. No identification card shall be issued to any
11 person who holds a valid foreign state identification card,
12 license, or permit unless the person first surrenders to the
13 Secretary of State the valid foreign state identification
14 card, license, or permit. The card shall be prepared and
15 supplied by the Secretary of State and shall include a
16 photograph and signature or mark of the applicant. However,
17 the Secretary of State may provide by rule for the issuance of
18 Illinois Identification Cards without photographs if the
19 applicant has a bona fide religious objection to being
20 photographed or to the display of his or her photograph. The
21 Illinois Identification Card may be used for identification
22 purposes in any lawful situation only by the person to whom it
23 was issued. As used in this Act, "photograph" means any color
24 photograph or digitally produced and captured image of an
25 applicant for an identification card. As used in this Act,

1 "signature" means the name of a person as written by that
2 person and captured in a manner acceptable to the Secretary of
3 State.

4 (a-5) If an applicant for an identification card has a
5 current driver's license or instruction permit issued by the
6 Secretary of State, the Secretary may require the applicant to
7 utilize the same residence address and name on the
8 identification card, driver's license, and instruction permit
9 records maintained by the Secretary. The Secretary may
10 promulgate rules to implement this provision.

11 (a-10) If the applicant is a judicial officer as defined
12 in Section 1-10 of the Judicial Privacy Act, a public official
13 as defined in Section 10 of the Public Official Safety and
14 Privacy Act, or a peace officer, the applicant may elect to
15 have his or her office or work address listed on the card
16 instead of the applicant's residence or mailing address. The
17 Secretary may promulgate rules to implement this provision.
18 For the purposes of this subsection (a-10), "peace officer"
19 means any person who by virtue of his or her office or public
20 employment is vested by law with a duty to maintain public
21 order or to make arrests for a violation of any penal statute
22 of this State, whether that duty extends to all violations or
23 is limited to specific violations.

24 (a-15) The Secretary of State may provide for an expedited
25 process for the issuance of an Illinois Identification Card.
26 The Secretary shall charge an additional fee for the expedited

1 issuance of an Illinois Identification Card, to be set by
2 rule, not to exceed \$75. All fees collected by the Secretary
3 for expedited Illinois Identification Card service shall be
4 deposited into the Secretary of State Special Services Fund.
5 The Secretary may adopt rules regarding the eligibility,
6 process, and fee for an expedited Illinois Identification
7 Card. If the Secretary of State determines that the volume of
8 expedited identification card requests received on a given day
9 exceeds the ability of the Secretary to process those requests
10 in an expedited manner, the Secretary may decline to provide
11 expedited services, and the additional fee for the expedited
12 service shall be refunded to the applicant.

13 (a-20) The Secretary of State shall issue a standard
14 Illinois Identification Card to a person committed to the
15 Department of Corrections, the Department of Juvenile Justice,
16 a Federal Bureau of Prisons facility located in Illinois, or a
17 county jail or county department of corrections as follows:

18 (1) A committed person who has previously held an
19 Illinois Identification Card or an Illinois driver's
20 license shall submit an Identification Card verification
21 form to the Secretary of State, including a photograph
22 taken by the correctional facility, proof of residency
23 upon discharge, and a social security number, if the
24 committed person has a social security number. If the
25 committed person does not have a social security number
26 and is eligible for a social security number, the

1 Secretary of State shall not issue a standard Illinois
2 Identification Card until the committed person obtains a
3 social security number. If the committed person's
4 photograph and demographic information matches an existing
5 Illinois Identification Card or Illinois driver's license
6 and the Secretary of State verifies the applicant's social
7 security number with the Social Security Administration,
8 the Secretary of State shall issue the committed person a
9 standard Illinois Identification Card. If the photograph
10 or demographic information matches an existing Illinois
11 Identification Card or Illinois driver's license in
12 another person's name or identity, a standard Illinois
13 Identification Card shall not be issued until the
14 committed person submits a certified birth certificate and
15 social security card to the Secretary of State and the
16 Secretary of State verifies the identity of the committed
17 person. If the Secretary of State cannot find a match to an
18 existing Illinois Identification Card or Illinois driver's
19 license, the committed person may apply for a standard
20 Illinois Identification card as described in paragraph
21 (2).

22 (2) A committed person who has not previously held an
23 Illinois Identification Card or Illinois driver's license
24 or for whom a match cannot be found as described in
25 paragraph (1) shall submit an Illinois Identification Card
26 verification form, including a photograph taken by the

1 correctional facility, a certified birth certificate,
2 proof of residency upon discharge, and a social security
3 number, if the committed has a social security number. If
4 the committed person does not have a social security
5 number and is eligible for a social security number, the
6 Secretary of State shall not issue a standard Illinois
7 Identification Card until the committed person obtains a
8 social security number. If the Secretary of State verifies
9 the applicant's social security number with the Social
10 Security Administration, the Secretary of State shall
11 issue the committed person a standard Illinois
12 Identification Card.

13 The Illinois Identification Card verification form
14 described in this subsection shall be prescribed by the
15 Secretary of State. The Secretary of State and correctional
16 facilities in this State shall establish a secure method to
17 transfer the form.

18 (a-25) The Secretary of State shall issue a limited-term
19 Illinois Identification Card valid for 90 days to a committed
20 person upon release on parole, mandatory supervised release,
21 aftercare release, final discharge, or pardon from the
22 Department of Corrections, the Department of Juvenile Justice,
23 a Federal Bureau of Prisons facility located in Illinois, or a
24 county jail or county department of corrections, if the
25 released person does not obtain a standard Illinois
26 Identification Card as described in subsection (a-20) prior to

1 release but does present a Secretary of State prescribed
2 Identification Card verification form completed by the
3 correctional facility, verifying the released person's date of
4 birth, social security number, if the person has a social
5 security number, and his or her Illinois residence address.
6 The verification form must have been completed no more than 30
7 days prior to the date of application for the Illinois
8 Identification Card.

9 Prior to the expiration of the 90-day period of the
10 limited-term Illinois Identification Card, if the released
11 person submits to the Secretary of State a certified copy of
12 his or her birth certificate and his or her social security
13 card, if the person has a social security number, or other
14 documents authorized by the Secretary, a standard Illinois
15 Identification Card shall be issued. A limited-term Illinois
16 Identification Card may not be renewed.

17 This subsection shall not apply to a released person who
18 was unable to obtain a standard Illinois Identification Card
19 because his or her photograph or demographic information
20 matched an existing Illinois Identification Card or Illinois
21 driver's license in another person's name or identity or to a
22 released person who does not have a social security number and
23 is eligible for a social security number.

24 (a-30) The Secretary of State shall issue a standard
25 Illinois Identification Card to a person upon conditional
26 release or absolute discharge from the custody of the

1 Department of Human Services, if the person presents a
2 certified copy of his or her birth certificate, social
3 security card, if the person has a social security number, or
4 other documents authorized by the Secretary, and a document
5 proving his or her Illinois residence address. The Secretary
6 of State shall issue a standard Illinois Identification Card
7 to a person prior to his or her conditional release or absolute
8 discharge if personnel from the Department of Human Services
9 bring the person to a Secretary of State location with the
10 required documents. Documents proving residence address may
11 include any official document of the Department of Human
12 Services showing the person's address after release and a
13 Secretary of State prescribed verification form, which may be
14 executed by personnel of the Department of Human Services.

15 (a-35) The Secretary of State shall issue a limited-term
16 Illinois Identification Card valid for 90 days to a person
17 upon conditional release or absolute discharge from the
18 custody of the Department of Human Services, if the person is
19 unable to present a certified copy of his or her birth
20 certificate and social security card, if the person has a
21 social security number, or other documents authorized by the
22 Secretary, but does present a Secretary of State prescribed
23 verification form completed by the Department of Human
24 Services, verifying the person's date of birth and social
25 security number, if the person has a social security number,
26 and a document proving his or her Illinois residence address.

1 The verification form must have been completed no more than 30
2 days prior to the date of application for the Illinois
3 Identification Card. The Secretary of State shall issue a
4 limited-term Illinois Identification Card to a person no
5 sooner than 14 days prior to his or her conditional release or
6 absolute discharge if personnel from the Department of Human
7 Services bring the person to a Secretary of State location
8 with the required documents. Documents proving residence
9 address shall include any official document of the Department
10 of Human Services showing the person's address after release
11 and a Secretary of State prescribed verification form, which
12 may be executed by personnel of the Department of Human
13 Services.

14 (b) The Secretary of State shall issue a special Illinois
15 Identification Card, which shall be known as an Illinois
16 Person with a Disability Identification Card, to any natural
17 person who is a resident of the State of Illinois, who is a
18 person with a disability as defined in Section 4A of this Act,
19 who applies for such card, or renewal thereof. No Illinois
20 Person with a Disability Identification Card shall be issued
21 to any person who holds a valid foreign state identification
22 card, license, or permit unless the person first surrenders to
23 the Secretary of State the valid foreign state identification
24 card, license, or permit. The Secretary of State shall charge
25 no fee to issue such card. The card shall be prepared and
26 supplied by the Secretary of State, and shall include a

1 photograph and signature or mark of the applicant, a
2 designation indicating that the card is an Illinois Person
3 with a Disability Identification Card, and shall include a
4 comprehensible designation of the type and classification of
5 the applicant's disability as set out in Section 4A of this
6 Act. However, the Secretary of State may provide by rule for
7 the issuance of Illinois Person with a Disability
8 Identification Cards without photographs if the applicant has
9 a bona fide religious objection to being photographed or to
10 the display of his or her photograph. If the applicant so
11 requests, the card shall include a description of the
12 applicant's disability and any information about the
13 applicant's disability or medical history which the Secretary
14 determines would be helpful to the applicant in securing
15 emergency medical care. If a mark is used in lieu of a
16 signature, such mark shall be affixed to the card in the
17 presence of 2 witnesses who attest to the authenticity of the
18 mark. The Illinois Person with a Disability Identification
19 Card may be used for identification purposes in any lawful
20 situation by the person to whom it was issued.

21 The Illinois Person with a Disability Identification Card
22 may be used as adequate documentation of disability in lieu of
23 a physician's determination of disability, a determination of
24 disability from a physician assistant, a determination of
25 disability from an advanced practice registered nurse, or any
26 other documentation of disability whenever any State law

1 requires that a person with a disability provide such
2 documentation of disability, however an Illinois Person with a
3 Disability Identification Card shall not qualify the
4 cardholder to participate in any program or to receive any
5 benefit which is not available to all persons with like
6 disabilities. Notwithstanding any other provisions of law, an
7 Illinois Person with a Disability Identification Card, or
8 evidence that the Secretary of State has issued an Illinois
9 Person with a Disability Identification Card, shall not be
10 used by any person other than the person named on such card to
11 prove that the person named on such card is a person with a
12 disability or for any other purpose unless the card is used for
13 the benefit of the person named on such card, and the person
14 named on such card consents to such use at the time the card is
15 so used.

16 An optometrist's determination of a visual disability
17 under Section 4A of this Act is acceptable as documentation
18 for the purpose of issuing an Illinois Person with a
19 Disability Identification Card.

20 When medical information is contained on an Illinois
21 Person with a Disability Identification Card, the Office of
22 the Secretary of State shall not be liable for any actions
23 taken based upon that medical information.

24 (c) The Secretary of State shall provide that each
25 original or renewal Illinois Identification Card or Illinois
26 Person with a Disability Identification Card issued to a

1 person under the age of 21 shall be of a distinct nature from
2 those Illinois Identification Cards or Illinois Person with a
3 Disability Identification Cards issued to individuals 21 years
4 of age or older. The color designated for Illinois
5 Identification Cards or Illinois Person with a Disability
6 Identification Cards for persons under the age of 21 shall be
7 at the discretion of the Secretary of State.

8 (c-1) Each original or renewal Illinois Identification
9 Card or Illinois Person with a Disability Identification Card
10 issued to a person under the age of 21 shall display the date
11 upon which the person becomes 18 years of age and the date upon
12 which the person becomes 21 years of age.

13 (c-3) The General Assembly recognizes the need to identify
14 military veterans living in this State for the purpose of
15 ensuring that they receive all of the services and benefits to
16 which they are legally entitled, including healthcare,
17 education assistance, and job placement. To assist the State
18 in identifying these veterans and delivering these vital
19 services and benefits, the Secretary of State is authorized to
20 issue Illinois Identification Cards and Illinois Person with a
21 Disability Identification Cards with the word "veteran"
22 appearing on the face of the cards. This authorization is
23 predicated on the unique status of veterans. The Secretary may
24 not issue any other identification card which identifies an
25 occupation, status, affiliation, hobby, or other unique
26 characteristics of the identification card holder which is

1 unrelated to the purpose of the identification card.

2 (c-5) Beginning on or before July 1, 2015, the Secretary
3 of State shall designate a space on each original or renewal
4 identification card where, at the request of the applicant,
5 the word "veteran" shall be placed. The veteran designation
6 shall be available to a person identified as a veteran under
7 subsection (b) of Section 5 of this Act who was discharged or
8 separated under honorable conditions.

9 (d) The Secretary of State may issue a Senior Citizen
10 discount card, to any natural person who is a resident of the
11 State of Illinois who is 60 years of age or older and who
12 applies for such a card or renewal thereof. The Secretary of
13 State shall charge no fee to issue such card. The card shall be
14 issued in every county and applications shall be made
15 available at, but not limited to, nutrition sites, senior
16 citizen centers and Area Agencies on Aging. The applicant,
17 upon receipt of such card and prior to its use for any purpose,
18 shall have affixed thereon in the space provided therefor his
19 signature or mark.

20 (e) The Secretary of State, in his or her discretion, may
21 designate on each Illinois Identification Card or Illinois
22 Person with a Disability Identification Card a space where the
23 card holder may place a sticker or decal, issued by the
24 Secretary of State, of uniform size as the Secretary may
25 specify, that shall indicate in appropriate language that the
26 card holder has renewed his or her Illinois Identification

1 Card or Illinois Person with a Disability Identification Card.

2 (f)(1) The Secretary of State may issue a mobile
3 identification card to an individual who is otherwise eligible
4 to hold a physical credential in addition to, and not instead
5 of, an identification card if the Secretary of State has
6 issued an identification card to the person. The data elements
7 that are used to build an electronic credential must match the
8 individual's current Department record.

9 (2) The Secretary may enter into agreements or contract
10 with an agency of the State, another state, the United States,
11 or a third party to facilitate the issuance, use, and
12 verification of a mobile identification card issued by the
13 Secretary or another state.

14 (3) Any mobile identification card issued by the Secretary
15 shall be in accordance with the most recent AAMVA standards.

16 (4) The Secretary shall design the mobile identification
17 card in a manner that allows the credential holder to maintain
18 physical possession of the device on which the mobile
19 identification card is accessed during verification.

20 (g) The verification process shall be implemented to
21 require:

22 (1) the relying parties to authenticate electronic
23 credentials in accordance with applicable AAMVA standards
24 prior to acceptance of the electronic credential;

25 (2) the Secretary to ensure that electronic credential
26 data is subject to all jurisdictional data security and

1 privacy protection laws and regulations; and

2 (3) the relying parties to request only electronic
3 credential data elements that are necessary to complete
4 the transaction for which data is being requested.

5 (h) Privacy and tracking of data shall be restricted by
6 implementing the following requirements:

7 (1) the relying parties shall retain only electronic
8 credential data elements for which the relying party
9 explicitly obtained consent from the electronic credential
10 holder and shall inform the electronic credential holder
11 of the use and retention period of the electronic data
12 elements;

13 (2) the Secretary shall use an electronic credential
14 system that is designed to maximize the privacy of the
15 credential holder in accordance with State and federal law
16 and shall not track or compile information without the
17 credential holder's consent; and

18 (3) the Department shall only compile and disclose
19 information regarding the use of the credential as
20 required by State or federal law.

21 (i)(1) The electronic credential holder shall be required
22 to have the holder's physical credential on the holder's
23 person for all purposes for which an identification card is
24 required. No person, public entity, private entity, or agency
25 shall establish a policy that requires an electronic
26 credential instead of a physical credential.

1 (2) Electronic credential systems shall be designed so
2 that there is no requirement for the electronic credential
3 holder to display or relinquish possession of the credential
4 holder's mobile device to relying parties for the acceptance
5 of an electronic credential.

6 (3) When required by law and upon request by law
7 enforcement, a credential holder must provide the credential
8 holder's physical credential.

9 (4) Any law or regulation that requires an individual to
10 surrender the individual's physical credential to law
11 enforcement does not apply to the device on which an
12 electronic credential has been provisioned.

13 (j) A person may be required to produce when so requested a
14 physical identification card to a law enforcement officer, a
15 representative of a State or federal department or agency, or
16 a private entity and is subject to all applicable laws and
17 consequences for failure to produce such an identification
18 card.

19 (k) The Secretary of State shall adopt such rules as are
20 necessary to implement a mobile identification card.

21 (l) The display of a mobile identification card shall not
22 serve as consent or authorization for a law enforcement
23 officer, or any other person, to search, view, or access any
24 other data or application on the mobile device. If a person
25 presents the person's mobile device to a law enforcement
26 officer for purposes of displaying a mobile identification

1 card, the law enforcement officer shall promptly return the
2 mobile device to the person once the officer has had an
3 opportunity to verify the identity of the person. Except for
4 willful and wanton misconduct, any law enforcement officer,
5 court, or officer of the court presented with the device shall
6 be immune from any liability resulting from damage to the
7 mobile device.

8 (m) The fee to install the application to display a mobile
9 identification card as defined in this subsection shall not
10 exceed \$6.

11 (n) As used in this Section:

12 "AAMVA" means the American Association of Motor Vehicle
13 Administrators.

14 "Credential" means a driver's license, learner's permit,
15 or identification card.

16 "Credential holder" means the individual to whom a mobile
17 driver's license or a mobile identification card is issued.

18 "Data element" means a distinct component of a customer's
19 information that is found on the Department's customer record.

20 "Department" means the Secretary of State Department of
21 Driver Services.

22 "Electronic credential" means an electronic extension of
23 the departmental issued physical credential that conveys
24 identity and complies with AAMVA's mobile driver license
25 Implementation guidelines and the ISO/IEC 18013-5 standard.

26 "Electronic credential system" means a digital process

1 that includes a method for provisioning electronic
2 credentials, requesting and transmitting electronic credential
3 data elements, and performing tasks to maintain the system.

4 "Full profile" means all the information provided on an
5 identification card.

6 "ISO" means the International Organization for
7 Standardization, which creates uniform processes and
8 procedures.

9 "Limited profile" means a portion of the information
10 provided on an Identification Card.

11 "Mobile identification card" means a data file that is
12 available on any mobile device that has connectivity to the
13 Internet through an application that allows the mobile device
14 to download the data file from the Secretary of State, that
15 contains all the data elements visible on the face and back of
16 an identification card, and that displays the current status
17 of the identification card. "Mobile identification card" does
18 not include a copy, photograph, or image of an Illinois
19 Identification Card that is not downloaded through the
20 application on a mobile device.

21 "Physical credential" means a Department-issued document
22 that conveys identity in accordance with the Illinois
23 Identification Card Act.

24 "Provision" means the initial loading of an electronic
25 credential onto a device.

26 "Relying party" means the entity to which the credential

1 holder presents the electronic credential.

2 "Verification process" means a method of authenticating
3 the electronic credential through the use of secured
4 encryption communication.

5 (o) Upon providing the required documentation, at the
6 request of the applicant, the identification card may reflect
7 Gold Star Family designation. The Secretary shall designate a
8 space on each original or renewal of an identification card
9 for such designation. This designation shall be available to a
10 person eligible for Gold Star license plates under subsection
11 (f) of Section 6-106 of the Illinois Vehicle Code.

12 (Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24;
13 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff.
14 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443,
15 eff. 1-1-26; revised 1-7-26.)

16 (Text of Section after amendment by P.A. 104-457)

17 Sec. 4. Identification card.

18 (a) In accordance with the requirements of this Section,
19 the Secretary of State shall issue a standard Illinois
20 Identification Card, as well as a mobile Illinois
21 Identification Card, to any natural person who is a resident
22 of the State of Illinois who applies for such a card, or
23 renewal thereof. No identification card shall be issued to any
24 person who holds a valid foreign state identification card,
25 license, or permit unless the person first surrenders to the

1 Secretary of State the valid foreign state identification
2 card, license, or permit. The card shall be prepared and
3 supplied by the Secretary of State and shall include a
4 photograph and signature or mark of the applicant. However,
5 the Secretary of State may provide by rule for the issuance of
6 Illinois Identification Cards without photographs if the
7 applicant has a bona fide religious objection to being
8 photographed or to the display of his or her photograph. The
9 Illinois Identification Card may be used for identification
10 purposes in any lawful situation only by the person to whom it
11 was issued. As used in this Act, "photograph" means any color
12 photograph or digitally produced and captured image of an
13 applicant for an identification card. As used in this Act,
14 "signature" means the name of a person as written by that
15 person and captured in a manner acceptable to the Secretary of
16 State.

17 (a-5) If an applicant for an identification card has a
18 current driver's license or instruction permit issued by the
19 Secretary of State, the Secretary may require the applicant to
20 utilize the same residence address and name on the
21 identification card, driver's license, and instruction permit
22 records maintained by the Secretary. The Secretary may
23 promulgate rules to implement this provision.

24 (a-10) If the applicant is a judicial officer as defined
25 in Section 1-10 of the Judicial Privacy Act, a public official
26 as defined in Section 10 of the Public Official Safety and

1 Privacy Act, or a peace officer, the applicant may elect to
2 have his or her office or work address listed on the card
3 instead of the applicant's residence or mailing address. The
4 Secretary may promulgate rules to implement this provision.
5 For the purposes of this subsection (a-10), "peace officer"
6 means any person who by virtue of his or her office or public
7 employment is vested by law with a duty to maintain public
8 order or to make arrests for a violation of any penal statute
9 of this State, whether that duty extends to all violations or
10 is limited to specific violations.

11 (a-15) The Secretary of State may provide for an expedited
12 process for the issuance of an Illinois Identification Card.
13 The Secretary shall charge an additional fee for the expedited
14 issuance of an Illinois Identification Card, to be set by
15 rule, not to exceed \$75. All fees collected by the Secretary
16 for expedited Illinois Identification Card service shall be
17 deposited into the Secretary of State Special Services Fund.
18 The Secretary may adopt rules regarding the eligibility,
19 process, and fee for an expedited Illinois Identification
20 Card. If the Secretary of State determines that the volume of
21 expedited identification card requests received on a given day
22 exceeds the ability of the Secretary to process those requests
23 in an expedited manner, the Secretary may decline to provide
24 expedited services, and the additional fee for the expedited
25 service shall be refunded to the applicant.

26 (a-20) The Secretary of State shall issue a standard

1 Illinois Identification Card to a person committed to the
2 Department of Corrections, the Department of Juvenile Justice,
3 a Federal Bureau of Prisons facility located in Illinois, or a
4 county jail or county department of corrections as follows:

5 (1) A committed person who has previously held an
6 Illinois Identification Card or an Illinois driver's
7 license shall submit an Identification Card verification
8 form to the Secretary of State, including a photograph
9 taken by the correctional facility, proof of residency
10 upon discharge, and a social security number, if the
11 committed person has a social security number. If the
12 committed person does not have a social security number
13 and is eligible for a social security number, the
14 Secretary of State shall not issue a standard Illinois
15 Identification Card until the committed person obtains a
16 social security number. If the committed person's
17 photograph and demographic information matches an existing
18 Illinois Identification Card or Illinois driver's license
19 and the Secretary of State verifies the applicant's social
20 security number with the Social Security Administration,
21 the Secretary of State shall issue the committed person a
22 standard Illinois Identification Card. If the photograph
23 or demographic information matches an existing Illinois
24 Identification Card or Illinois driver's license in
25 another person's name or identity, a standard Illinois
26 Identification Card shall not be issued until the

1 committed person submits a certified birth certificate and
2 social security card to the Secretary of State and the
3 Secretary of State verifies the identity of the committed
4 person. If the Secretary of State cannot find a match to an
5 existing Illinois Identification Card or Illinois driver's
6 license, the committed person may apply for a standard
7 Illinois Identification card as described in paragraph
8 (2).

9 (2) A committed person who has not previously held an
10 Illinois Identification Card or Illinois driver's license
11 or for whom a match cannot be found as described in
12 paragraph (1) shall submit an Illinois Identification Card
13 verification form, including a photograph taken by the
14 correctional facility, a certified birth certificate,
15 proof of residency upon discharge, and a social security
16 number, if the committed has a social security number. If
17 the committed person does not have a social security
18 number and is eligible for a social security number, the
19 Secretary of State shall not issue a standard Illinois
20 Identification Card until the committed person obtains a
21 social security number. If the Secretary of State verifies
22 the applicant's social security number with the Social
23 Security Administration, the Secretary of State shall
24 issue the committed person a standard Illinois
25 Identification Card.

26 The Illinois Identification Card verification form

1 described in this subsection shall be prescribed by the
2 Secretary of State. The Secretary of State and correctional
3 facilities in this State shall establish a secure method to
4 transfer the form.

5 (a-25) The Secretary of State shall issue a limited-term
6 Illinois Identification Card valid for 90 days to a committed
7 person upon release on parole, mandatory supervised release,
8 aftercare release, final discharge, or pardon from the
9 Department of Corrections, the Department of Juvenile Justice,
10 a Federal Bureau of Prisons facility located in Illinois, or a
11 county jail or county department of corrections, if the
12 released person does not obtain a standard Illinois
13 Identification Card as described in subsection (a-20) prior to
14 release but does present a Secretary of State prescribed
15 Identification Card verification form completed by the
16 correctional facility, verifying the released person's date of
17 birth, social security number, if the person has a social
18 security number, and his or her Illinois residence address.
19 The verification form must have been completed no more than 30
20 days prior to the date of application for the Illinois
21 Identification Card.

22 Prior to the expiration of the 90-day period of the
23 limited-term Illinois Identification Card, if the released
24 person submits to the Secretary of State a certified copy of
25 his or her birth certificate and his or her social security
26 card, if the person has a social security number, or other

1 documents authorized by the Secretary, a standard Illinois
2 Identification Card shall be issued. A limited-term Illinois
3 Identification Card may not be renewed.

4 This subsection shall not apply to a released person who
5 was unable to obtain a standard Illinois Identification Card
6 because his or her photograph or demographic information
7 matched an existing Illinois Identification Card or Illinois
8 driver's license in another person's name or identity or to a
9 released person who does not have a social security number and
10 is eligible for a social security number.

11 (a-30) The Secretary of State shall issue a standard
12 Illinois Identification Card to a person upon conditional
13 release or absolute discharge from the custody of the
14 Department of Human Services, if the person presents a
15 certified copy of his or her birth certificate, social
16 security card, if the person has a social security number, or
17 other documents authorized by the Secretary, and a document
18 proving his or her Illinois residence address. The Secretary
19 of State shall issue a standard Illinois Identification Card
20 to a person prior to his or her conditional release or absolute
21 discharge if personnel from the Department of Human Services
22 bring the person to a Secretary of State location with the
23 required documents. Documents proving residence address may
24 include any official document of the Department of Human
25 Services showing the person's address after release and a
26 Secretary of State prescribed verification form, which may be

1 executed by personnel of the Department of Human Services.

2 (a-35) The Secretary of State shall issue a limited-term
3 Illinois Identification Card valid for 90 days to a person
4 upon conditional release or absolute discharge from the
5 custody of the Department of Human Services, if the person is
6 unable to present a certified copy of his or her birth
7 certificate and social security card, if the person has a
8 social security number, or other documents authorized by the
9 Secretary, but does present a Secretary of State prescribed
10 verification form completed by the Department of Human
11 Services, verifying the person's date of birth and social
12 security number, if the person has a social security number,
13 and a document proving his or her Illinois residence address.
14 The verification form must have been completed no more than 30
15 days prior to the date of application for the Illinois
16 Identification Card. The Secretary of State shall issue a
17 limited-term Illinois Identification Card to a person no
18 sooner than 14 days prior to his or her conditional release or
19 absolute discharge if personnel from the Department of Human
20 Services bring the person to a Secretary of State location
21 with the required documents. Documents proving residence
22 address shall include any official document of the Department
23 of Human Services showing the person's address after release
24 and a Secretary of State prescribed verification form, which
25 may be executed by personnel of the Department of Human
26 Services.

1 (b) The Secretary of State shall issue a special Illinois
2 Identification Card, which shall be known as an Illinois
3 Person with a Disability Identification Card, to any natural
4 person who is a resident of the State of Illinois, who is a
5 person with a disability as defined in Section 4A of this Act,
6 who applies for such card, or renewal thereof. No Illinois
7 Person with a Disability Identification Card shall be issued
8 to any person who holds a valid foreign state identification
9 card, license, or permit unless the person first surrenders to
10 the Secretary of State the valid foreign state identification
11 card, license, or permit. The Secretary of State shall charge
12 no fee to issue such card. The card shall be prepared and
13 supplied by the Secretary of State, and shall include a
14 photograph and signature or mark of the applicant, a
15 designation indicating that the card is an Illinois Person
16 with a Disability Identification Card, and shall include a
17 comprehensible designation of the type and classification of
18 the applicant's disability as set out in Section 4A of this
19 Act. However, the Secretary of State may provide by rule for
20 the issuance of Illinois Person with a Disability
21 Identification Cards without photographs if the applicant has
22 a bona fide religious objection to being photographed or to
23 the display of his or her photograph. If the applicant so
24 requests, the card shall include a description of the
25 applicant's disability and any information about the
26 applicant's disability or medical history which the Secretary

1 determines would be helpful to the applicant in securing
2 emergency medical care. If a mark is used in lieu of a
3 signature, such mark shall be affixed to the card in the
4 presence of 2 witnesses who attest to the authenticity of the
5 mark. The Illinois Person with a Disability Identification
6 Card may be used for identification purposes in any lawful
7 situation by the person to whom it was issued.

8 The Illinois Person with a Disability Identification Card
9 may be used as adequate documentation of disability in lieu of
10 a physician's determination of disability, a determination of
11 disability from a physician assistant, a determination of
12 disability from an advanced practice registered nurse, or any
13 other documentation of disability whenever any State law
14 requires that a person with a disability provide such
15 documentation of disability, however an Illinois Person with a
16 Disability Identification Card shall not qualify the
17 cardholder to participate in any program or to receive any
18 benefit which is not available to all persons with like
19 disabilities. Notwithstanding any other provisions of law, an
20 Illinois Person with a Disability Identification Card, or
21 evidence that the Secretary of State has issued an Illinois
22 Person with a Disability Identification Card, shall not be
23 used by any person other than the person named on such card to
24 prove that the person named on such card is a person with a
25 disability or for any other purpose unless the card is used for
26 the benefit of the person named on such card, and the person

1 named on such card consents to such use at the time the card is
2 so used.

3 An optometrist's determination of a visual disability
4 under Section 4A of this Act is acceptable as documentation
5 for the purpose of issuing an Illinois Person with a
6 Disability Identification Card.

7 When medical information is contained on an Illinois
8 Person with a Disability Identification Card, the Office of
9 the Secretary of State shall not be liable for any actions
10 taken based upon that medical information.

11 The Secretary of State shall add a marker or box to the
12 Illinois Person with a Disability Identification Card that can
13 be used to record and demonstrate that the holder of the card
14 has presented documentation of certification of eligibility to
15 receive complementary paratransit services under 49 CFR Part
16 37, Subpart F by an entity that is required to provide those
17 services in the State.

18 (c) The Secretary of State shall provide that each
19 original or renewal Illinois Identification Card or Illinois
20 Person with a Disability Identification Card issued to a
21 person under the age of 21 shall be of a distinct nature from
22 those Illinois Identification Cards or Illinois Person with a
23 Disability Identification Cards issued to individuals 21 years
24 of age or older. The color designated for Illinois
25 Identification Cards or Illinois Person with a Disability
26 Identification Cards for persons under the age of 21 shall be

1 at the discretion of the Secretary of State.

2 (c-1) Each original or renewal Illinois Identification
3 Card or Illinois Person with a Disability Identification Card
4 issued to a person under the age of 21 shall display the date
5 upon which the person becomes 18 years of age and the date upon
6 which the person becomes 21 years of age.

7 (c-3) The General Assembly recognizes the need to identify
8 military veterans living in this State for the purpose of
9 ensuring that they receive all of the services and benefits to
10 which they are legally entitled, including healthcare,
11 education assistance, and job placement. To assist the State
12 in identifying these veterans and delivering these vital
13 services and benefits, the Secretary of State is authorized to
14 issue Illinois Identification Cards and Illinois Person with a
15 Disability Identification Cards with the word "veteran"
16 appearing on the face of the cards. This authorization is
17 predicated on the unique status of veterans. The Secretary may
18 not issue any other identification card which identifies an
19 occupation, status, affiliation, hobby, or other unique
20 characteristics of the identification card holder which is
21 unrelated to the purpose of the identification card.

22 (c-5) Beginning on or before July 1, 2015, the Secretary
23 of State shall designate a space on each original or renewal
24 identification card where, at the request of the applicant,
25 the word "veteran" shall be placed. The veteran designation
26 shall be available to a person identified as a veteran under

1 subsection (b) of Section 5 of this Act who was discharged or
2 separated under honorable conditions.

3 (d) The Secretary of State may issue a Senior Citizen
4 discount card, to any natural person who is a resident of the
5 State of Illinois who is 60 years of age or older and who
6 applies for such a card or renewal thereof. The Secretary of
7 State shall charge no fee to issue such card. The card shall be
8 issued in every county and applications shall be made
9 available at, but not limited to, nutrition sites, senior
10 citizen centers and Area Agencies on Aging. The applicant,
11 upon receipt of such card and prior to its use for any purpose,
12 shall have affixed thereon in the space provided therefor his
13 signature or mark.

14 (e) The Secretary of State, in his or her discretion, may
15 designate on each Illinois Identification Card or Illinois
16 Person with a Disability Identification Card a space where the
17 card holder may place a sticker or decal, issued by the
18 Secretary of State, of uniform size as the Secretary may
19 specify, that shall indicate in appropriate language that the
20 card holder has renewed his or her Illinois Identification
21 Card or Illinois Person with a Disability Identification Card.

22 (f)(1) The Secretary of State may issue a mobile
23 identification card to an individual who is otherwise eligible
24 to hold a physical credential in addition to, and not instead
25 of, an identification card if the Secretary of State has
26 issued an identification card to the person. The data elements

1 that are used to build an electronic credential must match the
2 individual's current Department record.

3 (2) The Secretary may enter into agreements or contract
4 with an agency of the State, another state, the United States,
5 or a third party to facilitate the issuance, use, and
6 verification of a mobile identification card issued by the
7 Secretary or another state.

8 (3) Any mobile identification card issued by the Secretary
9 shall be in accordance with the most recent AAMVA standards.

10 (4) The Secretary shall design the mobile identification
11 card in a manner that allows the credential holder to maintain
12 physical possession of the device on which the mobile
13 identification card is accessed during verification.

14 (g) The verification process shall be implemented to
15 require:

16 (1) the relying parties to authenticate electronic
17 credentials in accordance with applicable AAMVA standards
18 prior to acceptance of the electronic credential;

19 (2) the Secretary to ensure that electronic credential
20 data is subject to all jurisdictional data security and
21 privacy protection laws and regulations; and

22 (3) the relying parties to request only electronic
23 credential data elements that are necessary to complete
24 the transaction for which data is being requested.

25 (h) Privacy and tracking of data shall be restricted by
26 implementing the following requirements:

1 (1) the relying parties shall retain only electronic
2 credential data elements for which the relying party
3 explicitly obtained consent from the electronic credential
4 holder and shall inform the electronic credential holder
5 of the use and retention period of the electronic data
6 elements;

7 (2) the Secretary shall use an electronic credential
8 system that is designed to maximize the privacy of the
9 credential holder in accordance with State and federal law
10 and shall not track or compile information without the
11 credential holder's consent; and

12 (3) the Department shall only compile and disclose
13 information regarding the use of the credential as
14 required by State or federal law.

15 (i)(1) The electronic credential holder shall be required
16 to have the holder's physical credential on the holder's
17 person for all purposes for which an identification card is
18 required. No person, public entity, private entity, or agency
19 shall establish a policy that requires an electronic
20 credential instead of a physical credential.

21 (2) Electronic credential systems shall be designed so
22 that there is no requirement for the electronic credential
23 holder to display or relinquish possession of the credential
24 holder's mobile device to relying parties for the acceptance
25 of an electronic credential.

26 (3) When required by law and upon request by law

1 enforcement, a credential holder must provide the credential
2 holder's physical credential.

3 (4) Any law or regulation that requires an individual to
4 surrender the individual's physical credential to law
5 enforcement does not apply to the device on which an
6 electronic credential has been provisioned.

7 (j) A person may be required to produce when so requested a
8 physical identification card to a law enforcement officer, a
9 representative of a State or federal department or agency, or
10 a private entity and is subject to all applicable laws and
11 consequences for failure to produce such an identification
12 card.

13 (k) The Secretary of State shall adopt such rules as are
14 necessary to implement a mobile identification card.

15 (l) The display of a mobile identification card shall not
16 serve as consent or authorization for a law enforcement
17 officer, or any other person, to search, view, or access any
18 other data or application on the mobile device. If a person
19 presents the person's mobile device to a law enforcement
20 officer for purposes of displaying a mobile identification
21 card, the law enforcement officer shall promptly return the
22 mobile device to the person once the officer has had an
23 opportunity to verify the identity of the person. Except for
24 willful and wanton misconduct, any law enforcement officer,
25 court, or officer of the court presented with the device shall
26 be immune from any liability resulting from damage to the

1 mobile device.

2 (m) The fee to install the application to display a mobile
3 identification card as defined in this subsection shall not
4 exceed \$6.

5 (n) As used in this Section:

6 "AAMVA" means the American Association of Motor Vehicle
7 Administrators.

8 "Credential" means a driver's license, learner's permit,
9 or identification card.

10 "Credential holder" means the individual to whom a mobile
11 driver's license or a mobile identification card is issued.

12 "Data element" means a distinct component of a customer's
13 information that is found on the Department's customer record.

14 "Department" means the Secretary of State Department of
15 Driver Services.

16 "Electronic credential" means an electronic extension of
17 the departmental issued physical credential that conveys
18 identity and complies with AAMVA's mobile driver license
19 Implementation guidelines and the ISO/IEC 18013-5 standard.

20 "Electronic credential system" means a digital process
21 that includes a method for provisioning electronic
22 credentials, requesting and transmitting electronic credential
23 data elements, and performing tasks to maintain the system.

24 "Full profile" means all the information provided on an
25 identification card.

26 "ISO" means the International Organization for

1 Standardization, which creates uniform processes and
2 procedures.

3 "Limited profile" means a portion of the information
4 provided on an Identification Card.

5 "Mobile identification card" means a data file that is
6 available on any mobile device that has connectivity to the
7 Internet through an application that allows the mobile device
8 to download the data file from the Secretary of State, that
9 contains all the data elements visible on the face and back of
10 an identification card, and that displays the current status
11 of the identification card. "Mobile identification card" does
12 not include a copy, photograph, or image of an Illinois
13 Identification Card that is not downloaded through the
14 application on a mobile device.

15 "Physical credential" means a Department-issued document
16 that conveys identity in accordance with the Illinois
17 Identification Card Act.

18 "Provision" means the initial loading of an electronic
19 credential onto a device.

20 "Relying party" means the entity to which the credential
21 holder presents the electronic credential.

22 "Verification process" means a method of authenticating
23 the electronic credential through the use of secured
24 encryption communication.

25 (o) Upon providing the required documentation, at the
26 request of the applicant, the identification card may reflect

1 Gold Star Family designation. The Secretary shall designate a
2 space on each original or renewal of an identification card
3 for such designation. This designation shall be available to a
4 person eligible for Gold Star license plates under subsection
5 (f) of Section 6-106 of the Illinois Vehicle Code.

6 (Source: P.A. 103-210, eff. 7-1-24; 103-345, eff. 1-1-24;
7 103-605, eff. 7-1-24; 103-782, eff. 8-6-24; 103-824, eff.
8 1-1-25; 103-933, eff. 1-1-25; 104-417, eff. 8-15-25; 104-443,
9 eff. 1-1-26; 104-457, eff. 6-1-26; revised 1-7-26.)

10 (15 ILCS 335/5)

11 Sec. 5. Applications.

12 (a) Any natural person who is a resident of the State of
13 Illinois may file an application for an identification card,
14 or for the renewal thereof, in a manner prescribed by the
15 Secretary. Each original application shall be completed by the
16 applicant in full and shall set forth the legal name,
17 residence address and zip code, social security number, if the
18 person has a social security number, birth date, sex and a
19 brief description of the applicant. The applicant shall be
20 photographed, unless the Secretary of State has provided by
21 rule for the issuance of identification cards without
22 photographs and the applicant is deemed eligible for an
23 identification card without a photograph under the terms and
24 conditions imposed by the Secretary of State, and he or she
25 shall also submit any other information as the Secretary may

1 deem necessary or such documentation as the Secretary may
2 require to determine the identity of the applicant. In
3 addition to the residence address, the Secretary may allow the
4 applicant to provide a mailing address. If the applicant is an
5 employee of the Department of Children and Family Services
6 with a job title of "Child Protection Specialist Trainee",
7 "Child Protection Specialist", "Child Protection Advanced
8 Specialist", "Child Welfare Specialist Trainee", "Child
9 Welfare Specialist", or "Child Welfare Advanced Specialist" or
10 a judicial officer as defined in Section 1-10 of the Judicial
11 Privacy Act, or a public official as defined in Section 10 of
12 the Public Official Safety and Privacy Act, or a peace
13 officer, the applicant may elect to have his or her office or
14 work address in lieu of the applicant's residence or mailing
15 address. An applicant for an Illinois Person with a Disability
16 Identification Card must also submit with each original or
17 renewal application, on forms prescribed by the Secretary,
18 such documentation as the Secretary may require, establishing
19 that the applicant is a "person with a disability" as defined
20 in Section 4A of this Act, and setting forth the applicant's
21 type and class of disability as set forth in Section 4A of this
22 Act. For the purposes of this subsection (a), "peace officer"
23 means any person who by virtue of his or her office or public
24 employment is vested by law with a duty to maintain public
25 order or to make arrests for a violation of any penal statute
26 of this State, whether that duty extends to all violations or

1 is limited to specific violations.

2 (a-5) Upon the first issuance of a request for proposals
3 for a digital driver's license and identification card
4 issuance and facial recognition system issued after January 1,
5 2020 (the effective date of Public Act 101-513), and upon
6 implementation of a new or revised system procured pursuant to
7 that request for proposals, the Secretary shall permit
8 applicants to choose between "male", "female", or "non-binary"
9 when designating the applicant's sex on the identification
10 card application form. The sex designated by the applicant
11 shall be displayed on the identification card issued to the
12 applicant.

13 (b) Beginning on or before July 1, 2015, for each original
14 or renewal identification card application under this Act, the
15 Secretary shall inquire as to whether the applicant is a
16 veteran for purposes of issuing an identification card with a
17 veteran designation under subsection (c-5) of Section 4 of
18 this Act. The acceptable forms of proof shall include, but are
19 not limited to, Department of Defense form DD-214, Department
20 of Defense form DD-256 for applicants who did not receive a
21 form DD-214 upon the completion of initial basic training,
22 Department of Defense form DD-2 (Retired), an identification
23 card issued under the federal Veterans Identification Card Act
24 of 2015, or a United States Department of Veterans Affairs
25 summary of benefits letter. If the document cannot be stamped,
26 the Illinois Department of Veterans Affairs shall provide a

1 certificate to the veteran to provide to the Secretary of
2 State. The Illinois Department of Veterans Affairs shall
3 advise the Secretary as to what other forms of proof of a
4 person's status as a veteran are acceptable.

5 For each applicant who is issued an identification card
6 with a veteran designation, the Secretary shall provide the
7 Department of Veterans Affairs with the applicant's name,
8 address, date of birth, gender, and such other demographic
9 information as agreed to by the Secretary and the Department.
10 The Department may take steps necessary to confirm the
11 applicant is a veteran. If after due diligence, including
12 writing to the applicant at the address provided by the
13 Secretary, the Department is unable to verify the applicant's
14 veteran status, the Department shall inform the Secretary, who
15 shall notify the applicant that he or she must confirm status
16 as a veteran, or the identification card will be canceled.

17 For purposes of this subsection (b):

18 "Armed forces" means any of the Armed Forces of the United
19 States, including a member of any reserve component or
20 National Guard unit.

21 "Veteran" means a person who has served in the armed
22 forces and was discharged or separated under honorable
23 conditions.

24 (b-1) An applicant who is eligible for Gold Star license
25 plates under Section 3-664 of the Illinois Vehicle Code may
26 apply for an identification card with space for a designation

1 as a Gold Star Family. The Secretary may waive any fee for this
2 application. If the Secretary does not waive the fee, any fee
3 charged to the applicant must be deposited into the Illinois
4 Veterans Assistance Fund. The Secretary is authorized to issue
5 rules to implement this subsection.

6 (c) All applicants for REAL ID compliant standard Illinois
7 Identification Cards and Illinois Person with a Disability
8 Identification Cards shall provide proof of lawful status in
9 the United States as defined in 6 CFR 37.3, as amended.
10 Applicants who are unable to provide the Secretary with proof
11 of lawful status are ineligible for REAL ID compliant
12 identification cards under this Act.

13 (d) The Secretary of State may accept, as proof of date of
14 birth and written signature for any applicant for a standard
15 identification card who does not have a social security number
16 or documentation issued by the United States Department of
17 Homeland Security authorizing the applicant's presence in this
18 country, any passport validly issued to the applicant from the
19 applicant's country of citizenship or a consular
20 identification document validly issued to the applicant by a
21 consulate of that country as defined in Section 5 of the
22 Consular Identification Document Act. Any such documents must
23 be either unexpired or presented by an applicant within 2
24 years of its expiration date.

25 (Source: P.A. 103-210, eff. 7-1-24; 103-888, eff. 8-9-24;
26 103-933, eff. 1-1-25; 104-234, eff. 8-15-25; 104-417, eff.

8-15-25; 104-443, eff. 1-1-26; revised 1-7-26.)

Section 70. The State Agency Entity Creation Act is amended by changing Section 5 as follows:

(20 ILCS 15/5) (from Ch. 127, par. 4205)

Sec. 5. Definition ~~Definitions~~. In this Act, "State agency" means that term as defined in the Illinois State Auditing Act.

(Source: P.A. 87-687; revised 6-24-25.)

Section 75. The Government Electronic Records Act is amended by changing Section 10 as follows:

(20 ILCS 35/10)

Sec. 10. Definitions. In this Act:

"Commission" means the State Records Commission created under Section 16 of the State Records Act.

"Electronic transfer" means transfer of documents or reports by electronic means. Appropriate electronic transfer includes, but is not limited to, transfer by electronic mail, facsimile transmission, or posting downloadable versions on an Internet website, with electronic notice of the posting.

"Government agency" means all parts, boards, and commissions of the executive branch of the State government, including, but not limited to, State colleges and universities

1 and their governing boards and all departments established by
2 the Civil Administrative Code of Illinois.

3 "Record" has the meaning ascribed to it in the ~~Illinois~~
4 State Records Act ~~(5 ILCS 160/)~~.

5 (Source: P.A. 96-1363, eff. 7-28-10; 97-249, eff. 8-4-11;
6 revised 6-24-25.)

7 Section 80. The Department of Central Management Services
8 Law of the Civil Administrative Code of Illinois is amended by
9 renumbering Section 119 and by changing Section 405-317 as
10 follows:

11 (20 ILCS 405/405-119)

12 Sec. 405-119 ~~119~~. Workforce data reporting. The Department
13 shall annually report to the General Assembly the following
14 characteristics of the State's workforce:

15 (1) The average age of the workforce, broken out by
16 agency.

17 (2) The average length of service of the workforce,
18 broken out by agency.

19 (3) The number of funded vacancies, broken out by
20 agency and broken out by month.

21 (4) The number of new hires, broken out by agency and
22 broken out by month.

23 (5) The number of separated employees with less than 5
24 years of service, broken out by agency and broken out by

1 month.

2 (6) The number of separated employees with at least 5
3 but less than 10 years of service, broken out by agency and
4 broken out by month.

5 (7) The number of separated employees with at least 10
6 but less than 20 years of service, broken out by agency and
7 broken out by month.

8 (8) The number of separated employees with at least 20
9 but less than 30 years of service, broken out by agency and
10 broken out by month.

11 (9) The number of separated employees with at least 30
12 years of service, broken out by agency and broken out by
13 month.

14 (Source: P.A. 103-457, eff. 1-1-24; revised 3-6-25.)

15 (20 ILCS 405/405-317)

16 Sec. 405-317. Bird-safe State buildings.

17 (a) Each State building constructed, acquired, or of which
18 more than 50% of the facade is substantially altered, in the
19 opinion of the Department's Bureau of Property Management,
20 shall meet, as determined by the Director, the following
21 standards:

22 (1) at least 90% of the exposed facade ~~facade~~ material
23 from ground level to 40 feet:

24 (A) shall not be composed of glass; or

25 (B) shall be composed of glass employing: (i)

1 elements that preclude bird collisions without
2 completely obscuring vision, such as secondary
3 facades, netting, screens, shutters, and exterior
4 shades; (ii) ultraviolet (UV) patterned glass that
5 contains UV-reflective or contrasting patterns that
6 are visible to birds; (iii) patterns on glass designed
7 in accordance with a rule that restricts horizontal
8 spaces to less than 2 inches high and vertical spaces
9 to less than 4 inches wide; (iv) opaque, etched,
10 stained, frosted, or translucent glass; or (v) any
11 combination of the methods described in this
12 subparagraph (B);

13 (2) at least 60% of the exposed facade material above
14 40 feet shall meet the standard described in paragraph
15 (1);

16 (3) there shall not be any transparent passageways or
17 corners;

18 (4) all glass adjacent to atria or courtyards
19 containing water features, plants, and other materials
20 attractive to birds shall meet the standard described in
21 subparagraph (B) of paragraph (1); and

22 (5) outside lighting shall be appropriately shielded
23 and minimized subject to security and other mission
24 related requirements.

25 (b) The Director shall take such actions as may be
26 necessary to ensure that actual bird mortality is monitored at

1 each State building.

2 (c) The Director, where practicable and consistent with
3 security and other mission related requirements, shall reduce
4 exterior building and site lighting for each State building.
5 This subsection (c) shall not apply to buildings in which the
6 Director does not have control of the exterior building and
7 site lighting. In implementing the requirements of this
8 subsection (c), the Director shall make use of automatic
9 control technologies, including timers, photo-sensors, and
10 infrared and motion detectors.

11 (d) In implementing the requirements of this Section, the
12 Director may employ any available methods and strategies that
13 are in accordance with existing effective best practices to
14 reduce bird mortality.

15 (e) The requirements of this Section shall not apply to
16 any acquisition or substantial alteration described in
17 subsection (a) if the Director, after consideration of
18 multiple options, determines that the use of the required
19 building materials and design features would result in a
20 significant additional cost for the project.

21 (f) Any construction which may be required as a result of
22 the requirements of this Section shall be under the authority
23 of the Capital Development Board in consultation with the
24 Department.

25 (g) The requirements of this Section shall only apply to
26 State buildings under the management or control of the

1 Department, but does not include buildings leased by the
2 Department.

3 (h) The requirements of this Section shall not apply to
4 any project in the design or construction phase as of January
5 1, 2022 (the effective date of Public Act 102-119) ~~this~~
6 ~~amendatory Act of the 102nd General Assembly.~~

7 (i) This Section shall not apply to the following
8 buildings:

9 (1) any building or site listed, or eligible for
10 listing, on the National Register of Historic Places;

11 (2) the Governor's ~~Executive~~ Mansion and its grounds;

12 (3) the Illinois Supreme Court Building and its
13 grounds;

14 (4) the Old State Capitol Building in Springfield,
15 Illinois, and its related buildings and grounds;

16 (5) the Abraham Lincoln Presidential Library and
17 Museum and its related buildings and grounds; and

18 (6) the Illinois State Capitol Building and its
19 related buildings and grounds.

20 (Source: P.A. 102-119, eff. 1-1-22; revised 7-2-25.)

21 Section 85. The Personnel Code is amended by changing
22 Section 8b as follows:

23 (20 ILCS 415/8b) (from Ch. 127, par. 63b108b)

24 Sec. 8b. Jurisdiction B; merit and fitness.

1 (a) For positions in the State service subject to the
2 jurisdiction of the Department of Central Management Services
3 with respect to selection and tenure on the basis of merit and
4 fitness, those matters specified in this Section and Sections
5 8b.1 through 8b.21 ~~8b.20~~.

6 (b) Application, testing and hiring procedures for all
7 State employment vacancies for positions not exempt under
8 Section 4c shall be reduced to writing and made available to
9 the public via the Department's website or equivalent. All
10 vacant positions subject to Jurisdiction B shall be posted.
11 Vacant positions shall be posted on the Department's website
12 in such a way that potential job candidates can easily
13 identify and apply for job openings and identify the county in
14 which the vacancy is located. Vacant positions shall be
15 updated at least weekly.

16 (c) If a position experiences a vacancy rate that is
17 greater than or equal to 10%, that position shall be posted
18 until the vacancy rate is less than 10%.

19 (d) Unless prohibited by federal law, the administration
20 of the following federal programs (and anything they may be
21 subsequently named) shall continue to be conducted by
22 employees subject to this Code ~~code~~:

23 (1) Supplemental Nutrition Assistance Program,
24 formerly known as Food Stamps;

25 (2) Employment Security (Unemployment Insurance and
26 Employment Services);

1 (3) Grants to States for Old-Age Assistance for the
2 Aged;

3 (4) Aid to Families with Dependent Children;

4 (5) Grants to States for Aid to the Blind;

5 (6) Grants to States for Aid to the Permanently and
6 Totally Disabled;

7 (7) Grants to States for Aid to the Aged, Blind or
8 Disabled;

9 (8) Medical Assistance (Medicaid);

10 (9) State and Community Programs on Aging (Older
11 Americans);

12 (10) Federal Payments for Foster Care and Adoption
13 Assistance;

14 (11) Occupational Safety and Health Standards;

15 (12) Occupational Safety and Health Statistics;

16 (13) Robert T. Stafford Disaster Assistance and
17 Emergency Relief Act; and

18 (14) any State administration of the Social Security
19 Act.

20 (Source: P.A. 103-108, eff. 6-27-23; 104-136, eff. 1-1-26;
21 104-190, eff. 8-15-25; 104-397, eff. 8-15-25; revised
22 9-10-25.)

23 Section 90. The Children and Family Services Act is
24 amended by changing Sections 5 and 35.10 as follows:

1 (20 ILCS 505/5)

2 (Text of Section before amendment by P.A. 104-107)

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

7 (a) For purposes of this Section:

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

11 (A) were committed to the Department pursuant to
12 the Juvenile Court Act or the Juvenile Court Act of
13 1987 and who continue under the jurisdiction of the
14 court; or

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

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

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

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

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

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

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

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

26 (F) at the time of placement, conducting

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

7 (G) (blank);

8 (H) (blank); and

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

18 (i) who are in a foster home, or

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

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

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

1 years of age.

2 (b) (Blank).

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

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

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

25 (d) The Director may authorize advance disbursements for
26 any new program initiative to any agency contracting with the

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

17 (e) (Blank).

18 (f) (Blank).

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

23 (1) reunification, guardianship, and adoption;

24 (2) relative and licensed foster care;

25 (3) family counseling;

26 (4) protective services;

1 (5) (blank);

2 (6) homemaker service;

3 (7) return of runaway children;

4 (8) (blank);

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

9 (10) interstate services.

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

21 (h) If the Department finds that there is no appropriate
22 program or facility within or available to the Department for
23 a youth in care and that no licensed private facility has an
24 adequate and appropriate program or none agrees to accept the
25 youth in care, the Department shall create an appropriate
26 individualized, program-oriented plan for such youth in care.

1 The plan may be developed within the Department or through
2 purchase of services by the Department to the extent that it is
3 within its statutory authority to do.

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

7 (1) case management;

8 (2) homemakers;

9 (3) counseling;

10 (4) parent education;

11 (5) day care;

12 (6) emergency assistance and advocacy; and

13 (7) kinship navigator and relative caregiver supports.

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

16 (1) comprehensive family-based services;

17 (2) assessments;

18 (3) respite care; and

19 (4) in-home health services.

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

23 (j) The Department may provide categories of financial
24 assistance and education assistance grants, and shall
25 establish rules and regulations concerning the assistance and
26 grants, to persons who adopt or become subsidized guardians of

1 children with physical or mental disabilities, children who
2 are older, or other hard-to-place children who (i) immediately
3 prior to their adoption or subsidized guardianship were youth
4 in care or (ii) were determined eligible for financial
5 assistance with respect to a prior adoption and who become
6 available for adoption because the prior adoption has been
7 dissolved and the parental rights of the adoptive parents have
8 been terminated or because the child's adoptive parents have
9 died. The Department may continue to provide financial
10 assistance and education assistance grants for a child who was
11 determined eligible for financial assistance under this
12 subsection (j) in the interim period beginning when the
13 child's adoptive parents died and ending with the finalization
14 of the new adoption of the child by another adoptive parent or
15 parents. The Department may also provide categories of
16 financial assistance and education assistance grants, and
17 shall establish rules and regulations for the assistance and
18 grants, to persons appointed guardian of the person under
19 Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28,
20 4-25, or 5-740 of the Juvenile Court Act of 1987 for children
21 who were youth in care for 12 months immediately prior to the
22 appointment of the guardian.

23 The amount of assistance may vary, depending upon the
24 needs of the child and the adoptive parents or subsidized
25 guardians, as set forth in the annual assistance agreement.
26 Special purpose grants are allowed where the child requires

1 special service but such costs may not exceed the amounts
2 which similar services would cost the Department if it were to
3 provide or secure them as guardian of the child.

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

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

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

16 (l) The Department shall offer family preservation
17 services, as defined in Section 8.2 of the Abused and
18 Neglected Child Reporting Act, to help families, including
19 adoptive and extended families. Family preservation services
20 shall be offered (i) to prevent the placement of children in
21 substitute care when the children can be cared for at home or
22 in the custody of the person responsible for the children's
23 welfare, (ii) to reunite children with their families, or
24 (iii) to maintain an adoption or subsidized guardianship.
25 Family preservation services shall only be offered when doing
26 so will not endanger the children's health or safety. With

1 respect to children who are in substitute care pursuant to the
2 Juvenile Court Act of 1987, family preservation services shall
3 not be offered if a goal other than those of subdivisions (A),
4 (B), or (B-1) of subsection (2.3) of Section 2-28 of that Act
5 has been set, except that reunification services may be
6 offered as provided in paragraph (F) of subsection (2.3) of
7 Section 2-28 of that Act. Nothing in this paragraph shall be
8 construed to create a private right of action or claim on the
9 part of any individual or child welfare agency, except that
10 when a child is the subject of an action under Article II of
11 the Juvenile Court Act of 1987 and the child's service plan
12 calls for services to facilitate achievement of the permanency
13 goal, the court hearing the action under Article II of the
14 Juvenile Court Act of 1987 may order the Department to provide
15 the services set out in the plan, if those services are not
16 provided with reasonable promptness and if those services are
17 available.

18 The Department shall notify the child and the child's
19 family of the Department's responsibility to offer and provide
20 family preservation services as identified in the service
21 plan. The child and the child's family shall be eligible for
22 services as soon as the report is determined to be
23 "indicated". The Department may offer services to any child or
24 family with respect to whom a report of suspected child abuse
25 or neglect has been filed, prior to concluding its
26 investigation under Section 7.12 of the Abused and Neglected

1 Child Reporting Act. However, the child's or family's
2 willingness to accept services shall not be considered in the
3 investigation. The Department may also provide services to any
4 child or family who is the subject of any report of suspected
5 child abuse or neglect or may refer such child or family to
6 services available from other agencies in the community, even
7 if the report is determined to be unfounded, if the conditions
8 in the child's or family's home are reasonably likely to
9 subject the child or family to future reports of suspected
10 child abuse or neglect. Acceptance of such services shall be
11 voluntary. The Department may also provide services to any
12 child or family after completion of a family assessment, as an
13 alternative to an investigation, as provided under the
14 "differential response program" provided for in subsection
15 (a-5) of Section 7.4 of the Abused and Neglected Child
16 Reporting Act.

17 The Department may, at its discretion except for those
18 children also adjudicated neglected or dependent, accept for
19 care and training any child who has been adjudicated addicted,
20 as a truant minor in need of supervision or as a minor
21 requiring authoritative intervention, under the Juvenile Court
22 Act or the Juvenile Court Act of 1987, but no such child shall
23 be committed to the Department by any court without the
24 approval of the Department. On and after January 1, 2015 (the
25 effective date of Public Act 98-803) and before January 1,
26 2017, a minor charged with a criminal offense under the

1 Criminal Code of 1961 or the Criminal Code of 2012 or
2 adjudicated delinquent shall not be placed in the custody of
3 or committed to the Department by any court, except (i) a minor
4 less than 16 years of age committed to the Department under
5 Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor
6 for whom an independent basis of abuse, neglect, or dependency
7 exists, which must be defined by departmental rule, or (iii) a
8 minor for whom the court has granted a supplemental petition
9 to reinstate wardship pursuant to subsection (2) of Section
10 2-33 of the Juvenile Court Act of 1987. On and after January 1,
11 2017, a minor charged with a criminal offense under the
12 Criminal Code of 1961 or the Criminal Code of 2012 or
13 adjudicated delinquent shall not be placed in the custody of
14 or committed to the Department by any court, except (i) a minor
15 less than 15 years of age committed to the Department under
16 Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor
17 for whom an independent basis of abuse, neglect, or dependency
18 exists, which must be defined by departmental rule, or (iii) a
19 minor for whom the court has granted a supplemental petition
20 to reinstate wardship pursuant to subsection (2) of Section
21 2-33 of the Juvenile Court Act of 1987. An independent basis
22 exists when the allegations or adjudication of abuse, neglect,
23 or dependency do not arise from the same facts, incident, or
24 circumstances which give rise to a charge or adjudication of
25 delinquency. The Department shall assign a caseworker to
26 attend any hearing involving a youth in the care and custody of

1 the Department who is placed on aftercare release, including
2 hearings involving sanctions for violation of aftercare
3 release conditions and aftercare release revocation hearings.

4 As soon as is possible, the Department shall develop and
5 implement a special program of family preservation services to
6 support intact, relative, foster, and adoptive families who
7 are experiencing extreme hardships due to the difficulty and
8 stress of caring for a child who has been diagnosed with a
9 pervasive developmental disorder if the Department determines
10 that those services are necessary to ensure the health and
11 safety of the child. The Department may offer services to any
12 family whether or not a report has been filed under the Abused
13 and Neglected Child Reporting Act. The Department may refer
14 the child or family to services available from other agencies
15 in the community if the conditions in the child's or family's
16 home are reasonably likely to subject the child or family to
17 future reports of suspected child abuse or neglect. Acceptance
18 of these services shall be voluntary. The Department shall
19 develop and implement a public information campaign to alert
20 health and social service providers and the general public
21 about these special family preservation services. The nature
22 and scope of the services offered and the number of families
23 served under the special program implemented under this
24 paragraph shall be determined by the level of funding that the
25 Department annually allocates for this purpose. The term
26 "pervasive developmental disorder" under this paragraph means

1 a neurological condition, including, but not limited to,
2 Asperger's Syndrome and autism, as defined in the most recent
3 edition of the Diagnostic and Statistical Manual of Mental
4 Disorders of the American Psychiatric Association.

5 (1-1) The General Assembly recognizes that the best
6 interests of the child require that the child be placed in the
7 most permanent living arrangement that is an appropriate
8 option for the child, consistent with the child's best
9 interest, using the factors set forth in subsection (4.05) of
10 Section 1-3 of the Juvenile Court Act of 1987 as soon as is
11 practically possible. To achieve this goal, the General
12 Assembly directs the Department of Children and Family
13 Services to conduct concurrent planning so that permanency may
14 occur at the earliest opportunity. Permanent living
15 arrangements may include prevention of placement of a child
16 outside the home of the family when the child can be cared for
17 at home without endangering the child's health or safety;
18 reunification with the family, when safe and appropriate, if
19 temporary placement is necessary; or movement of the child
20 toward the most appropriate living arrangement and legal
21 status.

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

26 When a child is placed in foster care, the Department

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

12 A decision to place a child in substitute care shall be
13 made with considerations of the child's health, safety, and
14 best interests. The Department shall make diligent efforts to
15 place the child with a relative, document those diligent
16 efforts, and document reasons for any failure or inability to
17 secure such a relative placement. If the primary issue
18 preventing an emergency placement of a child with a relative
19 is a lack of resources, including, but not limited to,
20 concrete goods, safety modifications, and services, the
21 Department shall make diligent efforts to assist the relative
22 in obtaining the necessary resources. No later than July 1,
23 2025, the Department shall adopt rules defining what is
24 diligent and necessary in providing supports to potential
25 relative placements. At the time of placement, consideration
26 should also be given so that if reunification fails or is

1 delayed, the placement has the potential to be an appropriate
2 permanent placement for the child.

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

7 (1) the likelihood of prompt reunification;

8 (2) the past history of the family;

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

11 (4) the level of cooperation of the family;

12 (4.5) the child's wishes;

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

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

17 (7) the age of the child;

18 (8) placement of siblings; and

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

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

24 (1) it has received a written consent to such
25 temporary custody signed by the parents of the child or by
26 the parent having custody of the child if the parents are

1 not living together or by the guardian or custodian of the
2 child if the child is not in the custody of either parent,
3 or

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

7 If the child is found in the child's residence without a
8 parent, guardian, custodian, or responsible caretaker, the
9 Department may, instead of removing the child and assuming
10 temporary custody, place an authorized representative of the
11 Department in that residence until such time as a parent,
12 guardian, or custodian enters the home and expresses a
13 willingness and apparent ability to ensure the child's health
14 and safety and resume permanent charge of the child, or until a
15 relative enters the home and is willing and able to ensure the
16 child's health and safety and assume charge of the child until
17 a parent, guardian, or custodian enters the home and expresses
18 such willingness and ability to ensure the child's safety and
19 resume permanent charge. After a caretaker has remained in the
20 home for a period not to exceed 12 hours, the Department must
21 follow those procedures outlined in Section 2-9, 3-11, 4-8, or
22 5-415 of the Juvenile Court Act of 1987.

23 The Department shall have the authority, responsibilities
24 and duties that a legal custodian of the child would have
25 pursuant to subsection (9) of Section 1-3 of the Juvenile
26 Court Act of 1987. Whenever a child is taken into temporary

1 custody pursuant to an investigation under the Abused and
2 Neglected Child Reporting Act, or pursuant to a referral and
3 acceptance under the Juvenile Court Act of 1987 of a minor in
4 limited custody, the Department, during the period of
5 temporary custody and before the child is brought before a
6 judicial officer as required by Section 2-9, 3-11, 4-8, or
7 5-415 of the Juvenile Court Act of 1987, shall have the
8 authority, responsibilities and duties that a legal custodian
9 of the child would have under subsection (9) of Section 1-3 of
10 the Juvenile Court Act of 1987.

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

14 A parent, guardian, or custodian of a child in the
15 temporary custody of the Department who would have custody of
16 the child if the child were not in the temporary custody of the
17 Department may deliver to the Department a signed request that
18 the Department surrender the temporary custody of the child.
19 The Department may retain temporary custody of the child for
20 10 days after the receipt of the request, during which period
21 the Department may cause to be filed a petition pursuant to the
22 Juvenile Court Act of 1987. If a petition is so filed, the
23 Department shall retain temporary custody of the child until
24 the court orders otherwise. If a petition is not filed within
25 the 10-day period, the child shall be surrendered to the
26 custody of the requesting parent, guardian, or custodian not

1 later than the expiration of the 10-day period, at which time
2 the authority and duties of the Department with respect to the
3 temporary custody of the child shall terminate.

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

18 (n) The Department may place children under 18 years of
19 age in licensed child care facilities when in the opinion of
20 the Department, appropriate services aimed at family
21 preservation have been unsuccessful and cannot ensure the
22 child's health and safety or are unavailable and such
23 placement would be for their best interest. Payment for board,
24 clothing, care, training and supervision of any child placed
25 in a licensed child care facility may be made by the
26 Department, by the parents or guardians of the estates of

1 those children, or by both the Department and the parents or
2 guardians, except that no payments shall be made by the
3 Department for any child placed in a licensed child care
4 facility for board, clothing, care, training, and supervision
5 of such a child that exceed the average per capita cost of
6 maintaining and of caring for a child in institutions for
7 dependent or neglected children operated by the Department.
8 However, such restriction on payments does not apply in cases
9 where children require specialized care and treatment for
10 problems of severe emotional disturbance, physical disability,
11 social adjustment, or any combination thereof and suitable
12 facilities for the placement of such children are not
13 available at payment rates within the limitations set forth in
14 this Section. All reimbursements for services delivered shall
15 be absolutely inalienable by assignment, sale, attachment, or
16 garnishment or otherwise.

17 (n-1) The Department shall provide or authorize child
18 welfare services, aimed at assisting minors to achieve
19 sustainable self-sufficiency as independent adults, for any
20 minor eligible for the reinstatement of wardship pursuant to
21 subsection (2) of Section 2-33 of the Juvenile Court Act of
22 1987, whether or not such reinstatement is sought or allowed,
23 provided that the minor consents to such services and has not
24 yet attained the age of 21. The Department shall have
25 responsibility for the development and delivery of services
26 under this Section. An eligible youth may access services

1 under this Section through the Department of Children and
2 Family Services or by referral from the Department of Human
3 Services. Youth participating in services under this Section
4 shall cooperate with the assigned case manager in developing
5 an agreement identifying the services to be provided and how
6 the youth will increase skills to achieve self-sufficiency. A
7 homeless shelter is not considered appropriate housing for any
8 youth receiving child welfare services under this Section. The
9 Department shall continue child welfare services under this
10 Section to any eligible minor until the minor becomes 21 years
11 of age, no longer consents to participate, or achieves
12 self-sufficiency as identified in the minor's service plan.
13 The Department of Children and Family Services shall create
14 clear, readable notice of the rights of former foster youth to
15 child welfare services under this Section and how such
16 services may be obtained. The Department of Children and
17 Family Services and the Department of Human Services shall
18 disseminate this information statewide. The Department shall
19 adopt regulations describing services intended to assist
20 minors in achieving sustainable self-sufficiency as
21 independent adults.

22 (o) The Department shall establish an administrative
23 review and appeal process for children and families who
24 request or receive child welfare services from the Department.
25 Youth in care who are placed by private child welfare
26 agencies, and caregivers with whom those youth are placed,

1 shall be afforded the same procedural and appeal rights as
2 children and families in the case of placement by the
3 Department, including the right to an initial review of a
4 private agency decision by that agency. The Department shall
5 ensure that any private child welfare agency, which accepts
6 youth in care for placement, affords those rights to children
7 and caregivers with whom those children are placed. The
8 Department shall accept for administrative review and an
9 appeal hearing a complaint made by (i) a child or caregiver
10 with whom the child is placed concerning a decision following
11 an initial review by a private child welfare agency or (ii) a
12 prospective adoptive parent who alleges a violation of
13 subsection (j-5) of this Section. An appeal of a decision
14 concerning a change in the placement of a child shall be
15 conducted in an expedited manner. A court determination that a
16 current placement is necessary and appropriate under Section
17 2-28 of the Juvenile Court Act of 1987 does not constitute a
18 judicial determination on the merits of an administrative
19 appeal, filed by a former caregiver, involving a change of
20 placement decision. No later than July 1, 2025, the Department
21 shall adopt rules to develop a reconsideration process to
22 review: a denial of certification of a relative, a denial of
23 placement with a relative, and a denial of visitation with an
24 identified relative. Rules shall include standards and
25 criteria for reconsideration that incorporate the best
26 interests of the child under subsection (4.05) of Section 1-3

1 of the Juvenile Court Act of 1987, address situations where
2 multiple relatives seek certification, and provide that all
3 rules regarding placement changes shall be followed. The rules
4 shall outline the essential elements of each form used in the
5 implementation and enforcement of the provisions of this
6 amendatory Act of the 103rd General Assembly.

7 (p) (Blank).

8 (q) The Department may receive and use, in their entirety,
9 for the benefit of children any gift, donation, or bequest of
10 money or other property which is received on behalf of such
11 children, or any financial benefits to which such children are
12 or may become entitled while under the jurisdiction or care of
13 the Department, except that the benefits described in Section
14 5.46 must be used and conserved consistent with the provisions
15 under Section 5.46.

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

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

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

11 (2) Calculate on a monthly basis the amounts paid from
12 State funds for the child's board and care, medical care
13 not covered under Medicaid, and social services; and
14 utilize funds from the child's account, as covered by
15 regulation, to reimburse those costs. Monthly,
16 disbursements from all children's accounts, up to 1/12 of
17 \$13,000,000, shall be deposited by the Department into the
18 General Revenue Fund and the balance over 1/12 of
19 \$13,000,000 into the DCFS Children's Services Fund.

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

25 (r) The Department shall promulgate regulations
26 encouraging all adoption agencies to voluntarily forward to

1 the Department or its agent names and addresses of all persons
2 who have applied for and have been approved for adoption of a
3 hard-to-place child or child with a disability and the names
4 of such children who have not been placed for adoption. A list
5 of such names and addresses shall be maintained by the
6 Department or its agent, and coded lists which maintain the
7 confidentiality of the person seeking to adopt the child and
8 of the child shall be made available, without charge, to every
9 adoption agency in the State to assist the agencies in placing
10 such children for adoption. The Department may delegate to an
11 agent its duty to maintain and make available such lists. The
12 Department shall ensure that such agent maintains the
13 confidentiality of the person seeking to adopt the child and
14 of the child.

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

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

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

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

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

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

26 (1) available detailed information concerning the

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

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

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

14 The caregiver, appropriate facility staff, or prospective
15 adoptive parent or parents, shall be informed of any known
16 social or behavioral information (including, but not limited
17 to, criminal background, fire setting, perpetuation of sexual
18 abuse, destructive behavior, and substance abuse) necessary to
19 care for and safeguard the children to be placed or currently
20 in the home or setting. The Department may prepare a written
21 summary of the information required by this paragraph, which
22 may be provided to the caregiver, appropriate facility staff,
23 or prospective adoptive parent in advance of a placement. The
24 caregiver, appropriate facility staff, or prospective adoptive
25 parent may review the supporting documents in the child's file
26 in the presence of casework staff. In the case of an emergency

1 placement, casework staff shall at least provide known
2 information verbally, if necessary, and must subsequently
3 provide the information in writing as required by this
4 subsection.

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

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

1 a certified relative caregiver home under Section 3.4 of the
2 Child Care Act of 1969 or a licensed foster family home shall
3 be eligible to receive payments from the Department in an
4 amount no less 90% of the payments made to licensed foster
5 family homes and certified relative caregiver homes.

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

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

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

20 (3) Consistent with federal law, the Department shall
21 include in any State Plan made in accordance with the
22 Adoption Assistance and Child Welfare Act of 1980, Titles
23 IV-E and XIX of the Social Security Act, and any other
24 applicable federal laws the provision of kinship navigator
25 program services. The Department shall apply for and
26 administer all relevant federal aid in accordance with

1 law. Federal funds acquired for the kinship navigator
2 program shall be used for the development, implementation,
3 and operation of kinship navigator program services. The
4 kinship navigator program services may provide
5 information, referral services, support, and assistance to
6 relative and certified relative caregivers of youth in
7 care to address their unique needs and challenges. Until
8 the Department is approved to receive federal funds for
9 these purposes, the Department shall publicly post on the
10 Department's website semi-annual updates regarding the
11 Department's progress in pursuing federal funding.
12 Whenever the Department publicly posts these updates on
13 its website, the Department shall notify the General
14 Assembly through the General Assembly's designee.

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

24 The Department shall establish and maintain a toll-free
25 number to respond to requests from the public about its
26 subsidized guardianship and adoption support services under

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

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

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

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

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

26 (5) it shall include, in each annual notification

1 letter mailed to subsidized guardians, a short, 2-sided
2 flier or news bulletin in plain language that describes
3 access to post-guardianship services, how to access
4 services under the Family Support Program, formerly known
5 as the Individual Care Grant Program, the webpage address
6 to the Post Adoption and Guardianship Services booklet,
7 information on how to request that a copy of the booklet be
8 mailed; and

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

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

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

26 Every licensed child welfare agency and any entity

1 providing kinship navigator programs funded by the Department
2 shall provide the Department's website address and link to the
3 Department's subsidized guardianship support services
4 information set forth in subsection (d), including the
5 Department's toll-free number, to every relative who is or
6 will be providing guardianship placement for a child placed by
7 the Department.

8 (v) The Department shall access criminal history record
9 information as defined in the Illinois Uniform Conviction
10 Information Act and information maintained in the adjudicatory
11 and dispositional record system as defined in Section 2605-355
12 of the Illinois State Police Law if the Department determines
13 the information is necessary to perform its duties under the
14 Abused and Neglected Child Reporting Act, the Child Care Act
15 of 1969, and the Children and Family Services Act. The
16 Department shall provide for interactive computerized
17 communication and processing equipment that permits direct
18 online ~~on-line~~ communication with the Illinois State Police's
19 central criminal history data repository. The Department shall
20 comply with all certification requirements and provide
21 certified operators who have been trained by personnel from
22 the Illinois State Police. In addition, one Office of the
23 Inspector General investigator shall have training in the use
24 of the criminal history information access system and have
25 access to the terminal. The Department of Children and Family
26 Services and its employees shall abide by rules and

1 regulations established by the Illinois State Police relating
2 to the access and dissemination of this information.

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

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

25 (v-3) Prior to the final approval of final placement of a
26 related child in a certified relative caregiver home as

1 defined in Section 2.37 of the Child Care Act of 1969, the
2 Department shall ensure that the background screening meets
3 the standards required under subsection (c) of Section 3.4 of
4 the Child Care Act of 1969.

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

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

17 (ii) conduct a criminal records background check of
18 the prospective relative caregiver and all other adults
19 living in the home, including fingerprint-based checks of
20 national crime information databases. Final approval for
21 placement shall not be granted if the record check reveals
22 a felony conviction for child abuse or neglect, for
23 spousal abuse, for a crime against children, or for a
24 crime involving violence, including human trafficking, sex
25 trafficking, rape, sexual assault, or homicide, but not
26 including other physical assault or battery, or if there

1 is a felony conviction for physical assault, battery, or a
2 drug-related offense committed within the past 5 years;
3 provided however, that the Department is empowered to
4 grant a waiver as the Department may provide by rule, and
5 the Department approves the request for the waiver based
6 on a comprehensive evaluation of the caregiver and
7 household members and the conditions relating to the
8 safety of the placement.

9 No later than July 1, 2025, the Department shall adopt
10 rules or revise existing rules to effectuate the changes made
11 to this subsection (v-4). The rules shall outline the
12 essential elements of each form used in the implementation and
13 enforcement of the provisions of this amendatory Act of the
14 103rd General Assembly.

15 (w) (Blank).

16 (x) The Department shall conduct annual credit history
17 checks to determine the financial history of children placed
18 under its guardianship pursuant to the Juvenile Court Act of
19 1987. The Department shall conduct such credit checks starting
20 when a youth in care turns 12 years old and each year
21 thereafter for the duration of the guardianship as terminated
22 pursuant to the Juvenile Court Act of 1987. The Department
23 shall determine if financial exploitation of the child's
24 personal information has occurred. If financial exploitation
25 appears to have taken place or is presently ongoing, the
26 Department shall notify the proper law enforcement agency, the

1 proper State's Attorney, or the Attorney General.

2 (y) Beginning on July 22, 2010 (the effective date of
3 Public Act 96-1189), a child with a disability who receives
4 residential and educational services from the Department shall
5 be eligible to receive transition services in accordance with
6 Article 14 of the School Code from the age of 14.5 through age
7 21, inclusive, notwithstanding the child's residential
8 services arrangement. For purposes of this subsection, "child
9 with a disability" means a child with a disability as defined
10 by the federal Individuals with Disabilities Education
11 Improvement Act of 2004.

12 (z) The Department shall access criminal history record
13 information as defined as "background information" in this
14 subsection and criminal history record information as defined
15 in the Illinois Uniform Conviction Information Act for each
16 Department employee or Department applicant. Each Department
17 employee or Department applicant shall submit the employee's
18 or applicant's fingerprints to the Illinois State Police in
19 the form and manner prescribed by the Illinois State Police.
20 These fingerprints shall be checked against the fingerprint
21 records now and hereafter filed in the Illinois State Police
22 and the Federal Bureau of Investigation criminal history
23 records databases. The Illinois State Police shall charge a
24 fee for conducting the criminal history record check, which
25 shall be deposited into the State Police Services Fund and
26 shall not exceed the actual cost of the record check. The

1 Illinois State Police shall furnish, pursuant to positive
2 identification, all Illinois conviction information to the
3 Department of Children and Family Services.

4 For purposes of this subsection:

5 "Background information" means all of the following:

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

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

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

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

26 "Department applicant" means an individual who has

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

9 (aa) The changes made to this Section by Public Act
10 104-165 ~~this amendatory Act of the 104th General Assembly~~ are
11 declarative of existing law and are not a new enactment.

12 (Source: P.A. 103-22, eff. 8-8-23; 103-50, eff. 1-1-24;
13 103-546, eff. 8-11-23; 103-605, eff. 7-1-24; 103-1061, eff.
14 7-1-25; 104-165, eff. 8-15-25; revised 9-11-25.)

15 (Text of Section after amendment by P.A. 104-107)

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

20 (a) For purposes of this Section:

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

24 (A) were committed to the Department pursuant to
25 the Juvenile Court Act or the Juvenile Court Act of

1 1987 and who continue under the jurisdiction of the
2 court; or

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

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

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

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

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

24 (C) preventing the unnecessary separation of
25 children from their families by identifying family
26 problems, assisting families in resolving their

1 problems, and preventing the breakup of the family
2 where the prevention of child removal is desirable and
3 possible when the child can be cared for at home
4 without endangering the child's health and safety;

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

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

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

21 (F-1) preparing adolescents to successfully
22 transition to independence, including transition
23 planning for youth who qualify for a guardian as a
24 person with a disability under Article XIa of the
25 Probate Act of 1975;

26 (G) (blank);

1 (H) (blank); and

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

11 (i) who are in a foster home, or

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

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

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

21 (b) (Blank).

22 (b-5) The Department shall adopt rules to establish a
23 process for all licensed residential providers in Illinois to
24 submit data as required by the Department if they contract or
25 receive reimbursement for children's mental health, substance
26 use, and developmental disability services from the Department

1 of Human Services, the Department of Juvenile Justice, or the
2 Department of Healthcare and Family Services. The requested
3 data must include, but is not limited to, capacity, staffing,
4 and occupancy data for the purpose of establishing State need
5 and placement availability.

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

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

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

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

10 (e) (Blank).

11 (f) (Blank).

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

16 (1) reunification, guardianship, and adoption;

17 (2) relative and licensed foster care;

18 (3) family counseling;

19 (4) protective services;

20 (5) (blank);

21 (6) homemaker service;

22 (7) return of runaway children;

23 (8) (blank);

24 (9) placement under Section 5-7 of the Juvenile Court
25 Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile
26 Court Act of 1987 in accordance with the federal Adoption

1 Assistance and Child Welfare Act of 1980;

2 (10) interstate services; and

3 (11) transition planning for youth aging out of care.

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

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

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

- 1 (1) case management;
- 2 (2) homemakers;
- 3 (3) counseling;
- 4 (4) parent education;
- 5 (5) day care;
- 6 (6) emergency assistance and advocacy; and
- 7 (7) kinship navigator and relative caregiver supports.

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

- 10 (1) comprehensive family-based services;
- 11 (2) assessments;
- 12 (3) respite care; and
- 13 (4) in-home health services.

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

17 (j) The Department may provide categories of financial
18 assistance and education assistance grants, and shall
19 establish rules and regulations concerning the assistance and
20 grants, to persons who adopt or become subsidized guardians of
21 children with physical or mental disabilities, children who
22 are older, or other hard-to-place children who (i) immediately
23 prior to their adoption or subsidized guardianship were youth
24 in care or (ii) were determined eligible for financial
25 assistance with respect to a prior adoption and who become
26 available for adoption because the prior adoption has been

1 dissolved and the parental rights of the adoptive parents have
2 been terminated or because the child's adoptive parents have
3 died. The Department may continue to provide financial
4 assistance and education assistance grants for a child who was
5 determined eligible for financial assistance under this
6 subsection (j) in the interim period beginning when the
7 child's adoptive parents died and ending with the finalization
8 of the new adoption of the child by another adoptive parent or
9 parents. The Department may also provide categories of
10 financial assistance and education assistance grants, and
11 shall establish rules and regulations for the assistance and
12 grants, to persons appointed guardian of the person under
13 Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28,
14 4-25, or 5-740 of the Juvenile Court Act of 1987 for children
15 who were youth in care for 12 months immediately prior to the
16 appointment of the guardian.

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

24 Any financial assistance provided under this subsection is
25 inalienable by assignment, sale, execution, attachment,
26 garnishment, or any other remedy for recovery or collection of

1 a judgment or debt.

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

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

10 (l) The Department shall offer family preservation
11 services, as defined in Section 8.2 of the Abused and
12 Neglected Child Reporting Act, to help families, including
13 adoptive and extended families. Family preservation services
14 shall be offered (i) to prevent the placement of children in
15 substitute care when the children can be cared for at home or
16 in the custody of the person responsible for the children's
17 welfare, (ii) to reunite children with their families, or
18 (iii) to maintain an adoption or subsidized guardianship.
19 Family preservation services shall only be offered when doing
20 so will not endanger the children's health or safety. With
21 respect to children who are in substitute care pursuant to the
22 Juvenile Court Act of 1987, family preservation services shall
23 not be offered if a goal other than those of subdivisions (A),
24 (B), or (B-1) of subsection (2.3) of Section 2-28 of that Act
25 has been set, except that reunification services may be
26 offered as provided in paragraph (F) of subsection (2.3) of

1 Section 2-28 of that Act. Nothing in this paragraph shall be
2 construed to create a private right of action or claim on the
3 part of any individual or child welfare agency, except that
4 when a child is the subject of an action under Article II of
5 the Juvenile Court Act of 1987 and the child's service plan
6 calls for services to facilitate achievement of the permanency
7 goal, the court hearing the action under Article II of the
8 Juvenile Court Act of 1987 may order the Department to provide
9 the services set out in the plan, if those services are not
10 provided with reasonable promptness and if those services are
11 available.

12 The Department shall notify the child and the child's
13 family of the Department's responsibility to offer and provide
14 family preservation services as identified in the service
15 plan. The child and the child's family shall be eligible for
16 services as soon as the report is determined to be
17 "indicated". The Department may offer services to any child or
18 family with respect to whom a report of suspected child abuse
19 or neglect has been filed, prior to concluding its
20 investigation under Section 7.12 of the Abused and Neglected
21 Child Reporting Act. However, the child's or family's
22 willingness to accept services shall not be considered in the
23 investigation. The Department may also provide services to any
24 child or family who is the subject of any report of suspected
25 child abuse or neglect or may refer such child or family to
26 services available from other agencies in the community, even

1 if the report is determined to be unfounded, if the conditions
2 in the child's or family's home are reasonably likely to
3 subject the child or family to future reports of suspected
4 child abuse or neglect. Acceptance of such services shall be
5 voluntary. The Department may also provide services to any
6 child or family after completion of a family assessment, as an
7 alternative to an investigation, as provided under the
8 "differential response program" provided for in subsection
9 (a-5) of Section 7.4 of the Abused and Neglected Child
10 Reporting Act.

11 The Department may, at its discretion except for those
12 children also adjudicated neglected or dependent, accept for
13 care and training any child who has been adjudicated addicted,
14 as a truant minor in need of supervision or as a minor
15 requiring authoritative intervention, under the Juvenile Court
16 Act or the Juvenile Court Act of 1987, but no such child shall
17 be committed to the Department by any court without the
18 approval of the Department. On and after January 1, 2015 (the
19 effective date of Public Act 98-803) and before January 1,
20 2017, a minor charged with a criminal offense under the
21 Criminal Code of 1961 or the Criminal Code of 2012 or
22 adjudicated delinquent shall not be placed in the custody of
23 or committed to the Department by any court, except (i) a minor
24 less than 16 years of age committed to the Department under
25 Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor
26 for whom an independent basis of abuse, neglect, or dependency

1 exists, which must be defined by departmental rule, or (iii) a
2 minor for whom the court has granted a supplemental petition
3 to reinstate wardship pursuant to subsection (2) of Section
4 2-33 of the Juvenile Court Act of 1987. On and after January 1,
5 2017, a minor charged with a criminal offense under the
6 Criminal Code of 1961 or the Criminal Code of 2012 or
7 adjudicated delinquent shall not be placed in the custody of
8 or committed to the Department by any court, except (i) a minor
9 less than 15 years of age committed to the Department under
10 Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor
11 for whom an independent basis of abuse, neglect, or dependency
12 exists, which must be defined by departmental rule, or (iii) a
13 minor for whom the court has granted a supplemental petition
14 to reinstate wardship pursuant to subsection (2) of Section
15 2-33 of the Juvenile Court Act of 1987. An independent basis
16 exists when the allegations or adjudication of abuse, neglect,
17 or dependency do not arise from the same facts, incident, or
18 circumstances which give rise to a charge or adjudication of
19 delinquency. The Department shall assign a caseworker to
20 attend any hearing involving a youth in the care and custody of
21 the Department who is placed on aftercare release, including
22 hearings involving sanctions for violation of aftercare
23 release conditions and aftercare release revocation hearings.

24 As soon as is possible, the Department shall develop and
25 implement a special program of family preservation services to
26 support intact, relative, foster, and adoptive families who

1 are experiencing extreme hardships due to the difficulty and
2 stress of caring for a child who has been diagnosed with a
3 pervasive developmental disorder if the Department determines
4 that those services are necessary to ensure the health and
5 safety of the child. The Department may offer services to any
6 family whether or not a report has been filed under the Abused
7 and Neglected Child Reporting Act. The Department may refer
8 the child or family to services available from other agencies
9 in the community if the conditions in the child's or family's
10 home are reasonably likely to subject the child or family to
11 future reports of suspected child abuse or neglect. Acceptance
12 of these services shall be voluntary. The Department shall
13 develop and implement a public information campaign to alert
14 health and social service providers and the general public
15 about these special family preservation services. The nature
16 and scope of the services offered and the number of families
17 served under the special program implemented under this
18 paragraph shall be determined by the level of funding that the
19 Department annually allocates for this purpose. The term
20 "pervasive developmental disorder" under this paragraph means
21 a neurological condition, including, but not limited to,
22 Asperger's Syndrome and autism, as defined in the most recent
23 edition of the Diagnostic and Statistical Manual of Mental
24 Disorders of the American Psychiatric Association.

25 (1-1) The General Assembly recognizes that the best
26 interests of the child require that the child be placed in the

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

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

20 When a child is placed in foster care, the Department
21 shall ensure and document that reasonable efforts were made to
22 prevent or eliminate the need to remove the child from the
23 child's home. The Department must make reasonable efforts to
24 reunify the family when temporary placement of the child
25 occurs unless otherwise required, pursuant to the Juvenile
26 Court Act of 1987. At any time after the dispositional hearing

1 where the Department believes that further reunification
2 services would be ineffective, it may request a finding from
3 the court that reasonable efforts are no longer appropriate.
4 The Department is not required to provide further
5 reunification services after such a finding.

6 A decision to place a child in substitute care shall be
7 made with considerations of the child's health, safety, and
8 best interests. The Department shall make diligent efforts to
9 place the child with a relative, document those diligent
10 efforts, and document reasons for any failure or inability to
11 secure such a relative placement. If the primary issue
12 preventing an emergency placement of a child with a relative
13 is a lack of resources, including, but not limited to,
14 concrete goods, safety modifications, and services, the
15 Department shall make diligent efforts to assist the relative
16 in obtaining the necessary resources. No later than July 1,
17 2025, the Department shall adopt rules defining what is
18 diligent and necessary in providing supports to potential
19 relative placements. At the time of placement, consideration
20 should also be given so that if reunification fails or is
21 delayed, the placement has the potential to be an appropriate
22 permanent placement for the child.

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

- 1 (1) the likelihood of prompt reunification;
 - 2 (2) the past history of the family;
 - 3 (3) the barriers to reunification being addressed by
 - 4 the family;
 - 5 (4) the level of cooperation of the family;
 - 6 (4.5) the child's wishes;
 - 7 (5) the caregivers' willingness to work with the
 - 8 family to reunite;
 - 9 (6) the willingness and ability of the caregivers' to
 - 10 provide a permanent placement;
 - 11 (7) the age of the child;
 - 12 (8) placement of siblings; and
 - 13 (9) the wishes of the parent or parents unless the
 - 14 parental preferences are contrary to the best interests of
 - 15 the child.
- 16 (m) The Department may assume temporary custody of any
- 17 child if:
- 18 (1) it has received a written consent to such
 - 19 temporary custody signed by the parents of the child or by
 - 20 the parent having custody of the child if the parents are
 - 21 not living together or by the guardian or custodian of the
 - 22 child if the child is not in the custody of either parent,
 - 23 or
 - 24 (2) the child is found in the State and neither a
 - 25 parent, guardian nor custodian of the child can be
 - 26 located.

1 If the child is found in the child's residence without a
2 parent, guardian, custodian, or responsible caretaker, the
3 Department may, instead of removing the child and assuming
4 temporary custody, place an authorized representative of the
5 Department in that residence until such time as a parent,
6 guardian, or custodian enters the home and expresses a
7 willingness and apparent ability to ensure the child's health
8 and safety and resume permanent charge of the child, or until a
9 relative enters the home and is willing and able to ensure the
10 child's health and safety and assume charge of the child until
11 a parent, guardian, or custodian enters the home and expresses
12 such willingness and ability to ensure the child's safety and
13 resume permanent charge. After a caretaker has remained in the
14 home for a period not to exceed 12 hours, the Department must
15 follow those procedures outlined in Section 2-9, 3-11, 4-8, or
16 5-415 of the Juvenile Court Act of 1987.

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

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

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

8 A parent, guardian, or custodian of a child in the
9 temporary custody of the Department who would have custody of
10 the child if the child were not in the temporary custody of the
11 Department may deliver to the Department a signed request that
12 the Department surrender the temporary custody of the child.
13 The Department may retain temporary custody of the child for
14 10 days after the receipt of the request, during which period
15 the Department may cause to be filed a petition pursuant to the
16 Juvenile Court Act of 1987. If a petition is so filed, the
17 Department shall retain temporary custody of the child until
18 the court orders otherwise. If a petition is not filed within
19 the 10-day period, the child shall be surrendered to the
20 custody of the requesting parent, guardian, or custodian not
21 later than the expiration of the 10-day period, at which time
22 the authority and duties of the Department with respect to the
23 temporary custody of the child shall terminate.

24 (m-1) The Department may place children under 18 years of
25 age in a secure child care facility licensed by the Department
26 that cares for children who are in need of secure living

1 arrangements for their health, safety, and well-being after a
2 determination is made by the facility director and the
3 Director or the Director's designate prior to admission to the
4 facility subject to Section 2-27.1 of the Juvenile Court Act
5 of 1987. This subsection (m-1) does not apply to a child who is
6 subject to placement in a correctional facility operated
7 pursuant to Section 3-15-2 of the Unified Code of Corrections,
8 unless the child is a youth in care who was placed in the care
9 of the Department before being subject to placement in a
10 correctional facility and a court of competent jurisdiction
11 has ordered placement of the child in a secure care facility.

12 (n) The Department may place children under 18 years of
13 age in licensed child care facilities when in the opinion of
14 the Department, appropriate services aimed at family
15 preservation have been unsuccessful and cannot ensure the
16 child's health and safety or are unavailable and such
17 placement would be for their best interest. Payment for board,
18 clothing, care, training and supervision of any child placed
19 in a licensed child care facility may be made by the
20 Department, by the parents or guardians of the estates of
21 those children, or by both the Department and the parents or
22 guardians, except that no payments shall be made by the
23 Department for any child placed in a licensed child care
24 facility for board, clothing, care, training, and supervision
25 of such a child that exceed the average per capita cost of
26 maintaining and of caring for a child in institutions for

1 dependent or neglected children operated by the Department.
2 However, such restriction on payments does not apply in cases
3 where children require specialized care and treatment for
4 problems of severe emotional disturbance, physical disability,
5 social adjustment, or any combination thereof and suitable
6 facilities for the placement of such children are not
7 available at payment rates within the limitations set forth in
8 this Section. All reimbursements for services delivered shall
9 be absolutely inalienable by assignment, sale, attachment, or
10 garnishment or otherwise.

11 (n-1) The Department shall provide or authorize child
12 welfare services, aimed at assisting minors to achieve
13 sustainable self-sufficiency as independent adults, for any
14 minor eligible for the reinstatement of wardship pursuant to
15 subsection (2) of Section 2-33 of the Juvenile Court Act of
16 1987, whether or not such reinstatement is sought or allowed,
17 provided that the minor consents to such services and has not
18 yet attained the age of 21. The Department shall have
19 responsibility for the development and delivery of services
20 under this Section. An eligible youth may access services
21 under this Section through the Department of Children and
22 Family Services or by referral from the Department of Human
23 Services. Youth participating in services under this Section
24 shall cooperate with the assigned case manager in developing
25 an agreement identifying the services to be provided and how
26 the youth will increase skills to achieve self-sufficiency. A

1 homeless shelter is not considered appropriate housing for any
2 youth receiving child welfare services under this Section. The
3 Department shall continue child welfare services under this
4 Section to any eligible minor until the minor becomes 21 years
5 of age, no longer consents to participate, or achieves
6 self-sufficiency as identified in the minor's service plan.
7 The Department of Children and Family Services shall create
8 clear, readable notice of the rights of former foster youth to
9 child welfare services under this Section and how such
10 services may be obtained. The Department of Children and
11 Family Services and the Department of Human Services shall
12 disseminate this information statewide. The Department shall
13 adopt regulations describing services intended to assist
14 minors in achieving sustainable self-sufficiency as
15 independent adults.

16 (o) The Department shall establish an administrative
17 review and appeal process for children and families who
18 request or receive child welfare services from the Department.
19 Youth in care who are placed by private child welfare
20 agencies, and caregivers with whom those youth are placed,
21 shall be afforded the same procedural and appeal rights as
22 children and families in the case of placement by the
23 Department, including the right to an initial review of a
24 private agency decision by that agency. The Department shall
25 ensure that any private child welfare agency, which accepts
26 youth in care for placement, affords those rights to children

1 and caregivers with whom those children are placed. The
2 Department shall accept for administrative review and an
3 appeal hearing a complaint made by (i) a child or caregiver
4 with whom the child is placed concerning a decision following
5 an initial review by a private child welfare agency or (ii) a
6 prospective adoptive parent who alleges a violation of
7 subsection (j-5) of this Section. An appeal of a decision
8 concerning a change in the placement of a child shall be
9 conducted in an expedited manner. A court determination that a
10 current placement is necessary and appropriate under Section
11 2-28 of the Juvenile Court Act of 1987 does not constitute a
12 judicial determination on the merits of an administrative
13 appeal, filed by a former caregiver, involving a change of
14 placement decision. No later than July 1, 2025, the Department
15 shall adopt rules to develop a reconsideration process to
16 review: a denial of certification of a relative, a denial of
17 placement with a relative, and a denial of visitation with an
18 identified relative. Rules shall include standards and
19 criteria for reconsideration that incorporate the best
20 interests of the child under subsection (4.05) of Section 1-3
21 of the Juvenile Court Act of 1987, address situations where
22 multiple relatives seek certification, and provide that all
23 rules regarding placement changes shall be followed. The rules
24 shall outline the essential elements of each form used in the
25 implementation and enforcement of the provisions of this
26 amendatory Act of the 103rd General Assembly.

1 (p) (Blank).

2 (q) The Department may receive and use, in their entirety,
3 for the benefit of children any gift, donation, or bequest of
4 money or other property which is received on behalf of such
5 children, or any financial benefits to which such children are
6 or may become entitled while under the jurisdiction or care of
7 the Department, except that the benefits described in Section
8 5.46 must be used and conserved consistent with the provisions
9 under Section 5.46.

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

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

23 (1) Establish standards in accordance with State and
24 federal laws for disbursing money from children's
25 accounts. In all circumstances, the Department's
26 Guardianship Administrator or the Guardianship

1 Administrator's designee must approve disbursements from
2 children's accounts. The Department shall be responsible
3 for keeping complete records of all disbursements for each
4 account for any purpose.

5 (2) Calculate on a monthly basis the amounts paid from
6 State funds for the child's board and care, medical care
7 not covered under Medicaid, and social services; and
8 utilize funds from the child's account, as covered by
9 regulation, to reimburse those costs. Monthly,
10 disbursements from all children's accounts, up to 1/12 of
11 \$13,000,000, shall be deposited by the Department into the
12 General Revenue Fund and the balance over 1/12 of
13 \$13,000,000 into the DCFS Children's Services Fund.

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

19 (r) The Department shall promulgate regulations
20 encouraging all adoption agencies to voluntarily forward to
21 the Department or its agent names and addresses of all persons
22 who have applied for and have been approved for adoption of a
23 hard-to-place child or child with a disability and the names
24 of such children who have not been placed for adoption. A list
25 of such names and addresses shall be maintained by the
26 Department or its agent, and coded lists which maintain the

1 confidentiality of the person seeking to adopt the child and
2 of the child shall be made available, without charge, to every
3 adoption agency in the State to assist the agencies in placing
4 such children for adoption. The Department may delegate to an
5 agent its duty to maintain and make available such lists. The
6 Department shall ensure that such agent maintains the
7 confidentiality of the person seeking to adopt the child and
8 of the child.

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

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

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

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

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

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

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

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

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

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

25 The information described in this subsection shall be
26 provided in writing. In the case of emergency placements when

1 time does not allow prior review, preparation, and collection
2 of written information, the Department shall provide such
3 information as it becomes available. Within 10 business days
4 after placement, the Department shall obtain from the
5 caregiver, appropriate facility staff, or prospective adoptive
6 parent or parents a signed verification of receipt of the
7 information provided. Within 10 business days after placement,
8 the Department shall provide to the child's guardian ad litem
9 a copy of the information provided to the caregiver,
10 appropriate facility staff, or prospective adoptive parent or
11 parents. The information provided to the caregiver,
12 appropriate facility staff, or prospective adoptive parent or
13 parents shall be reviewed and approved regarding accuracy at
14 the supervisory level.

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

26 (u-6) To assist relative and certified relative

1 caregivers, no later than July 1, 2025, the Department shall
2 adopt rules to implement a relative support program, as
3 follows:

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

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

14 (3) Consistent with federal law, the Department shall
15 include in any State Plan made in accordance with the
16 Adoption Assistance and Child Welfare Act of 1980, Titles
17 IV-E and XIX of the Social Security Act, and any other
18 applicable federal laws the provision of kinship navigator
19 program services. The Department shall apply for and
20 administer all relevant federal aid in accordance with
21 law. Federal funds acquired for the kinship navigator
22 program shall be used for the development, implementation,
23 and operation of kinship navigator program services. The
24 kinship navigator program services may provide
25 information, referral services, support, and assistance to
26 relative and certified relative caregivers of youth in

1 care to address their unique needs and challenges. Until
2 the Department is approved to receive federal funds for
3 these purposes, the Department shall publicly post on the
4 Department's website semi-annual updates regarding the
5 Department's progress in pursuing federal funding.
6 Whenever the Department publicly posts these updates on
7 its website, the Department shall notify the General
8 Assembly through the General Assembly's designee.

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

18 The Department shall establish and maintain a toll-free
19 number to respond to requests from the public about its
20 subsidized guardianship and adoption support services under
21 this subsection and shall staff the toll-free number so that
22 calls are answered on a timely basis, but in no event more than
23 one business day after the receipt of a request. These
24 requests from the public may be made anonymously. To meet this
25 obligation, the Department may utilize the same toll-free
26 number the Department operates to respond to post-adoption

1 requests under subsection (b-5) of Section 18.9 of the
2 Adoption Act. The Department shall publicize information about
3 the Department's subsidized guardianship support services and
4 toll-free number as follows:

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

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

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

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

20 (5) it shall include, in each annual notification
21 letter mailed to subsidized guardians, a short, 2-sided
22 flier or news bulletin in plain language that describes
23 access to post-guardianship services, how to access
24 services under the Family Support Program, formerly known
25 as the Individual Care Grant Program, the webpage address
26 to the Post Adoption and Guardianship Services booklet,

1 information on how to request that a copy of the booklet be
2 mailed; and

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

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

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

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

1 the Department.

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

23 (v-1) Prior to final approval for placement of a child
24 with a foster or adoptive parent, the Department shall conduct
25 a criminal records background check of the prospective foster
26 or adoptive parent, including fingerprint-based checks of

1 national crime information databases. Final approval for
2 placement shall not be granted if the record check reveals a
3 felony conviction for child abuse or neglect, for spousal
4 abuse, for a crime against children, or for a crime involving
5 violence, including human trafficking, sex trafficking, rape,
6 sexual assault, or homicide, but not including other physical
7 assault or battery, or if there is a felony conviction for
8 physical assault, battery, or a drug-related offense committed
9 within the past 5 years.

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

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

25 (v-4) Prior to final approval for placement of a child
26 with a relative, as defined in Section 4d of this Act, who is

1 not a licensed foster parent, has declined to seek approval to
2 be a certified relative caregiver, or was denied approval as a
3 certified relative caregiver, the Department shall:

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

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

1 household members and the conditions relating to the
2 safety of the placement.

3 No later than July 1, 2025, the Department shall adopt
4 rules or revise existing rules to effectuate the changes made
5 to this subsection (v-4). The rules shall outline the
6 essential elements of each form used in the implementation and
7 enforcement of the provisions of this amendatory Act of the
8 103rd General Assembly.

9 (w) (Blank).

10 (x) The Department shall conduct annual credit history
11 checks to determine the financial history of children placed
12 under its guardianship pursuant to the Juvenile Court Act of
13 1987. The Department shall conduct such credit checks starting
14 when a youth in care turns 12 years old and each year
15 thereafter for the duration of the guardianship as terminated
16 pursuant to the Juvenile Court Act of 1987. The Department
17 shall determine if financial exploitation of the child's
18 personal information has occurred. If financial exploitation
19 appears to have taken place or is presently ongoing, the
20 Department shall notify the proper law enforcement agency, the
21 proper State's Attorney, or the Attorney General.

22 (y) Beginning on July 22, 2010 (the effective date of
23 Public Act 96-1189), a child with a disability who receives
24 residential and educational services from the Department shall
25 be eligible to receive transition services in accordance with
26 Article 14 of the School Code from the age of 14.5 through age

1 21, inclusive, notwithstanding the child's residential
2 services arrangement. For purposes of this subsection, "child
3 with a disability" means a child with a disability as defined
4 by the federal Individuals with Disabilities Education
5 Improvement Act of 2004.

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

24 For purposes of this subsection:

25 "Background information" means all of the following:

26 (i) Upon the request of the Department of Children and

1 Family Services, conviction information obtained from the
2 Illinois State Police as a result of a fingerprint-based
3 criminal history records check of the Illinois criminal
4 history records database and the Federal Bureau of
5 Investigation criminal history records database concerning
6 a Department employee or Department applicant.

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

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

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

20 "Department applicant" means an individual who has
21 conditional Department full-time or part-time work, a
22 contractor, an individual used to replace or supplement staff,
23 an academic intern, a volunteer in Department offices or on
24 Department contracts, a work-study student, an individual or
25 entity licensed by the Department, or an unlicensed service
26 provider who works as a condition of a contract or an agreement

1 and whose work may bring the unlicensed service provider into
2 contact with Department clients or client records.

3 (aa) The changes made to this Section by Public Act
4 104-165 ~~this amendatory Act of the 104th General Assembly~~ are
5 declarative of existing law and are not a new enactment.

6 (Source: P.A. 103-22, eff. 8-8-23; 103-50, eff. 1-1-24;
7 103-546, eff. 8-11-23; 103-605, eff. 7-1-24; 103-1061, eff.
8 7-1-25; 104-107, eff. 7-1-26; 104-165, eff. 8-15-25; revised
9 9-11-25.)

10 (20 ILCS 505/35.10)

11 (Text of Section before amendment by P.A. 104-107)

12 Sec. 35.10. Documents necessary for adult living. The
13 Department shall assist a youth in care in identifying and
14 obtaining documents necessary to function as an independent
15 adult prior to the closure of the youth's case to terminate
16 wardship as provided in Section 2-31 of the Juvenile Court Act
17 of 1987. These necessary documents shall include, but not be
18 limited to, any of the following:

19 (1) State identification card or driver's license.

20 (2) Social Security card.

21 (3) Medical records, including, but not limited to,
22 health passport, dental records, immunization records,
23 name and contact information for all current medical,
24 dental, and mental health providers, and a signed
25 certification that the Department provided the youth with

1 education on executing a healthcare power of attorney.

2 (4) Medicaid card or other health eligibility
3 documentation.

4 (5) Certified copy of birth certificate.

5 (6) Any applicable religious documents.

6 (7) Voter registration card.

7 (8) Immigration, citizenship, or naturalization
8 documentation, if applicable.

9 (9) Death certificates of parents, if applicable.

10 (10) Life book or compilation of personal history and
11 photographs.

12 (11) List of known relatives with relationships,
13 addresses, telephone numbers, and other contact
14 information, with the permission of the involved relative.

15 (12) Resume.

16 (13) Educational records, including list of schools
17 attended, and transcript, high school diploma, or State of
18 Illinois High School Diploma.

19 (14) List of placements while in care.

20 (15) List of community resources with referral
21 information, including the Midwest Adoption Center for
22 search and reunion services for former youth in care,
23 whether or not they were adopted, and the Illinois Chapter
24 of Foster Care Alumni of America.

25 (16) All documents necessary to complete a Free
26 Application for Federal Student Aid form, if applicable,

1 or an application for State financial aid.

2 (17) If applicable, a final accounting of the account
3 maintained on behalf of the youth as provided under
4 Section 5.46.

5 If a court determines that a youth in care no longer requires
6 wardship of the court and orders the wardship terminated and
7 all proceedings under the Juvenile Court Act of 1987
8 respecting the youth in care finally closed and discharged,
9 the Department shall ensure that the youth in care receives a
10 copy of the court's order.

11 (Source: P.A. 102-70, eff. 1-1-22; 102-1014, eff. 5-27-22;
12 102-1100, eff. 1-1-23; 103-154, eff. 6-30-23; revised
13 12-12-25.)

14 (Text of Section after amendment by P.A. 104-107)

15 Sec. 35.10. Successful transitions to and documents
16 necessary for adult living.

17 (a) The Department shall make reasonable efforts to
18 develop an age and developmentally appropriate individualized
19 youth-driven transition plan for each youth in care aged 15
20 and over to help such youth develop and strengthen those life
21 skills that lead to successful adult living. As applicable,
22 based on the minor's age and developmental appropriateness,
23 the youth-driven transition plan shall address the following
24 areas:

25 (1) assessment and development of life skills;

- (2) education;
- (3) post high school goals;
- (4) driver's education;
- (5) participation in extracurricular activities;
- (6) internships;
- (7) employment;
- (8) housing;
- (9) mental and physical health and well-being;
- (10) financial stability;
- (11) connections to supportive adults and peers;
- (12) transition to adult services;
- (13) documents necessary for adult living as provided in subsection (b); and
- (14) child care ~~childcare~~ and parenting supports.

The Department shall include the youth-driven transition plan in the youth's service plan. The Department shall make reasonable efforts to assist the youth in accomplishing the plan, to develop strategies to resolve barriers, and to ensure the youth is aware of any post-case closure supports and services and how to access such supports and services.

(b) 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 (1) State identification card or driver's license.

2 (2) Social Security card.

3 (3) Medical records, including, but not limited to,
4 health passport, dental records, immunization records,
5 name and contact information for all current medical,
6 dental, and mental health providers, and a signed
7 certification that the Department provided the youth with
8 education on executing a healthcare power of attorney.

9 (4) Medicaid card or other health eligibility
10 documentation.

11 (5) Certified copy of birth certificate.

12 (6) Any applicable religious documents.

13 (7) Voter registration card.

14 (8) Immigration, citizenship, or naturalization
15 documentation, if applicable.

16 (9) Death certificates of parents, if applicable.

17 (10) Life book or compilation of personal history and
18 photographs.

19 (11) List of known relatives and persons willing to
20 provide supports to the youth with relationships,
21 addresses, telephone numbers, and other contact
22 information, with the permission of the involved relative
23 or supportive person.

24 (12) Resume.

25 (13) Educational records, including list of schools
26 attended, and transcript, high school diploma, or State of

1 Illinois High School Diploma.

2 (14) List of placements while in care.

3 (15) List of community resources with referral
4 information, including the Midwest Adoption Center for
5 search and reunion services for former youth in care,
6 whether or not they were adopted, and the Illinois Chapter
7 of Foster Care Alumni of America.

8 (16) All documents necessary to complete a Free
9 Application for Federal Student Aid form, if applicable,
10 or an application for State financial aid.

11 (17) If applicable, a final accounting of the account
12 maintained on behalf of the youth as provided under
13 Section 5.46.

14 If a court determines that a youth in care no longer requires
15 wardship of the court and orders the wardship terminated and
16 all proceedings under the Juvenile Court Act of 1987
17 respecting the youth in care finally closed and discharged,
18 the Department shall ensure that the youth in care receives a
19 copy of the court's order.

20 (Source: P.A. 103-154, eff. 6-30-23; 104-107, eff. 7-1-26;
21 revised 12-12-25.)

22 Section 95. The Department of Commerce and Economic
23 Opportunity Law of the Civil Administrative Code of Illinois
24 is amended by renumbering Section 605.1118 as follows:

(20 ILCS 605/605-1118)

Sec. 605-1118 ~~605-1118~~. Technical assistance to regional manufacturing partnerships. Subject to appropriation, the Department may enter into grants, contracts, or other agreements to provide technical assistance in support of regional manufacturing partnerships in collaboration with the following:

(1) employer associations representing manufacturers;

(2) secondary and postsecondary institutions, including public universities and community colleges; and

(3) workforce stakeholders, including local workforce innovation boards and local workforce innovation areas.

(Source: P.A. 104-342, eff. 1-1-26; revised 10-28-25.)

Section 100. The Electric Vehicle Act is amended by changing Section 10 as follows:

(20 ILCS 627/10)

Sec. 10. Definitions. In this Act:

"Coordinator" means the Electric Vehicle Coordinator created in Section 15.

"Council" means the Illinois Electric Vehicle Advisory Council created in Section 20.

"Electric vehicle" means (i) a battery-powered electric vehicle operated solely by electricity or (ii) a plug-in hybrid electric vehicle that operates on electricity and

1 gasoline and has a battery that can be recharged from an
2 external source.

3 (Source: P.A. 97-89, eff. 7-11-11; revised 7-2-25.)

4 Section 105. The Illinois Enterprise Zone Act is amended
5 by changing Section 5.5 as follows:

6 (20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

7 Sec. 5.5. High Impact Business.

8 (a) In order to respond to unique opportunities to assist
9 in the encouragement, development, growth, and expansion of
10 the private sector through large-scale ~~large-scale~~ investment
11 and development projects, the Department is authorized to
12 receive and approve applications for the designation of "High
13 Impact Businesses" in Illinois, for an initial term of 20
14 years with an option for renewal for a term not to exceed 20
15 years, subject to the following conditions:

16 (1) such applications may be submitted at any time
17 during the year;

18 (2) such business is not located, at the time of
19 designation, in an enterprise zone designated pursuant to
20 this Act, except for grocery stores, as defined in the
21 Grocery Initiative Act, and a new battery energy storage
22 solution facility, as defined by subparagraph (I) of
23 paragraph (3) of this subsection (a);

24 (3) the business intends to do, commits to do, or is

1 one or more of the following:

2 (A) the business intends to make a minimum
3 investment of \$12,000,000 which will be placed in
4 service in qualified property and intends to create
5 500 full-time equivalent jobs at a designated location
6 in Illinois or intends to make a minimum investment of
7 \$30,000,000 which will be placed in service in
8 qualified property and intends to retain 1,500
9 full-time retained jobs at a designated location in
10 Illinois. The terms "placed in service" and "qualified
11 property" have the same meanings as described in
12 subsection (h) of Section 201 of the Illinois Income
13 Tax Act; or

14 (B) the business intends to establish a new
15 electric generating facility at a designated location
16 in Illinois. "New electric generating facility", for
17 purposes of this Section, means a newly constructed
18 electric generation plant or a newly constructed
19 generation capacity expansion at an existing electric
20 generation plant, including the transmission lines and
21 associated equipment that transfers electricity from
22 points of supply to points of delivery, and for which
23 such new foundation construction commenced not sooner
24 than July 1, 2001. Such facility shall be designed to
25 provide baseload electric generation and shall operate
26 on a continuous basis throughout the year; and (i)

1 shall have an aggregate rated generating capacity of
2 at least 1,000 megawatts for all new units at one site
3 if it uses natural gas as its primary fuel and
4 foundation construction of the facility is commenced
5 on or before December 31, 2004, or shall have an
6 aggregate rated generating capacity of at least 400
7 megawatts for all new units at one site if it uses coal
8 or gases derived from coal as its primary fuel and
9 shall support the creation of at least 150 new
10 Illinois coal mining jobs, or (ii) shall be funded
11 through a federal Department of Energy grant before
12 December 31, 2010 and shall support the creation of
13 Illinois coal mining jobs, or (iii) shall use coal
14 gasification or integrated gasification-combined cycle
15 units that generate electricity or chemicals, or both,
16 and shall support the creation of Illinois coal mining
17 jobs. The term "placed in service" has the same
18 meaning as described in subsection (h) of Section 201
19 of the Illinois Income Tax Act; or

20 (B-5) the business intends to establish a new
21 gasification facility at a designated location in
22 Illinois. As used in this Section, "new gasification
23 facility" means a newly constructed coal gasification
24 facility that generates chemical feedstocks or
25 transportation fuels derived from coal (which may
26 include, but are not limited to, methane, methanol,

1 and nitrogen fertilizer), that supports the creation
2 or retention of Illinois coal mining jobs, and that
3 qualifies for financial assistance from the Department
4 before December 31, 2010. A new gasification facility
5 does not include a pilot project located within
6 Jefferson County or within a county adjacent to
7 Jefferson County for synthetic natural gas from coal;
8 or

9 (C) the business intends to establish production
10 operations at a new coal mine, re-establish production
11 operations at a closed coal mine, or expand production
12 at an existing coal mine at a designated location in
13 Illinois not sooner than July 1, 2001; provided that
14 the production operations result in the creation of
15 150 new Illinois coal mining jobs as described in
16 subdivision (a)(3)(B) of this Section, and further
17 provided that the coal extracted from such mine is
18 utilized as the predominant source for a new electric
19 generating facility. The term "placed in service" has
20 the same meaning as described in subsection (h) of
21 Section 201 of the Illinois Income Tax Act; or

22 (D) the business intends to construct new
23 transmission facilities or upgrade existing
24 transmission facilities at designated locations in
25 Illinois, for which construction commenced not sooner
26 than July 1, 2001. For the purposes of this Section,

1 "transmission facilities" means transmission lines
2 with a voltage rating of 115 kilovolts or above,
3 including associated equipment, that transfer
4 electricity from points of supply to points of
5 delivery and that transmit a majority of the
6 electricity generated by a new electric generating
7 facility designated as a High Impact Business in
8 accordance with this Section. The term "placed in
9 service" has the same meaning as described in
10 subsection (h) of Section 201 of the Illinois Income
11 Tax Act; or

12 (E) the business intends to establish a new wind
13 power facility at a designated location in Illinois.
14 For purposes of this Section, "new wind power
15 facility" means a newly constructed electric
16 generation facility, a newly constructed expansion of
17 an existing electric generation facility, or the
18 replacement of an existing electric generation
19 facility, including the demolition and removal of an
20 electric generation facility irrespective of whether
21 it will be replaced, placed in service or replaced on
22 or after July 1, 2009, that generates electricity
23 using wind energy devices, and such facility shall be
24 deemed to include any permanent structures associated
25 with the electric generation facility and all
26 associated transmission lines, substations, and other

1 equipment related to the generation of electricity
2 from wind energy devices. For purposes of this
3 Section, "wind energy device" means any device, with a
4 nameplate capacity of at least 0.5 megawatts, that is
5 used in the process of converting kinetic energy from
6 the wind to generate electricity; or

7 (E-5) the business intends to establish a new
8 utility-scale solar facility at a designated location
9 in Illinois. For purposes of this Section, "new
10 utility-scale solar power facility" means a newly
11 constructed electric generation facility, or a newly
12 constructed expansion of an existing electric
13 generation facility, placed in service on or after
14 July 1, 2021, that (i) generates electricity using
15 photovoltaic cells and (ii) has a nameplate capacity
16 that is greater than 5,000 kilowatts, and such
17 facility shall be deemed to include all associated
18 transmission lines, substations, energy storage
19 facilities, and other equipment related to the
20 generation and storage of electricity from
21 photovoltaic cells; or

22 (F) the business commits to (i) make a minimum
23 investment of \$500,000,000, which will be placed in
24 service in a qualified property, (ii) create 125
25 full-time equivalent jobs at a designated location in
26 Illinois, (iii) establish a fertilizer plant at a

1 designated location in Illinois that complies with the
2 set-back standards as described in Table 1: Initial
3 Isolation and Protective Action Distances in the 2012
4 Emergency Response Guidebook published by the United
5 States Department of Transportation, (iv) pay a
6 prevailing wage for employees at that location who are
7 engaged in construction activities, and (v) secure an
8 appropriate level of general liability insurance to
9 protect against catastrophic failure of the fertilizer
10 plant or any of its constituent systems; in addition,
11 the business must agree to enter into a construction
12 project labor agreement including provisions
13 establishing wages, benefits, and other compensation
14 for employees performing work under the project labor
15 agreement at that location; for the purposes of this
16 Section, "fertilizer plant" means a newly constructed
17 or upgraded plant utilizing gas used in the production
18 of anhydrous ammonia and downstream nitrogen
19 fertilizer products for resale; for the purposes of
20 this Section, "prevailing wage" means the hourly cash
21 wages plus fringe benefits for training and
22 apprenticeship programs approved by the U.S.
23 Department of Labor, Bureau of Apprenticeship and
24 Training, health and welfare, insurance, vacations and
25 pensions paid generally, in the locality in which the
26 work is being performed, to employees engaged in work

1 of a similar character on public works; this paragraph
2 (F) applies only to businesses that submit an
3 application to the Department within 60 days after
4 July 25, 2013 (the effective date of Public Act
5 98-109); or

6 (G) the business intends to establish a new
7 cultured cell material food production facility at a
8 designated location in Illinois. As used in this
9 paragraph (G):

10 "Cultured cell material food production facility"
11 means a facility (i) at which cultured animal cell
12 food is developed using animal cell culture
13 technology, (ii) at which production processes occur
14 that include the establishment of cell lines and cell
15 banks, manufacturing controls, and all components and
16 inputs, and (iii) that complies with all existing
17 registrations, inspections, licensing, and approvals
18 from all applicable and participating State and
19 federal food agencies, including the Department of
20 Agriculture, the Department of Public Health, and the
21 United States Food and Drug Administration, to ensure
22 that all food production is safe and lawful under
23 provisions of the Federal Food, Drug and Cosmetic Act
24 related to the development, production, and storage of
25 cultured animal cell food.

26 "New cultured cell material food production

1 facility" means a newly constructed cultured cell
2 material food production facility that is placed in
3 service on or after June 7, 2023 (the effective date of
4 Public Act 103-9) or a newly constructed expansion of
5 an existing cultured cell material food production
6 facility, in a controlled environment, when the
7 improvements are placed in service on or after June 7,
8 2023 (the effective date of Public Act 103-9); or

9 (H) the business is an existing or planned grocery
10 store, as that term is defined in Section 5 of the
11 Grocery Initiative Act, and receives financial support
12 under that Act within the 10 years before submitting
13 its application under this Act; or

14 (I) the business intends to establish a new
15 battery energy storage solution facility at a
16 designated location in Illinois. As used in this
17 paragraph (I):

18 "New battery energy storage solution facility"
19 means a newly constructed battery energy storage
20 facility, a newly constructed expansion of an existing
21 battery energy storage facility, or the replacement of
22 an existing battery energy storage facility that
23 stores electricity using battery devices and other
24 means. "New battery energy storage solution facility"
25 includes any permanent structures associated with the
26 new battery energy storage facility and all associated

1 transmission lines, substations, and other equipment
2 that is related to the storage and transmission of
3 electric power and that has a capacity of not less than
4 20 megawatt and storage capability of not less than 40
5 megawatt hours of energy; or

6 (J) the business intends to construct a new high
7 voltage direct current converter station at a
8 designated location in Illinois. As used in this
9 paragraph, "high voltage direct current converter
10 station" has the same meaning given to that term in
11 Section 1-10 of the Illinois Power Agency Act; or

12 (K) the business intends to construct a new high
13 voltage direct current converter station facility at a
14 designated location in Illinois. As used in this
15 paragraph, "high voltage direct current converter
16 station" has the same meaning given to that term in
17 Section 1-10 of the Illinois Power Agency Act; and

18 (4) no later than 90 days after an application is
19 submitted, the Department shall notify the applicant of
20 the Department's determination of the qualification of the
21 proposed High Impact Business under this Section.

22 (b) Businesses designated as High Impact Businesses
23 pursuant to subdivision (a)(3)(A) of this Section shall
24 qualify for the credits and exemptions described in the
25 following Acts: Section 9-222 and Section 9-222.1A of the
26 Public Utilities Act, subsection (h) of Section 201 of the

1 Illinois Income Tax Act, and Section 1d of the Retailers'
2 Occupation Tax Act; provided that these credits and exemptions
3 described in these Acts shall not be authorized until the
4 minimum investments set forth in subdivision (a)(3)(A) of this
5 Section have been placed in service in qualified properties
6 and, in the case of the exemptions described in the Public
7 Utilities Act and Section 1d of the Retailers' Occupation Tax
8 Act, the minimum full-time equivalent jobs or full-time
9 retained jobs set forth in subdivision (a)(3)(A) of this
10 Section have been created or retained. Businesses designated
11 as High Impact Businesses under this Section shall also
12 qualify for the exemption described in Section 51 of the
13 Retailers' Occupation Tax Act. The credit provided in
14 subsection (h) of Section 201 of the Illinois Income Tax Act
15 shall be applicable to investments in qualified property as
16 set forth in subdivision (a)(3)(A) of this Section.

17 (b-5) Businesses designated as High Impact Businesses
18 pursuant to subdivisions (a)(3)(B), (a)(3)(B-5), (a)(3)(C),
19 (a)(3)(D), (a)(3)(G), (a)(3)(H), and (a)(3)(K) of this Section
20 shall qualify for the credits and exemptions described in the
21 following Acts: Section 51 of the Retailers' Occupation Tax
22 Act, Section 9-222 and Section 9-222.1A of the Public
23 Utilities Act, and subsection (h) of Section 201 of the
24 Illinois Income Tax Act; however, the credits and exemptions
25 authorized under Section 9-222 and Section 9-222.1A of the
26 Public Utilities Act, and subsection (h) of Section 201 of the

1 Illinois Income Tax Act shall not be authorized until the new
2 electric generating facility, the new gasification facility,
3 the new transmission facility, the new, expanded, or reopened
4 coal mine, the new cultured cell material food production
5 facility, or the existing or planned grocery store is
6 operational, except that a new electric generating facility
7 whose primary fuel source is natural gas is eligible only for
8 the exemption under Section 51 of the Retailers' Occupation
9 Tax Act.

10 (b-6) Businesses designated as High Impact Businesses
11 pursuant to subdivision (a) (3) (E), (a) (3) (E-5), (A) (3) (I), or
12 (a) (3) (J) of this Section shall qualify for the exemptions
13 described in Section 51 of the Retailers' Occupation Tax Act;
14 any business so designated as a High Impact Business being,
15 for purposes of this Section, a "Wind Energy Business".

16 (b-7) Beginning on January 1, 2021, businesses designated
17 as High Impact Businesses by the Department shall qualify for
18 the High Impact Business construction jobs credit under
19 subsection (h-5) of Section 201 of the Illinois Income Tax Act
20 if the business meets the criteria set forth in subsection (i)
21 of this Section. The total aggregate amount of credits awarded
22 under the Blue Collar Jobs Act (Article 20 of Public Act 101-9)
23 shall not exceed \$20,000,000 in any State fiscal year.

24 (c) High Impact Businesses located in federally designated
25 foreign trade zones or sub-zones are also eligible for
26 additional credits, exemptions and deductions as described in

1 the following Acts: Section 9-221 and Section 9-222.1 of the
2 Public Utilities Act; and subsection (g) of Section 201, and
3 Section 203 of the Illinois Income Tax Act.

4 (d) Except for businesses contemplated under subdivision
5 (a) (3) (E), (a) (3) (E-5), (a) (3) (G), (a) (3) (H), (A) (3) (I),
6 (a) (3) (J), or (a) (3) (K) of this Section, existing Illinois
7 businesses which apply for designation as a High Impact
8 Business must provide the Department with the prospective plan
9 for which 1,500 full-time retained jobs would be eliminated in
10 the event that the business is not designated.

11 (e) Except for new businesses contemplated under
12 subdivision (a) (3) (E), subdivision (a) (3) (G), subdivision
13 (a) (3) (H), or subdivision (a) (3) (J) of this Section, new
14 proposed facilities which apply for designation as High Impact
15 Business must provide the Department with proof of alternative
16 non-Illinois sites which would receive the proposed investment
17 and job creation in the event that the business is not
18 designated as a High Impact Business.

19 (f) Except for businesses contemplated under subdivision
20 (a) (3) (E), subdivision (a) (3) (G), subdivision (a) (3) (H),
21 subdivision (a) (3) (J), or (a) (3) (K) of this Section, in the
22 event that a business is designated a High Impact Business and
23 it is later determined after reasonable notice and an
24 opportunity for a hearing as provided under the Illinois
25 Administrative Procedure Act, that the business would have
26 placed in service in qualified property the investments and

1 created or retained the requisite number of jobs without the
2 benefits of the High Impact Business designation, the
3 Department shall be required to immediately revoke the
4 designation and notify the Director of the Department of
5 Revenue who shall begin proceedings to recover all wrongfully
6 exempted State taxes with interest.

7 (g) The Department shall revoke a High Impact Business
8 designation if the participating business fails to comply with
9 the terms and conditions of the designation.

10 (h) Prior to designating a business, the Department shall
11 provide the members of the General Assembly and Commission on
12 Government Forecasting and Accountability with a report
13 setting forth the terms and conditions of the designation and
14 guarantees that have been received by the Department in
15 relation to the proposed business being designated.

16 (i) High Impact Business construction jobs credit.
17 Beginning on January 1, 2021, a High Impact Business may
18 receive a tax credit against the tax imposed under subsections
19 (a) and (b) of Section 201 of the Illinois Income Tax Act in an
20 amount equal to 50% of the amount of the incremental income tax
21 attributable to High Impact Business construction jobs credit
22 employees employed in the course of completing a High Impact
23 Business construction jobs project. However, the High Impact
24 Business construction jobs credit may equal 75% of the amount
25 of the incremental income tax attributable to High Impact
26 Business construction jobs credit employees if the High Impact

1 Business construction jobs credit project is located in an
2 underserved area.

3 The Department shall certify to the Department of Revenue:
4 (1) the identity of taxpayers that are eligible for the High
5 Impact Business construction jobs credit; and (2) the amount
6 of High Impact Business construction jobs credits that are
7 claimed pursuant to subsection (h-5) of Section 201 of the
8 Illinois Income Tax Act in each taxable year.

9 As used in this subsection (i):

10 "High Impact Business construction jobs credit" means an
11 amount equal to 50% (or 75% if the High Impact Business
12 construction project is located in an underserved area) of the
13 incremental income tax attributable to High Impact Business
14 construction job employees. The total aggregate amount of
15 credits awarded under the Blue Collar Jobs Act (Article 20 of
16 Public Act 101-9) shall not exceed \$20,000,000 in any State
17 fiscal year

18 "High Impact Business construction job employee" means a
19 laborer or worker who is employed by a contractor or
20 subcontractor in the actual construction work on the site of a
21 High Impact Business construction job project.

22 "High Impact Business construction jobs project" means
23 building a structure or building or making improvements of any
24 kind to real property, undertaken and commissioned by a
25 business that was designated as a High Impact Business by the
26 Department. The term "High Impact Business construction jobs

1 project" does not include the routine operation, routine
2 repair, or routine maintenance of existing structures,
3 buildings, or real property.

4 "Incremental income tax" means the total amount withheld
5 during the taxable year from the compensation of High Impact
6 Business construction job employees.

7 "Underserved area" means a geographic area that meets one
8 or more of the following conditions:

9 (1) the area has a poverty rate of at least 20%
10 according to the latest American Community Survey;

11 (2) 35% or more of the families with children in the
12 area are living below 130% of the poverty line, according
13 to the latest American Community Survey;

14 (3) at least 20% of the households in the area receive
15 assistance under the Supplemental Nutrition Assistance
16 Program (SNAP); or

17 (4) the area has an average unemployment rate, as
18 determined by the Illinois Department of Employment
19 Security, that is more than 120% of the national
20 unemployment average, as determined by the U.S. Department
21 of Labor, for a period of at least 2 consecutive calendar
22 years preceding the date of the application.

23 (j) (Blank).

24 (j-5) Annually, until construction is completed, a company
25 seeking High Impact Business Construction Job credits shall
26 submit a report that, at a minimum, describes the projected

1 project scope, timeline, and anticipated budget. Once the
2 project has commenced, the annual report shall include actual
3 data for the prior year as well as projections for each
4 additional year through completion of the project. The
5 Department shall issue detailed reporting guidelines
6 prescribing the requirements of construction-related reports.

7 In order to receive credit for construction expenses, the
8 company must provide the Department with evidence that a
9 certified third-party executed an Agreed-Upon Procedure (AUP)
10 verifying the construction expenses or accept the standard
11 construction wage expense estimated by the Department.

12 Upon review of the final project scope, timeline, budget,
13 and AUP, the Department shall issue a tax credit certificate
14 reflecting a percentage of the total construction job wages
15 paid throughout the completion of the project.

16 (k) Upon 7 business days' notice, each taxpayer shall make
17 available to each State agency and to federal, State, or local
18 law enforcement agencies and prosecutors for inspection and
19 copying at a location within this State during reasonable
20 hours, the report under subsection (j-5).

21 (l) The changes made to this Section by Public Act
22 102-1125, other than the changes in subsection (a), apply to
23 High Impact Businesses that submit applications on or after
24 February 3, 2023 (the effective date of Public Act 102-1125).

25 (Source: P.A. 103-9, eff. 6-7-23; 103-561, eff. 1-1-24;
26 103-595, eff. 6-26-24; 103-605, eff. 7-1-24; 103-1066, eff.

1 2-20-25; 104-6, eff. 6-16-25; revised 12-12-25.)

2 Section 110. The Reimagining Energy and Vehicles in
3 Illinois Act is amended by changing Sections 5, 10, 15, and 100
4 as follows:

5 (20 ILCS 686/5)

6 Sec. 5. Purpose. It is the intent of the General Assembly
7 that Illinois should lead the nation in the production of
8 electric vehicles and other products essential to the growth
9 of the renewable energy sector. The General Assembly finds
10 that, through investments in electric vehicle manufacturing
11 and renewable energy manufacturing, Illinois will be on the
12 forefront of emerging technologies that are currently
13 transforming those industries. This Act will reduce carbon
14 emissions, create good paying jobs, and generate long-term
15 economic investment in the Illinois business economy. Illinois
16 must aggressively adopt new business development investment
17 tools so that Illinois is more competitive in site location
18 decision-making for manufacturing facilities directly related
19 to the electric vehicle and renewable energy industry.
20 Illinois' long-term development benefits from rational,
21 strategic use of State resources in support of development and
22 growth in the electric vehicle and renewable energy industry.

23 The General Assembly finds that workers are essential to
24 the prosperity of our State's economy and play a critical role

1 in Illinois becoming a leader in manufacturing. The General
2 Assembly further finds that, for the prosperity of our State,
3 workers in this industry must be afforded high quality jobs
4 that honor the dignity of work. Therefore, the General
5 Assembly finds that it is in the best interest of Illinois to
6 protect the work conditions, worker safety, and worker rights
7 in the manufacturing industry and further finds that employer
8 workplace policies shall be interpreted broadly to protect
9 employees.

10 (Source: P.A. 102-669, eff. 11-16-21; 102-1125, eff. 2-3-23;
11 revised 7-7-25.)

12 (20 ILCS 686/10)

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

14 "Advanced battery" means a battery that consists of a
15 battery cell that can be integrated into a module, pack, or
16 system to be used in energy storage applications, including a
17 battery used in an electric vehicle or the electric grid.

18 "Advanced battery component" means a component of an
19 advanced battery, including materials, enhancements,
20 enclosures, anodes, cathodes, electrolytes, cells, and other
21 associated technologies that comprise an advanced battery.

22 "Agreement" means the agreement between a taxpayer and the
23 Department under the provisions of Section 45 of this Act.

24 "Applicant" means a taxpayer that (i) operates a business
25 in Illinois or is planning to locate a business within the

1 State of Illinois and (ii) is engaged in interstate or
2 intrastate commerce as an electric vehicle manufacturer, an
3 electric vehicle component parts manufacturer, or an electric
4 vehicle power supply equipment manufacturer. For applications
5 for credits under this Act that are submitted on or after
6 February 3, 2023 (the effective date of Public Act 102-1125),
7 "applicant" also includes a taxpayer that (i) operates a
8 business in Illinois or is planning to locate a business
9 within the State of Illinois and (ii) is engaged in interstate
10 or intrastate commerce as a renewable energy manufacturer, a
11 renewable energy products manufacturer, the manufacturer of an
12 eVTOL aircraft or hybrid-electric or fully electric propulsion
13 system for airliners, a battery recycling and reuse
14 manufacturer, a green steel manufacturer, an electrical
15 transformer or transformer component part manufacturer, an
16 electric vehicle component parts service provider, a renewable
17 energy service provider, or a battery raw materials refining
18 service provider. "Applicant" does not include a taxpayer who
19 closes or substantially reduces by more than 50% operations at
20 one location in the State and relocates substantially the same
21 operation to another location in the State. This does not
22 prohibit a Taxpayer from expanding its operations at another
23 location in the State. This also does not prohibit a Taxpayer
24 from moving its operations from one location in the State to
25 another location in the State for the purpose of expanding the
26 operation, provided that the Department determines that

1 expansion cannot reasonably be accommodated within the
2 municipality or county in which the business is located, or,
3 in the case of a business located in an incorporated area of
4 the county, within the county in which the business is
5 located, after conferring with the chief elected official of
6 the municipality or county and taking into consideration any
7 evidence offered by the municipality or county regarding the
8 ability to accommodate expansion within the municipality or
9 county.

10 "Battery raw materials" means the raw and processed form
11 of a mineral, metal, chemical, or other material used in an
12 advanced battery component.

13 "Battery raw materials refining service provider" means a
14 business that operates a facility that filters, sifts, and
15 treats battery raw materials for use in an advanced battery.

16 "Battery recycling and reuse manufacturer" means a
17 manufacturer that is primarily engaged in the recovery,
18 retrieval, processing, recycling, or recirculating of battery
19 raw materials for new use in electric vehicle batteries.

20 "Capital improvements" means the purchase, renovation,
21 rehabilitation, or construction of permanent tangible land,
22 buildings, structures, equipment, and furnishings in an
23 approved project sited in Illinois and expenditures for goods
24 or services that are normally capitalized, including
25 organizational costs and research and development costs
26 incurred in Illinois. For land, buildings, structures, and

1 equipment that are leased, the lease must equal or exceed the
2 term of the agreement, and the cost of the property shall be
3 determined from the present value, using the corporate
4 interest rate prevailing at the time of the application, of
5 the lease payments.

6 "Credit" means either a "REV Illinois Credit" or a "REV
7 Construction Jobs Credit" agreed to between the Department and
8 applicant under this Act.

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

11 "Director" means the Director of Commerce and Economic
12 Opportunity.

13 "Electric vehicle" means a vehicle that is exclusively or
14 partially powered by and refueled by electricity, including
15 electricity generated through hydrogen fuel cells or solar
16 technology. "Electric vehicle" also includes hybrid-electric
17 vehicles (HEV) but excludes electric bicycles ~~hybrid-electric~~.

18 "Electric vehicle manufacturer" means a new or existing
19 manufacturer that is primarily focused on reequipping,
20 expanding, or establishing a manufacturing facility in
21 Illinois that produces electric vehicles as defined in this
22 Section.

23 "Electric vehicle component parts manufacturer" means a
24 new or existing manufacturer that is focused on reequipping,
25 expanding, or establishing a manufacturing facility in
26 Illinois that produces parts or accessories used in electric

1 vehicles, as defined by this Section, including advanced
2 battery component parts. The changes to this definition of
3 "electric vehicle component parts manufacturer" apply to
4 agreements under this Act that are entered into on or after
5 December 21, 2022 (the effective date of Public Act 102-1112).

6 "Electric vehicle power supply equipment" means the
7 equipment used specifically for the purpose of delivering
8 electricity to an electric vehicle, including hydrogen fuel
9 cells or solar refueling infrastructure.

10 "Electric vehicle power supply manufacturer" means a new
11 or existing manufacturer that is focused on reequipping,
12 expanding, or establishing a manufacturing facility in
13 Illinois that produces electric vehicle power supply equipment
14 used for the purpose of delivering electricity to an electric
15 vehicle, including hydrogen fuel cell or solar refueling
16 infrastructure.

17 "Electric vehicle powertrain technology" means equipment
18 used to convert electricity for use in aerospace propulsion.

19 "Electric vehicle powertrain technology manufacturer"
20 means a new or existing manufacturer that is focused on
21 reequipping, expanding, or establishing a manufacturing
22 facility in Illinois that develops and validates electric
23 vehicle powertrain technology.

24 "Electric vertical takeoff and landing aircraft" or "eVTOL
25 aircraft" means a fully electric aircraft that lands and takes
26 off vertically.

1 "Energy Transition Area" means a county with less than
2 100,000 people or a municipality that contains one or more of
3 the following:

4 (1) a fossil fuel plant that was retired from service
5 or has significant reduced service within 6 years before
6 the time of the application or will be retired or have
7 service significantly reduced within 6 years following the
8 time of the application; or

9 (2) a coal mine that was closed or had operations
10 significantly reduced within 6 years before the time of
11 the application or is anticipated to be closed or have
12 operations significantly reduced within 6 years following
13 the time of the application.

14 "Full-time employee" means an individual who is employed
15 for consideration for at least 35 hours each week or who
16 renders any other standard of service generally accepted by
17 industry custom or practice as full-time employment. An
18 individual for whom a W-2 is issued by a Professional Employer
19 Organization (PEO) is a full-time employee if employed in the
20 service of the applicant for consideration for at least 35
21 hours each week.

22 "Green steel manufacturer" means an entity that
23 manufactures steel without the use of fossil fuels and with
24 zero net carbon emissions.

25 "Hybrid-electric vehicle (HEV)" means a motor vehicle
26 which draws propulsion energy from onboard sources of stored

1 energy that are both an internal combustion engine or heat
2 engine using consumable fuel, and a rechargeable energy
3 storage system such as a battery, capacitor, hydraulic
4 accumulator, or flywheel. This includes plug-in,
5 hybrid-electric vehicles.

6 "Incremental income tax" means the total amount withheld
7 during the taxable year from the compensation of new employees
8 and, if applicable, retained employees under Article 7 of the
9 Illinois Income Tax Act arising from employment at a project
10 that is the subject of an agreement.

11 "Institution of higher education" or "institution" means
12 any accredited public or private university, college,
13 community college, business, technical, or vocational school,
14 or other accredited educational institution offering degrees
15 and instruction beyond the secondary school level.

16 "Minority person" means a minority person as defined in
17 the Business Enterprise for Minorities, Women, and Persons
18 with Disabilities Act.

19 "New employee" means a newly hired, full-time employee
20 employed to work at the project site and whose work is directly
21 related to the project.

22 "Noncompliance date" means, in the case of a taxpayer that
23 is not complying with the requirements of the agreement or the
24 provisions of this Act, the day following the last date upon
25 which the taxpayer was in compliance with the requirements of
26 the agreement and the provisions of this Act, as determined by

1 the Director, pursuant to Section 70.

2 "Pass-through entity" means an entity that is exempt from
3 the tax under subsection (b) or (c) of Section 205 of the
4 Illinois Income Tax Act.

5 "Placed in service" means the state or condition of
6 readiness, availability for a specifically assigned function,
7 and the facility is constructed and ready to conduct its
8 facility operations to manufacture goods.

9 "Professional employer organization" (PEO) means an
10 employee leasing company, as defined in Section 206.1 of the
11 Illinois Unemployment Insurance Act.

12 "Program" means the Reimagining Energy and Vehicles in
13 Illinois Program (the REV Illinois Program) established in
14 this Act.

15 "Project" or "REV Illinois Project" means for-profit
16 economic development activity that is designated by the
17 Department as a REV Illinois Project, is the subject of an
18 agreement, and involves one or more of the following:

19 (1) the manufacture of electric vehicles, electric
20 vehicle component parts, or electric vehicle power supply
21 equipment;

22 (2) the manufacture of renewable energy products;

23 (3) the manufacture of eVTOL aircraft or
24 hybrid-electric or fully electric propulsion systems for
25 airliners;

26 (4) the development of battery recycling and reuse

1 processes;

2 (5) the manufacture of green steel;

3 (6) the provision of battery raw materials refining
4 service; or

5 (7) the manufacture of electrical transformer or
6 transformer component parts.

7 "Recycling facility" means a location at which the
8 taxpayer disposes of batteries and other component parts in
9 manufacturing of electric vehicles, electric vehicle component
10 parts, or electric vehicle power supply equipment.

11 "Related member" means a person that, with respect to the
12 taxpayer during any portion of the taxable year, is any one of
13 the following:

14 (1) An individual stockholder, if the stockholder and
15 the members of the stockholder's family (as defined in
16 Section 318 of the Internal Revenue Code) own directly,
17 indirectly, beneficially, or constructively, in the
18 aggregate, at least 50% of the value of the taxpayer's
19 outstanding stock.

20 (2) A partnership, estate, trust and any partner or
21 beneficiary, if the partnership, estate, or trust, and its
22 partners or beneficiaries own directly, indirectly,
23 beneficially, or constructively, in the aggregate, at
24 least 50% of the profits, capital, stock, or value of the
25 taxpayer.

26 (3) A corporation, and any party related to the

1 corporation in a manner that would require an attribution
2 of stock from the corporation under the attribution rules
3 of Section 318 of the Internal Revenue Code, if the
4 Taxpayer owns directly, indirectly, beneficially, or
5 constructively at least 50% of the value of the
6 corporation's outstanding stock.

7 (4) A corporation and any party related to that
8 corporation in a manner that would require an attribution
9 of stock from the corporation to the party or from the
10 party to the corporation under the attribution rules of
11 Section 318 of the Internal Revenue Code, if the
12 corporation and all such related parties own in the
13 aggregate at least 50% of the profits, capital, stock, or
14 value of the taxpayer.

15 (5) A person to or from whom there is an attribution of
16 stock ownership in accordance with Section 1563(e) of the
17 Internal Revenue Code, except, for purposes of determining
18 whether a person is a related member under this paragraph,
19 20% shall be substituted for 5% wherever 5% appears in
20 Section 1563(e) of the Internal Revenue Code.

21 "Renewable energy" means energy produced through renewable
22 energy resources, as defined in Section 1-10 of the Illinois
23 Power Agency Act, and nuclear power.

24 "Renewable energy manufacturer" means a manufacturer whose
25 primary function is to manufacture or assemble: (i) equipment,
26 systems, or products used to produce renewable or nuclear

1 energy; (ii) products used for energy storage, or grid
2 efficiency purposes; or (iii) component parts for that
3 equipment or those systems or products.

4 "Renewable energy resources" has the meaning ascribed to
5 that term in Section 1-10 of the Illinois Power Agency Act.

6 "Research and development" means work directed toward the
7 innovation, introduction, and improvement of products and
8 processes. "Research and development" includes all levels of
9 research and development that directly result in the potential
10 manufacturing and marketability of renewable energy, electric
11 vehicles, electric vehicle component parts, and electric or
12 hybrid aircraft.

13 "Retained employee" means a full-time employee employed by
14 the taxpayer prior to the term of the Agreement who continues
15 to be employed during the term of the agreement whose job
16 duties are directly related to the project. The term "retained
17 employee" does not include any individual who has a direct or
18 an indirect ownership interest of at least 5% in the profits,
19 equity, capital, or value of the taxpayer or a child,
20 grandchild, parent, or spouse, other than a spouse who is
21 legally separated from the individual, of any individual who
22 has a direct or indirect ownership of at least 5% in the
23 profits, equity, capital, or value of the taxpayer. The
24 changes to this definition of "retained employee" apply to
25 agreements for credits under this Act that are entered into on
26 or after December 21, 2022 (the effective date of Public Act

1 102-1112).

2 "REV Illinois credit" means a credit agreed to between the
3 Department and the applicant under this Act that is based on
4 the incremental income tax attributable to new employees and,
5 if applicable, retained employees, and on training costs for
6 such employees at the applicant's project.

7 "REV construction jobs credit" means a credit agreed to
8 between the Department and the applicant under this Act that
9 is based on the incremental income tax attributable to
10 construction wages paid in connection with construction of the
11 project facilities.

12 "Statewide baseline" means the total number of full-time
13 employees of the applicant and any related member employed by
14 such entities at the time of application for incentives under
15 this Act.

16 "Taxpayer" means an individual, corporation, partnership,
17 or other entity that has a legal obligation to pay Illinois
18 income taxes and file an Illinois income tax return.

19 "Training costs" means costs incurred to upgrade the
20 technological skills of full-time employees in Illinois and
21 includes: curriculum development; training materials
22 (including scrap product costs); trainee domestic travel
23 expenses; instructor costs (including wages, fringe benefits,
24 tuition, and domestic travel expenses); rent, purchase, or
25 lease of training equipment; and other usual and customary
26 training costs. "Training costs" do not include costs

1 associated with travel outside the United States (unless the
2 Taxpayer receives prior written approval for the travel by the
3 Director based on a showing of substantial need or other proof
4 the training is not reasonably available within the United
5 States), wages and fringe benefits of employees during periods
6 of training, or administrative cost related to full-time
7 employees of the taxpayer.

8 "Underserved area" means any geographic area as defined in
9 Section 5-5 of the Economic Development for a Growing Economy
10 Tax Credit Act.

11 (Source: P.A. 103-595, eff. 6-26-24; 104-6, eff. 6-16-25;
12 104-417, eff. 8-15-25; revised 9-10-25.)

13 (20 ILCS 686/15)

14 Sec. 15. Powers of the Department. The Department, in
15 addition to those powers granted under the Civil
16 Administrative Code of Illinois, is granted and shall have all
17 the powers necessary or convenient to administer the program
18 under this Act and to carry out and effectuate the purposes and
19 provisions of this Act, including, but not limited to, the
20 power and authority to:

21 (1) adopt rules deemed necessary and appropriate for
22 the administration of the REV Illinois Program, the
23 designation of REV Illinois Projects, and the awarding of
24 credits;

25 (2) establish forms for applications, notifications,

1 contracts, or any other agreements and accept applications
2 at any time during the year;

3 (3) assist taxpayers pursuant to the provisions of
4 this Act and cooperate with taxpayers that are parties to
5 agreements under this Act to promote, foster, and support
6 economic development, capital investment, and job creation
7 or retention within the State;

8 (4) enter into agreements and memoranda of
9 understanding for participation of, and engage in
10 cooperation with, agencies of the federal government,
11 units of local government, universities, research
12 foundations or institutions, regional economic development
13 corporations, or other organizations to implement the
14 requirements and purposes of this Act;

15 (5) gather information and conduct inquiries, in the
16 manner and by the methods it deems desirable, including,
17 without limitation, gathering information with respect to
18 applicants for the purpose of making any designations or
19 certifications necessary or desirable or to gather
20 information to assist the Department with any
21 recommendation or guidance in the furtherance of the
22 purposes of this Act;

23 (6) establish, negotiate, and effectuate agreements
24 and any term, agreement, or other document with any
25 person, necessary or appropriate to accomplish the
26 purposes of this Act; and to consent, subject to the

1 provisions of any agreement with another party, to the
2 modification or restructuring of any agreement to which
3 the Department is a party;

4 (7) fix, determine, charge, and collect any premiums,
5 fees, charges, costs, and expenses from applicants,
6 including, without limitation, any application fees,
7 commitment fees, program fees, financing charges, or
8 publication fees as deemed appropriate to pay expenses
9 necessary or incident to the administration, staffing, or
10 operation in connection with the Department's activities
11 under this Act, or for preparation, implementation, and
12 enforcement of the terms of the agreement, or for
13 consultation, advisory and legal fees, and other costs;
14 however, all fees and expenses incident thereto shall be
15 the responsibility of the applicant;

16 (8) provide for sufficient personnel to permit
17 administration, staffing, operation, and related support
18 required to adequately discharge its duties and
19 responsibilities described in this Act from funds made
20 available through charges to applicants or from funds as
21 may be appropriated by the General Assembly for the
22 administration of this Act;

23 (9) require applicants, upon written request, to issue
24 any necessary authorization to the appropriate federal,
25 State, or local authority for the release of information
26 concerning a project being considered under the provisions

1 of this Act, with the information requested to include,
2 but not be limited to, financial reports, returns, or
3 records relating to the taxpayer or its project;

4 (10) require that a taxpayer shall at all times keep
5 proper books of record and account in accordance with
6 generally accepted accounting principles consistently
7 applied, with the books, records, or papers related to the
8 agreement in the custody or control of the taxpayer open
9 for reasonable Department inspection and audits, and
10 including, without limitation, the making of copies of the
11 books, records, or papers, and the inspection or appraisal
12 of any of the taxpayer or project assets;

13 (11) take whatever actions are necessary or
14 appropriate to protect the State's interest in the event
15 of bankruptcy, default, foreclosure, or noncompliance with
16 the terms and conditions of financial assistance or
17 participation required under this Act, including the power
18 to sell, dispose, lease, or rent, upon terms and
19 conditions determined by the Director to be appropriate,
20 real or personal property that the Department may receive
21 as a result of these actions; and

22 (12) determine the conditions and procedures for
23 renewing the REV Illinois Credit awarded in accordance
24 with this Act.

25 (Source: P.A. 102-669, eff. 11-16-21; 102-1112, eff. 12-21-22;
26 revised 7-2-25.)

1 (20 ILCS 686/100)

2 Sec. 100. Investment tax credits for REV Illinois
3 Projects. Subject to the conditions set forth in this Act, a
4 Taxpayer is entitled to an investment tax credit toward taxes
5 imposed pursuant to subsections (a) and (b) of Section 201 of
6 the Illinois Income Tax Act for a taxable year in which the
7 Taxpayer, in accordance with an Agreement under this Act for
8 that taxable year, invests in qualified property that ~~which~~ is
9 placed in service at the site of a REV Illinois Project. The
10 Department has authority to certify the amount of such
11 investment tax credits to the Department of Revenue. The
12 credit shall be 0.5% of the basis for such property and shall
13 be determined in accordance with Section 237 of the Illinois
14 Income Tax Act. The credit shall be available only in the
15 taxable year in which the property is placed in service and
16 shall not be allowed to the extent that it would reduce a
17 taxpayer's liability for the tax imposed by subsections (a)
18 and (b) of Section 201 of the Illinois Income Tax Act to below
19 zero. Unused credit may be carried forward in accordance with
20 Section 237 of the Illinois Income Tax Act for use in future
21 taxable years. Any taxpayer qualifying for the REV Illinois
22 Investment Tax Credit shall not be eligible for either the
23 investment tax credits in subsection (e), (f), or (h) of
24 Section 201 ~~201(e), (f), or (h)~~ of the Illinois Income Tax Act.
25 (Source: P.A. 102-669, eff. 11-16-21; revised 7-2-25.)

1 Section 115. The Department of Natural Resources
2 (Conservation) Law of the Civil Administrative Code of
3 Illinois is amended by changing Section 805-305 as follows:

4 (20 ILCS 805/805-305) (was 20 ILCS 805/63a23)

5 Sec. 805-305. Campsites and housing facilities.

6 (a) The Department has the power to provide facilities for
7 overnight tent and trailer campsites and to provide suitable
8 housing facilities for student and juvenile overnight camping
9 groups. The Department of Natural Resources may regulate, by
10 administrative order, the fees to be charged for tent and
11 trailer camping units at individual park areas based upon the
12 facilities available.

13 (b) However, for campsites with access to showers or
14 electricity, any Illinois resident who is age 62 or older or
15 has a Class 2 disability as defined in Section 4A of the
16 Illinois Identification Card Act shall be charged only
17 one-half of the camping fee charged to the general public
18 during the period Monday through Thursday of any week and
19 shall be charged the same camping fee as the general public on
20 all other days. For campsites without access to showers or
21 electricity, no camping fee authorized by this Section shall
22 be charged to any resident of Illinois who has a Class 2
23 disability as defined in Section 4A of the Illinois
24 Identification Card Act. For campsites without access to

1 showers or electricity, no camping fee authorized by this
2 Section shall be charged to any resident of Illinois who is age
3 62 or older for the use of a campsite unit during the period
4 Monday through Thursday of any week. No camping fee authorized
5 by this Section shall be charged to any resident of Illinois
6 who is a veteran with a disability or a former prisoner of war,
7 as defined in Section 5 of the Department of Veterans Affairs
8 Act. No camping fee authorized by this Section shall be
9 charged to any resident of Illinois after returning from
10 service abroad or mobilization by the President of the United
11 States as an active duty member of the United States Armed
12 Forces, the Illinois National Guard, or the Reserves of the
13 United States Armed Forces for the amount of time that the
14 active duty member spent in service abroad or mobilized if the
15 person applies for a pass with the Department within 2 years
16 after returning and provides acceptable verification of
17 service or mobilization to the Department. Any portion of a
18 year that the active duty member spent in service abroad or
19 mobilized shall count as a full year. The procedure by which a
20 person may provide to the Department verification of service
21 abroad or mobilization by the President of the United States
22 shall be set by administrative rule. Nonresidents shall be
23 charged the same fees as are authorized for the general public
24 regardless of age. The Department shall provide by regulation
25 for suitable proof of age, or either a valid driver's license
26 or a "Golden Age Passport" issued by the federal government

1 shall be acceptable as proof of age. The Department shall
2 further provide by regulation that notice of these reduced
3 admission fees be posted in a conspicuous place and manner.

4 Reduced fees authorized in this Section shall not apply to
5 any charge for utility service.

6 For the purposes of this Section, "acceptable verification
7 of service or mobilization" means official documentation from
8 the Department of Defense or the appropriate Major Command
9 showing mobilization dates or service abroad dates, including:

10 (i) a DD-214, (ii) a letter from the Illinois Department of
11 Military Affairs for members of the Illinois National Guard,
12 (iii) a letter from the Regional Reserve Command for members
13 of the Armed Forces Reserve, (iv) a letter from the Major
14 Command covering Illinois for active duty members, (v)
15 personnel records for mobilized State employees, and (vi) any
16 other documentation that the Department, by administrative
17 rule, deems acceptable to establish dates of mobilization or
18 service abroad.

19 For the purposes of this Section, the term "service
20 abroad" means active duty service outside of the 50 United
21 States and the District of Columbia, and includes all active
22 duty service in territories and possessions of the United
23 States.

24 (c) To promote State campground use, the Department shall
25 have the authority to offer a coupon that allows for the waiver
26 of one night of camping fees with the purchase of at least one

1 additional night of camping at any site that is owned, leased,
2 or managed by the Department and that has camping facilities.
3 The camping coupon shall be valid only from August 1, 2025
4 through December 31, 2025 4 for a camper who:

5 (1) is 18 years of age or older; and

6 (2) complies with the written requirements that are
7 published by the Department, located on the coupon, and
8 set forth in this subsection (c).

9 The coupons issued pursuant to this subsection (c) shall
10 be available on a first-come, first-served basis as advertised
11 by the Department or for those visiting Conservation World at
12 the Illinois State Fair or the Department's booth at the
13 DuQuoin State Fair and only while supplies last for each day of
14 the Illinois State Fair and the DuQuoin State Fair. The
15 Department shall publicly announce on its website the number
16 of coupons that will be available each day of the Illinois
17 State Fair and the DuQuoin State Fair. Fees for utility
18 service are not subject to waiver by the coupon. Coupons that
19 are redeemed pursuant to this subsection (c) are limited to a
20 total of one night of free camping with the purchase of at
21 least one additional night of camping. The free night of
22 camping shall be applied to the final night of camping for a
23 camping trip lasting at least 2 nights in length or longer.

24 (Source: P.A. 103-588, eff. 6-5-24; 104-2, eff. 6-16-25;
25 104-234, eff. 8-15-25; revised 9-10-25.)

1 Section 120. The Department of Natural Resources World
2 Shooting and Recreational Complex Act is amended by changing
3 Section 15 as follows:

4 (20 ILCS 861/15)

5 Sec. 15. Authority to enter into public-private agreement.
6 Notwithstanding any provision of law to the contrary, the
7 Department, on behalf of the State, may enter into a
8 public-private agreement to develop, finance, lease, manage,
9 and operate the World Shooting and Recreational Complex on
10 behalf of the State, pursuant to which the contractors may
11 receive certain revenues, including management or user fees in
12 consideration of the payment of moneys to the State for that
13 right.

14 (Source: P.A. 103-447, eff. 8-4-23; revised 7-7-25.)

15 Section 125. The Financial Institutions Act is amended by
16 changing Section 17 as follows:

17 (20 ILCS 1205/17) (from Ch. 17, par. 118)

18 Sec. 17. Prohibited interests. Neither the Secretary, the
19 Director, ~~nor~~ any supervisor in the Division, nor any examiner
20 in the Division shall be an officer, director, owner, or
21 shareholder of, or a partner in, or have any proprietary
22 interest, direct or indirect, in any financial institution
23 under the jurisdiction of the Division. However, ownership of

1 withdrawable capital accounts or shares in credit unions and
2 ownership of diversified investment funds, employee benefit
3 plans, pensions, retirement and thrift saving plans, or
4 similar financial instruments in which the employee has no
5 ability to exercise control over or selection of the financial
6 interests held by the fund are permitted. If the Secretary,
7 Director, or any supervisor or examiner within the Division is
8 a shareholder, partner in, or ~~an~~ owner of or has any interest,
9 direct or indirect, in any such financial institution under
10 the jurisdiction of the Division at the time of appointment,
11 that person shall dispose of the shares of stock or other
12 evidences of ownership or property within 120 days from the
13 date of appointment. It is unlawful for the Secretary,
14 Director, or any supervisor or examiner within the Division to
15 obtain or repay any loan, product, or service from a financial
16 institution subject to the jurisdiction of the Division on
17 terms more favorable than those offered to the general public.
18 The Secretary is authorized to adopt rules to implement or
19 interpret this Section.

20 (Source: P.A. 103-1014, eff. 8-9-24; revised 6-24-25.)

21 Section 130. The Department of Human Services Act is
22 amended by changing Sections 1-17 and by setting forth and
23 renumbering multiple versions of Section 1-90 as follows:

24 (20 ILCS 1305/1-17)

1 Sec. 1-17. Inspector General.

2 (a) Nature and purpose. It is the express intent of the
3 General Assembly to ensure the health, safety, and financial
4 condition of individuals receiving services in this State due
5 to mental illness, developmental disability, or both by
6 protecting those persons from acts of abuse, neglect, or both
7 by service providers. To that end, the Office of the Inspector
8 General for the Department of Human Services is created to
9 investigate and report upon allegations of the abuse, neglect,
10 or financial exploitation of individuals receiving services
11 within mental health facilities, developmental disabilities
12 facilities, and community agencies operated, licensed, funded,
13 or certified by the Department of Human Services, but not
14 licensed or certified by any other State agency.

15 (b) Definitions. The following definitions apply to this
16 Section:

17 "Agency" or "community agency" means (i) a community
18 agency licensed, funded, or certified by the Department, but
19 not licensed or certified by any other human services agency
20 of the State, to provide mental health service or
21 developmental disabilities service, or (ii) a program
22 licensed, funded, or certified by the Department, but not
23 licensed or certified by any other human services agency of
24 the State, to provide mental health service or developmental
25 disabilities service.

26 "Aggravating circumstance" means a factor that is

1 attendant to a finding and that tends to compound or increase
2 the culpability of the accused.

3 "Allegation" means an assertion, complaint, suspicion, or
4 incident involving any of the following conduct by an
5 employee, facility, or agency against an individual or
6 individuals: mental abuse, physical abuse, sexual abuse,
7 neglect, financial exploitation, or material obstruction of an
8 investigation.

9 "Day" means working day, unless otherwise specified.

10 "Deflection" means a situation in which an individual is
11 presented for admission to a facility or agency, and the
12 facility staff or agency staff do not admit the individual.
13 "Deflection" includes triage, redirection, and denial of
14 admission.

15 "Department" means the Department of Human Services.

16 "Developmental disability" means "developmental
17 disability" as defined in the Mental Health and Developmental
18 Disabilities Code.

19 "Egregious neglect" means a finding of neglect as
20 determined by the Inspector General that (i) represents a
21 gross failure to adequately provide for, or a callous ~~callused~~
22 indifference to, the health, safety, or medical needs of an
23 individual and (ii) results in an individual's death or other
24 serious deterioration of an individual's physical condition or
25 mental condition.

26 "Employee" means any person who provides services at the

1 facility or agency on-site or off-site. The service
2 relationship can be with the individual or with the facility
3 or agency. Also, "employee" includes any employee or
4 contractual agent of the Department of Human Services or the
5 community agency involved in providing or monitoring or
6 administering mental health or developmental disability
7 services. This includes but is not limited to: owners,
8 operators, payroll personnel, contractors, subcontractors, and
9 volunteers.

10 "Facility" or "State-operated facility" means a mental
11 health facility or developmental disabilities facility
12 operated by the Department.

13 "Financial exploitation" means taking unjust advantage of
14 an individual's assets, property, or financial resources
15 through deception, intimidation, or conversion for the
16 employee's, facility's, or agency's own advantage or benefit.

17 "Finding" means the Office of Inspector General's
18 determination regarding whether an allegation is
19 substantiated, unsubstantiated, or unfounded.

20 "Health Care Worker Registry" or "Registry" means the
21 Health Care Worker Registry under the Health Care Worker
22 Background Check Act.

23 "Individual" means any person receiving mental health
24 service, developmental disabilities service, or both from a
25 facility or agency, while either on-site or off-site.

26 "Material obstruction of an investigation" means the

1 purposeful interference with an investigation of physical
2 abuse, sexual abuse, mental abuse, neglect, or financial
3 exploitation and includes, but is not limited to, the
4 withholding or altering of documentation or recorded evidence;
5 influencing, threatening, or impeding witness testimony;
6 presenting untruthful information during an interview; failing
7 to cooperate with an investigation conducted by the Office of
8 the Inspector General. If an employee, following a criminal
9 investigation of physical abuse, sexual abuse, mental abuse,
10 neglect, or financial exploitation, is convicted of an offense
11 that is factually predicated on the employee presenting
12 untruthful information during the course of the investigation,
13 that offense constitutes obstruction of an investigation.
14 Obstruction of an investigation does not include: an
15 employee's lawful exercising of his or her constitutional
16 right against self-incrimination, an employee invoking his or
17 her lawful rights to union representation as provided by a
18 collective bargaining agreement or the Illinois Public Labor
19 Relations Act, or a union representative's lawful activities
20 providing representation under a collective bargaining
21 agreement or the Illinois Public Labor Relations Act.
22 Obstruction of an investigation is considered material when it
23 could significantly impair an investigator's ability to gather
24 all relevant facts. An employee shall not be placed on the
25 Health Care Worker Registry for presenting untruthful
26 information during an interview conducted by the Office of the

1 Inspector General, unless, prior to the interview, the
2 employee was provided with any previous signed statements he
3 or she made during the course of the investigation.

4 "Mental abuse" means the use of demeaning, intimidating,
5 or threatening words, signs, gestures, or other actions by an
6 employee about an individual and in the presence of an
7 individual or individuals that results in emotional distress
8 or maladaptive behavior, or could have resulted in emotional
9 distress or maladaptive behavior, for any individual present.

10 "Mental illness" means "mental illness" as defined in the
11 Mental Health and Developmental Disabilities Code.

12 "Mentally ill" means having a mental illness.

13 "Mitigating circumstance" means a condition that (i) is
14 attendant to a finding, (ii) does not excuse or justify the
15 conduct in question, but (iii) may be considered in evaluating
16 the severity of the conduct, the culpability of the accused,
17 or both the severity of the conduct and the culpability of the
18 accused.

19 "Neglect" means an employee's, agency's, or facility's
20 failure to provide adequate medical care, personal care, or
21 maintenance and that, as a consequence, (i) causes an
22 individual pain, injury, or emotional distress, (ii) results
23 in either an individual's maladaptive behavior or the
24 deterioration of an individual's physical condition or mental
25 condition, or (iii) places the individual's health or safety
26 at substantial risk.

1 "Person with a developmental disability" means a person
2 having a developmental disability.

3 "Physical abuse" means an employee's non-accidental and
4 inappropriate contact with an individual that causes bodily
5 harm. "Physical abuse" includes actions that cause bodily harm
6 as a result of an employee directing an individual or person to
7 physically abuse another individual.

8 "Presenting untruthful information" means making a false
9 statement, material to an investigation of physical abuse,
10 sexual abuse, mental abuse, neglect, or financial
11 exploitation, knowing the statement is false.

12 "Recommendation" means an admonition, separate from a
13 finding, that requires action by the facility, agency, or
14 Department to correct a systemic issue, problem, or deficiency
15 identified during an investigation. "Recommendation" can also
16 mean an admonition to correct a systemic issue, problem or
17 deficiency during a review.

18 "Required reporter" means any employee who suspects,
19 witnesses, or is informed of an allegation of any one or more
20 of the following: mental abuse, physical abuse, sexual abuse,
21 neglect, or financial exploitation.

22 "Secretary" means the Chief Administrative Officer of the
23 Department.

24 "Sexual abuse" means any sexual contact or intimate
25 physical contact between an employee and an individual,
26 including an employee's coercion or encouragement of an

1 individual to engage in sexual behavior that results in sexual
2 contact, intimate physical contact, sexual behavior, or
3 intimate physical behavior. Sexual abuse also includes (i) an
4 employee's actions that result in the sending or showing of
5 sexually explicit images to an individual via computer,
6 cellular phone, electronic mail, portable electronic device,
7 or other media with or without contact with the individual or
8 (ii) an employee's posting of sexually explicit images of an
9 individual online or elsewhere whether or not there is contact
10 with the individual.

11 "Sexually explicit images" includes, but is not limited
12 to, any material which depicts nudity, sexual conduct, or
13 sado-masochistic abuse, or which contains explicit and
14 detailed verbal descriptions or narrative accounts of sexual
15 excitement, sexual conduct, or sado-masochistic abuse.

16 "Substantiated" means there is a preponderance of the
17 evidence to support the allegation.

18 "Unfounded" means there is no credible evidence to support
19 the allegation.

20 "Unsubstantiated" means there is credible evidence, but
21 less than a preponderance of evidence to support the
22 allegation.

23 (c) Appointment. The Governor shall appoint, and the
24 Senate shall confirm, an Inspector General. The Inspector
25 General shall be appointed for a term of 4 years and shall
26 function within the Department of Human Services and report to

1 the Secretary and the Governor.

2 (d) Operation and appropriation. The Inspector General
3 shall function independently within the Department with
4 respect to the operations of the Office, including the
5 performance of investigations and issuance of findings and
6 recommendations and the performance of site visits and reviews
7 of facilities and community agencies. The appropriation for
8 the Office of Inspector General shall be separate from the
9 overall appropriation for the Department.

10 (e) Powers and duties. The Inspector General shall
11 investigate reports of suspected mental abuse, physical abuse,
12 sexual abuse, neglect, or financial exploitation of
13 individuals in any mental health or developmental disabilities
14 facility or agency and shall have authority to take immediate
15 action to prevent any one or more of the following from
16 happening to individuals under its jurisdiction: mental abuse,
17 physical abuse, sexual abuse, neglect, or financial
18 exploitation. The Inspector General shall also investigate
19 allegations of material obstruction of an investigation by an
20 employee. Upon written request of an agency of this State, the
21 Inspector General may assist another agency of the State in
22 investigating reports of the abuse, neglect, or abuse and
23 neglect of persons with mental illness, persons with
24 developmental disabilities, or persons with both. The
25 Inspector General shall conduct annual site visits of each
26 facility and may conduct reviews of facilities and community

1 agencies. To comply with the requirements of subsection (k) of
2 this Section, the Inspector General shall also review all
3 reportable deaths for which there is no allegation of abuse or
4 neglect. Nothing in this Section shall preempt any duties of
5 the Medical Review Board set forth in the Mental Health and
6 Developmental Disabilities Code. The Inspector General shall
7 have no authority to investigate alleged violations of the
8 State Officials and Employees Ethics Act. Allegations of
9 misconduct under the State Officials and Employees Ethics Act
10 shall be referred to the Office of the Governor's Executive
11 Inspector General for investigation.

12 (f) Limitations. The Inspector General shall not conduct
13 an investigation within an agency or facility if that
14 investigation would be redundant to or interfere with an
15 investigation conducted by another State agency. The Inspector
16 General shall have no supervision over, or involvement in, the
17 routine programmatic, licensing, funding, or certification
18 operations of the Department. Nothing in this subsection
19 limits investigations by the Department that may otherwise be
20 required by law or that may be necessary in the Department's
21 capacity as central administrative authority responsible for
22 the operation of the State's mental health and developmental
23 disabilities facilities.

24 (g) Rulemaking authority. The Inspector General shall
25 promulgate rules establishing minimum requirements for
26 reporting allegations as well as for initiating, conducting,

1 and completing investigations based upon the nature of the
2 allegation or allegations. The rules shall clearly establish
3 that if 2 or more State agencies could investigate an
4 allegation, the Inspector General shall not conduct an
5 investigation that would be redundant to, or interfere with,
6 an investigation conducted by another State agency. The rules
7 shall further clarify the method and circumstances under which
8 the Office of Inspector General may interact with the
9 licensing, funding, or certification units of the Department
10 in preventing further occurrences of mental abuse, physical
11 abuse, sexual abuse, neglect, egregious neglect, financial
12 exploitation, and material obstruction of an investigation.

13 (g-5) Site visits and review authority.

14 (1) Site visits. The Inspector General shall conduct
15 unannounced site visits to each facility at least annually
16 for the purpose of reviewing and making recommendations on
17 systemic issues relative to preventing, reporting,
18 investigating, and responding to all of the following:
19 mental abuse, physical abuse, sexual abuse, neglect,
20 egregious neglect, financial exploitation, or material
21 obstruction of an investigation.

22 (2) Review authority. In response to complaints or
23 information gathered from investigations, the Inspector
24 General shall have and may exercise the authority to
25 initiate reviews of facilities and agencies related to
26 preventing, reporting, investigating, and responding to

1 all of the following: mental abuse, physical abuse, sexual
2 abuse, neglect, egregious neglect, financial exploitation,
3 or material obstruction of an investigation. Upon
4 concluding a review, the Inspector General shall issue a
5 written report setting forth its conclusions and
6 recommendations. The report shall be distributed to the
7 Secretary and to the director of the facility or agency
8 that was the subject of review. Within 45 calendar days,
9 the facility or agency shall submit a written response
10 addressing the Inspector General's conclusions and
11 recommendations and, in a concise and reasoned manner, the
12 actions taken, if applicable, to: (i) protect the
13 individual or individuals; (ii) prevent recurrences; and
14 (iii) eliminate the problems identified. The response
15 shall include the implementation and completion dates of
16 such actions.

17 (h) Training programs. The Inspector General shall (i)
18 establish a comprehensive program to ensure that every person
19 authorized to conduct investigations receives ongoing training
20 relative to investigation techniques, communication skills,
21 and the appropriate means of interacting with persons
22 receiving treatment for mental illness, developmental
23 disability, or both mental illness and developmental
24 disability, and (ii) establish and conduct periodic training
25 programs for facility and agency employees concerning the
26 prevention and reporting of any one or more of the following:

1 mental abuse, physical abuse, sexual abuse, neglect, egregious
2 neglect, financial exploitation, or material obstruction of an
3 investigation. The Inspector General shall further ensure (i)
4 every person authorized to conduct investigations at community
5 agencies receives ongoing training in Title 59, Parts 115,
6 116, and 119 of the Illinois Administrative Code, and (ii)
7 every person authorized to conduct investigations shall
8 receive ongoing training in Title 59, Part 50 of the Illinois
9 Administrative Code. Nothing in this Section shall be deemed
10 to prevent the Office of Inspector General from conducting any
11 other training as determined by the Inspector General to be
12 necessary or helpful.

13 (i) Duty to cooperate.

14 (1) The Inspector General shall at all times be
15 granted access to any facility or agency for the purpose
16 of investigating any allegation, conducting unannounced
17 site visits, monitoring compliance with a written
18 response, conducting reviews of facilities and agencies,
19 or completing any other statutorily assigned duty.

20 (2) Any employee who fails to cooperate with an Office
21 of the Inspector General investigation is in violation of
22 this Act. Failure to cooperate with an investigation
23 includes, but is not limited to, any one or more of the
24 following: (i) creating and transmitting a false report to
25 the Office of the Inspector General hotline, (ii)
26 providing false information to an Office of the Inspector

1 General Investigator during an investigation, (iii)
2 colluding with other employees to cover up evidence, (iv)
3 colluding with other employees to provide false
4 information to an Office of the Inspector General
5 investigator, (v) destroying evidence, (vi) withholding
6 evidence, or (vii) otherwise obstructing an Office of the
7 Inspector General investigation. Additionally, any
8 employee who, during an unannounced site visit, written
9 response compliance check, or review fails to cooperate
10 with requests from the Office of the Inspector General is
11 in violation of this Act.

12 (j) Subpoena powers. The Inspector General shall have the
13 power to subpoena witnesses and compel the production of all
14 documents and physical evidence relating to his or her
15 investigations and reviews and any hearings authorized by this
16 Act. This subpoena power shall not extend to persons or
17 documents of a labor organization or its representatives
18 insofar as the persons are acting in a representative capacity
19 to an employee whose conduct is the subject of an
20 investigation or the documents relate to that representation.
21 Any person who otherwise fails to respond to a subpoena or who
22 knowingly provides false information to the Office of the
23 Inspector General by subpoena during an investigation is
24 guilty of a Class A misdemeanor.

25 (k) Reporting allegations and deaths.

26 (1) Allegations. If an employee witnesses, is told of,

1 or has reason to believe an incident of mental abuse,
2 physical abuse, sexual abuse, neglect, financial
3 exploitation, or material obstruction of an investigation
4 has occurred, the employee, agency, or facility shall
5 report the allegation by phone to the Office of the
6 Inspector General hotline according to the agency's or
7 facility's procedures, but in no event later than 4 hours
8 after the initial discovery of the incident, allegation,
9 or suspicion of any one or more of the following: mental
10 abuse, physical abuse, sexual abuse, neglect, financial
11 exploitation, or material obstruction of an investigation.
12 A required reporter as defined in subsection (b) of this
13 Section who knowingly or intentionally fails to comply
14 with these reporting requirements is guilty of a Class A
15 misdemeanor.

16 (2) Deaths. Absent an allegation, a required reporter
17 shall, within 24 hours after initial discovery, report by
18 phone to the Office of the Inspector General hotline each
19 of the following:

20 (i) Any death of an individual occurring within 14
21 calendar days after discharge or transfer of the
22 individual from a residential program or facility.

23 (ii) Any death of an individual occurring within
24 24 hours after deflection from a residential program
25 or facility.

26 (iii) Any other death of an individual occurring

1 at an agency or facility or at any Department-funded
2 site.

3 (3) Retaliation. It is a violation of this Act for any
4 employee or administrator of an agency or facility to take
5 retaliatory action against an employee who acts in good
6 faith in conformance with his or her duties as a required
7 reporter.

8 (1) Reporting to law enforcement. Reporting criminal acts.
9 Within 24 hours after determining that there is credible
10 evidence indicating that a criminal act may have been
11 committed or that special expertise may be required in an
12 investigation, the Inspector General shall notify the Illinois
13 State Police or other appropriate law enforcement authority,
14 or ensure that such notification is made. The Illinois State
15 Police shall investigate any report from a State-operated
16 facility indicating a possible murder, sexual assault, or
17 other felony by an employee. All investigations conducted by
18 the Inspector General shall be conducted in a manner designed
19 to ensure the preservation of evidence for possible use in a
20 criminal prosecution.

21 (m) Investigative reports. Upon completion of an
22 investigation, the Office of Inspector General shall issue an
23 investigative report identifying whether the allegations are
24 substantiated, unsubstantiated, or unfounded. Within 10
25 business days after the transmittal of a completed
26 investigative report substantiating an allegation, finding an

1 allegation is unsubstantiated, or if a recommendation is made,
2 the Inspector General shall provide the investigative report
3 on the case to the Secretary and to the director of the
4 facility or agency where any one or more of the following
5 occurred: mental abuse, physical abuse, sexual abuse, neglect,
6 egregious neglect, financial exploitation, or material
7 obstruction of an investigation. The director of the facility
8 or agency shall be responsible for maintaining the
9 confidentiality of the investigative report consistent with
10 State and federal law. In a substantiated case, the
11 investigative report shall include any mitigating or
12 aggravating circumstances that were identified during the
13 investigation. If the case involves substantiated neglect, the
14 investigative report shall also state whether egregious
15 neglect was found. An investigative report may also set forth
16 recommendations. All investigative reports prepared by the
17 Office of the Inspector General shall be considered
18 confidential and shall not be released except as provided by
19 the law of this State or as required under applicable federal
20 law. Unsubstantiated and unfounded reports shall not be
21 disclosed except as allowed under Section 6 of the Abused and
22 Neglected Long Term Care Facility Residents Reporting Act. Raw
23 data used to compile the investigative report shall not be
24 subject to release unless required by law or a court order.
25 "Raw data used to compile the investigative report" includes,
26 but is not limited to, any one or more of the following: the

1 initial complaint, witness statements, photographs,
2 investigator's notes, police reports, or incident reports. If
3 the allegations are substantiated, the victim, the victim's
4 guardian, and the accused shall be provided with a redacted
5 copy of the investigative report. Death reports where there
6 was no allegation of abuse or neglect shall only be released to
7 the Secretary, or the Secretary's designee, and to the
8 director of the facility or agency when a recommendation is
9 made and pursuant to applicable State or federal law or a valid
10 court order. Unredacted investigative reports, as well as raw
11 data, may be shared with a local law enforcement entity, a
12 State's Attorney's office, or a county coroner's office upon
13 written request. Unredacted investigative reports, as well as
14 raw data, may be shared with the Department of Financial and
15 Professional Regulation when there is a substantiated finding
16 against a person licensed by the Department of Financial and
17 Professional Regulation who is within the Office of the
18 Inspector General's jurisdiction, upon written request. If,
19 during its investigation, the Office of the Inspector General
20 found credible evidence of neglect by a person licensed by the
21 Department of Financial and Professional Regulation who is not
22 within the Office's jurisdiction, the Office may provide an
23 unfounded or unsubstantiated investigative report or death
24 report, as well as raw data, with the Department of Financial
25 and Professional Regulation, upon written request.

26 (n) Written responses, clarification requests, and

1 reconsideration requests.

2 (1) Written responses. Within 30 calendar days from
3 receipt of a substantiated investigative report or an
4 investigative report which contains recommendations,
5 absent a reconsideration request, the facility or agency
6 shall file a written response that addresses, in a concise
7 and reasoned manner, the actions taken to: (i) protect the
8 individual; (ii) prevent recurrences; and (iii) eliminate
9 the problems identified. The response shall include the
10 implementation and completion dates of such actions. If
11 the written response is not filed within the allotted 30
12 calendar day period, the Secretary, or the Secretary's
13 designee, shall determine the appropriate corrective
14 action to be taken.

15 (2) Requests for clarification. The facility, agency,
16 victim or guardian, or the subject employee may request
17 that the Office of Inspector General clarify the finding
18 or findings for which clarification is sought.

19 (3) Requests for reconsideration. The facility,
20 agency, victim or guardian, or the subject employee may
21 request that the Office of the Inspector General
22 reconsider the finding or findings or the recommendations.
23 A request for reconsideration shall be subject to a
24 multi-layer review and shall include at least one reviewer
25 who did not participate in the investigation or approval
26 of the original investigative report. After the

1 multi-layer review process has been completed, the
2 Inspector General shall make the final determination on
3 the reconsideration request. The investigation shall be
4 reopened if the reconsideration determination finds that
5 additional information is needed to complete the
6 investigative record.

7 (o) Disclosure of the finding by the Inspector General.
8 The Inspector General shall disclose the finding of an
9 investigation to the following persons: (i) the Governor, (ii)
10 the Secretary, (iii) the director of the facility or agency,
11 (iv) the alleged victims and their guardians, (v) the
12 complainant, and (vi) the accused. This information shall
13 include whether the allegations were deemed substantiated,
14 unsubstantiated, or unfounded.

15 (p) Secretary review. Upon review of the Inspector
16 General's investigative report and any agency's or facility's
17 written response, the Secretary, or the Secretary's designee,
18 shall accept or reject the written response and notify the
19 Inspector General of that determination. The Secretary, or the
20 Secretary's designee, may further direct that other
21 administrative action be taken, including, but not limited to,
22 any one or more of the following: (i) additional site visits,
23 (ii) training, (iii) provision of technical assistance
24 relative to administrative needs, licensure, or certification,
25 or (iv) the imposition of appropriate sanctions.

26 (q) Action by facility or agency. Within 30 days of the

1 date the Secretary, or the Secretary's designee, approves the
2 written response or directs that further administrative action
3 be taken, the facility or agency shall provide an
4 implementation report to the Inspector General that provides
5 the status of the action taken. The facility or agency shall be
6 allowed an additional 30 days to send notice of completion of
7 the action or to send an updated implementation report. If the
8 action has not been completed within the additional 30-day
9 period, the facility or agency shall send updated
10 implementation reports every 60 days until completion. The
11 Inspector General shall conduct a review of any implementation
12 plan that takes more than 120 days after approval to complete,
13 and shall monitor compliance through a random review of
14 approved written responses, which may include, but are not
15 limited to: (i) site visits, (ii) telephone contact, and (iii)
16 requests for additional documentation evidencing compliance.

17 (r) Sanctions. Sanctions, if imposed by the Secretary
18 under Subdivision (p)(iv) of this Section, shall be designed
19 to prevent further acts of mental abuse, physical abuse,
20 sexual abuse, neglect, egregious neglect, or financial
21 exploitation or some combination of one or more of those acts
22 at a facility or agency, and may include any one or more of the
23 following:

24 (1) Appointment of on-site monitors.

25 (2) Transfer or relocation of an individual or
26 individuals.

1 (3) Closure of units.

2 (4) Termination of any one or more of the following:

3 (i) Department licensing, (ii) funding, or (iii)
4 certification.

5 The Inspector General may seek the assistance of the
6 Illinois Attorney General or the office of any State's
7 Attorney in implementing sanctions.

8 (s) Health Care Worker Registry.

9 (1) Reporting to the Registry. The Inspector General
10 shall report to the Department of Public Health's Health
11 Care Worker Registry, a public registry, the identity and
12 finding of each employee of a facility or agency against
13 whom there is a final investigative report prepared by the
14 Office of the Inspector General containing a substantiated
15 allegation of physical or sexual abuse, financial
16 exploitation, egregious neglect of an individual, or
17 material obstruction of an investigation, unless the
18 Inspector General requests a stipulated disposition of the
19 investigative report that does not include the reporting
20 of the employee's name to the Health Care Worker Registry
21 and the Secretary of Human Services agrees with the
22 requested stipulated disposition.

23 (2) Notice to employee. Prior to reporting the name of
24 an employee, the employee shall be notified of the
25 Department's obligation to report and shall be granted an
26 opportunity to request an administrative hearing, the sole

1 purpose of which is to determine if the substantiated
2 finding warrants reporting to the Registry. Notice to the
3 employee shall contain a clear and concise statement of
4 the grounds on which the report to the Registry is based,
5 offer the employee an opportunity for a hearing, and
6 identify the process for requesting such a hearing. Notice
7 is sufficient if provided by certified mail to the
8 employee's last known address. If the employee fails to
9 request a hearing within 30 days from the date of the
10 notice, the Inspector General shall report the name of the
11 employee to the Registry. Nothing in this subdivision
12 (s)(2) shall diminish or impair the rights of a person who
13 is a member of a collective bargaining unit under the
14 Illinois Public Labor Relations Act or under any other
15 federal labor statute.

16 (3) Registry hearings. If the employee requests an
17 administrative hearing, the employee shall be granted an
18 opportunity to appear before an administrative law judge
19 to present reasons why the employee's name should not be
20 reported to the Registry. The Department shall bear the
21 burden of presenting evidence that establishes, by a
22 preponderance of the evidence, that the substantiated
23 finding warrants reporting to the Registry. After
24 considering all the evidence presented, the administrative
25 law judge shall make a recommendation to the Secretary as
26 to whether the substantiated finding warrants reporting

1 the name of the employee to the Registry. The Secretary
2 shall render the final decision. The Department and the
3 employee shall have the right to request that the
4 administrative law judge consider a stipulated disposition
5 of these proceedings.

6 (4) Testimony at Registry hearings. A person who makes
7 a report or who investigates a report under this Act shall
8 testify fully in any judicial proceeding resulting from
9 such a report, as to any evidence of physical abuse,
10 sexual abuse, egregious neglect, financial exploitation,
11 or material obstruction of an investigation, or the cause
12 thereof. No evidence shall be excluded by reason of any
13 common law or statutory privilege relating to
14 communications between the alleged perpetrator of abuse or
15 neglect, or the individual alleged as the victim in the
16 report, and the person making or investigating the report.
17 Testimony at hearings is exempt from the confidentiality
18 requirements of subsection (f) of Section 10 of the Mental
19 Health and Developmental Disabilities Confidentiality Act.

20 (5) Employee's rights to collateral action. No
21 reporting to the Registry shall occur and no hearing shall
22 be set or proceed if an employee notifies the Inspector
23 General in writing, including any supporting
24 documentation, that he or she is formally contesting an
25 adverse employment action resulting from a substantiated
26 finding by complaint filed with the Illinois Civil Service

1 Commission, or which otherwise seeks to enforce the
2 employee's rights pursuant to any applicable collective
3 bargaining agreement. If an action taken by an employer
4 against an employee as a result of a finding of physical
5 abuse, sexual abuse, egregious neglect, financial
6 exploitation, or material obstruction of an investigation
7 is overturned through an action filed with the Illinois
8 Civil Service Commission or under any applicable
9 collective bargaining agreement and if that employee's
10 name has already been sent to the Registry, the employee's
11 name shall be removed from the Registry.

12 (6) Removal from Registry. At any time after the
13 report to the Registry, but no more than once in any
14 12-month period, an employee may petition the Department
15 in writing to remove his or her name from the Registry.
16 Upon receiving notice of such request, the Inspector
17 General shall conduct an investigation into the petition.
18 Upon receipt of such request, an administrative hearing
19 will be set by the Department. At the hearing, the
20 employee shall bear the burden of presenting evidence that
21 establishes, by a preponderance of the evidence, that
22 removal of the name from the Registry is in the public
23 interest. The parties may jointly request that the
24 administrative law judge consider a stipulated disposition
25 of these proceedings.

26 (t) Review of Administrative Decisions. The Department

1 shall preserve a record of all proceedings at any formal
2 hearing conducted by the Department involving Health Care
3 Worker Registry hearings. Final administrative decisions of
4 the Department are subject to judicial review pursuant to
5 provisions of the Administrative Review Law.

6 (u) Quality Care Board. There is created, within the
7 Office of the Inspector General, a Quality Care Board to be
8 composed of 7 members appointed by the Governor with the
9 advice and consent of the Senate. One of the members shall be
10 designated as chairman by the Governor. Of the initial
11 appointments made by the Governor, 4 Board members shall each
12 be appointed for a term of 4 years and 3 members shall each be
13 appointed for a term of 2 years. Upon the expiration of each
14 member's term, a successor shall be appointed for a term of 4
15 years. In the case of a vacancy in the office of any member,
16 the Governor shall appoint a successor for the remainder of
17 the unexpired term.

18 Members appointed by the Governor shall be qualified by
19 professional knowledge or experience in the area of law,
20 investigatory techniques, or in the area of care of the
21 mentally ill or care of persons with developmental
22 disabilities. Two members appointed by the Governor shall be
23 persons with a disability or parents of persons with a
24 disability. Members shall serve without compensation, but
25 shall be reimbursed for expenses incurred in connection with
26 the performance of their duties as members.

1 The Board shall meet quarterly, and may hold other
2 meetings on the call of the chairman. Four members shall
3 constitute a quorum allowing the Board to conduct its
4 business. The Board may adopt rules and regulations it deems
5 necessary to govern its own procedures.

6 The Board shall monitor and oversee the operations,
7 policies, and procedures of the Inspector General to ensure
8 the prompt and thorough investigation of allegations of
9 neglect and abuse. In fulfilling these responsibilities, the
10 Board may do the following:

11 (1) Provide independent, expert consultation to the
12 Inspector General on policies and protocols for
13 investigations of alleged abuse, neglect, or both abuse
14 and neglect.

15 (2) Review existing regulations relating to the
16 operation of facilities.

17 (3) Advise the Inspector General as to the content of
18 training activities authorized under this Section.

19 (4) Recommend policies concerning methods for
20 improving the intergovernmental relationships between the
21 Office of the Inspector General and other State or federal
22 offices.

23 (v) Annual report. The Inspector General shall provide to
24 the General Assembly and the Governor, no later than January 1
25 of each year, a summary of reports and investigations made
26 under this Act for the prior fiscal year with respect to

1 individuals receiving mental health or developmental
2 disabilities services. The report shall detail the imposition
3 of sanctions, if any, and the final disposition of any
4 corrective or administrative action directed by the Secretary.
5 The summaries shall not contain any confidential or
6 identifying information of any individual, but shall include
7 objective data identifying any trends in the number of
8 reported allegations, the timeliness of the Office of the
9 Inspector General's investigations, and their disposition, for
10 each facility and Department-wide, for the most recent 3-year
11 time period. The report shall also identify, by facility, the
12 staff-to-patient ratios taking account of direct care staff
13 only. The report shall also include detailed recommended
14 administrative actions and matters for consideration by the
15 General Assembly.

16 (w) Program audit. The Auditor General shall conduct a
17 program audit of the Office of the Inspector General on an
18 as-needed basis, as determined by the Auditor General. The
19 audit shall specifically include the Inspector General's
20 compliance with the Act and effectiveness in investigating
21 reports of allegations occurring in any facility or agency.
22 The Auditor General shall conduct the program audit according
23 to the provisions of the Illinois State Auditing Act and shall
24 report its findings to the General Assembly no later than
25 January 1 following the audit period.

26 (x) Nothing in this Section shall be construed to mean

1 that an individual is a victim of abuse or neglect because of
2 health care services appropriately provided or not provided by
3 health care professionals.

4 (y) Nothing in this Section shall require a facility,
5 including its employees, agents, medical staff members, and
6 health care professionals, to provide a service to an
7 individual in contravention of that individual's stated or
8 implied objection to the provision of that service on the
9 ground that that service conflicts with the individual's
10 religious beliefs or practices, nor shall the failure to
11 provide a service to an individual be considered abuse under
12 this Section if the individual has objected to the provision
13 of that service based on his or her religious beliefs or
14 practices.

15 (Source: P.A. 103-76, eff. 6-9-23; 103-154, eff. 6-30-23;
16 103-752, eff. 1-1-25; 104-270, eff. 8-15-25; revised
17 12-12-25.)

18 (20 ILCS 1305/1-90)

19 Sec. 1-90. Program rates. The Department of Healthcare and
20 Family Services, in partnership with the Department of Human
21 Services, shall file an amendment to the Home and
22 Community-Based Services Waiver Program for Adults with
23 Developmental Disabilities authorized under Section 1915(c) of
24 the Social Security Act to increase the rates for the
25 following waiver services: Supported Employment - Small Group

1 Supports. The amendment shall be filed by January 1, 2025.
2 Implementation of any rate increase to the Supported
3 Employment - Small Group Supports service is subject to
4 federal approval of the amendment filed as required in this
5 Section.

6 (Source: P.A. 103-1060, eff. 1-21-25.)

7 (20 ILCS 1305/1-91)

8 Sec. 1-91 ~~1-90~~. Statewide plan; victims of human
9 trafficking.

10 (a) In this Section, "human trafficking" means a violation
11 or attempted violation of Section 10-9 of the Criminal Code of
12 2012. Human trafficking includes trafficking of children and
13 adults for both labor and sex services.

14 (b) The Department of Human Services shall:

15 (1) on or before December 31, 2025, develop and submit
16 a strategic plan to the Governor and General Assembly to
17 establish a statewide system of identification and
18 response to survivors of human trafficking and recommended
19 levels of funding for phase-in of comprehensive
20 victim-centered, trauma-informed statewide services for
21 victims of human trafficking, including adults, youth and
22 children, and to sex and labor trafficking victims
23 regardless of immigration or legal status. The plan shall
24 be developed in consultation with survivors, human
25 trafficking service providers, and State agencies

1 including the Department of Human Services, Department of
2 Children and Family Services, Illinois State Police, and
3 Department of Labor. The Department of Human Services
4 shall also solicit input from a broad range of partners
5 with relevant expertise in the areas of: housing and
6 shelter; youth crisis response; adult and pediatric
7 healthcare; substance use disorders, behavioral and mental
8 health; legal and immigration services; disability;
9 domestic violence and sexual assault advocacy; law
10 enforcement; justice system including the Office of the
11 State's Attorneys Appellate Prosecutor, prosecutors and
12 public defenders, county detention centers, probation
13 court services, and the Administrative Office of the
14 Illinois Courts; State agencies, including the Department
15 of Juvenile Justice, Department of Public Health,
16 Department of Corrections, and Illinois Criminal Justice
17 Information Authority; and federally funded and regional
18 multi-disciplinary human trafficking task forces.

19 (2) on or before July 1, 2026, develop service
20 standards for organizations providing victim services to
21 survivors of human trafficking based upon victim-centered,
22 trauma-informed best practices in consultation with
23 survivors and experts in the field and consistent with
24 standards developed by the United States Department of
25 Justice, Office of Victims of Crime;

26 (3) on or before October 1, 2026, develop standardized

1 training curriculum for individuals who provide advocacy,
2 counseling, mental health, substance use disorder,
3 homelessness, immigration, legal, and case-management
4 services for survivors of human trafficking with input
5 from survivors and experts in the field;

6 (4) provide consultation to State professional
7 associations in the development of trainings for
8 healthcare professionals, including those in training, and
9 attorneys who are likely to provide services to survivors
10 of human trafficking; and

11 (5) provide consultation to State agencies, including,
12 but not limited to, the Department of Children and Family
13 Services, the Department of Juvenile Justice, and the
14 Department of Corrections, to assist with development of
15 training and screening tools.

16 (Source: P.A. 104-159 (See Section 99 of P.A. 104-159);
17 revised 10-7-25.)

18 Section 135. The 2-1-1 Service Act is amended by changing
19 Section 55 as follows:

20 (20 ILCS 1335/55)

21 Sec. 55. Use of moneys for projects and activities in
22 support of 2-1-1-eligible activities.

23 (a) The lead entity shall study, design, implement,
24 support, coordinate, and evaluate a statewide 2-1-1 system.

1 (b) Activities eligible for assistance from the Department
2 include, but are not limited to:

3 (1) Creating a structure for a statewide 2-1-1
4 resources database that will meet prevailing national
5 standards for information and referral systems databases
6 and that will be integrated with local resources databases
7 maintained by approved 2-1-1 service providers.

8 (2) Developing a statewide resources database for the
9 2-1-1 system.

10 (3) Maintaining public information available from
11 State agencies, departments, and programs that provide
12 health and human services for access by 2-1-1 service
13 providers.

14 (4) Providing grants to approved 2-1-1 service
15 providers to design, develop, and implement 2-1-1 for
16 their 2-1-1 service areas.

17 (5) Providing grants to approved 2-1-1 service
18 providers to enable 2-1-1 service providers to provide and
19 evaluate 2-1-1 service delivery on an ongoing basis.

20 (6) Providing grants to approved 2-1-1 service
21 providers to enable the provision of 2-1-1 services on a
22 24-hours per-day, 7-days per-week basis.

23 (Source: P.A. 104-2, eff. 6-16-25; 104-138, eff. 8-1-25;
24 revised 8-20-25.)

25 Section 140. The Illinois Commission on Volunteerism and

Community Service Act is amended by changing Section 3 as follows:

(20 ILCS 1345/3) (was 20 ILCS 2330/3)

Sec. 3. Definitions. In this Act:

"Commission" means the Illinois Commission on Volunteerism and Community Service.

"Director" means the Executive Director of the Illinois Commission on Volunteerism and Community Service.

"Staff" means the Illinois Commission on Volunteerism and Community Service staff.

(Source: P.A. 91-798, eff. 7-9-00; revised 6-26-25.)

Section 145. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 4.4 as follows:

(20 ILCS 1705/4.4)

Sec. 4.4. Direct support professional credential pilot program.

(a) In this Section, "direct support professional ~~person~~ credential" means a document issued to an individual by a recognized accrediting body attesting that the individual has met the professional requirements of the credentialing program by the Division of Developmental Disabilities of the Department of Human Services.

1 (b) The Division or a Division partner shall initiate a
2 program to continue to gain the expertise and knowledge of the
3 developmental disabilities workforce and of the developmental
4 disabilities workforce recruitment and retention needs
5 throughout the developmental disabilities field. The Division
6 shall implement a direct support professional credential pilot
7 program to assist and attract persons into the field of direct
8 support, advance direct support as a career, and
9 professionalize the field to promote workforce recruitment and
10 retention efforts, advanced skills and competencies, and
11 further ensure the health, safety, and well-being of persons
12 being served.

13 (c) The direct support professional credential pilot
14 program is created within the Division to assist persons in
15 the field of developmental disabilities in obtaining a
16 credential in their fields of expertise.

17 (d) The pilot program shall be administered by the
18 Division for 3 years, beginning in Fiscal Year 2025. The pilot
19 program shall include providers licensed and certified by the
20 Division or by the Department of Public Health. The purpose of
21 the pilot program is to assess how the establishment of a
22 State-administered direct support professional credential:

23 (1) promotes recruitment and retention efforts in the
24 developmental disabilities field, notably the direct
25 support professional position;

26 (2) enhances competence in the developmental

1 disabilities field;

2 (3) yields quality supports and services to persons
3 with developmental disabilities; and

4 (4) advances the health and safety requirements set
5 forth by the State.

6 (e) The Division or a Division partner, in administering
7 the pilot program, shall consider, but not be limited to, the
8 following:

9 (1) best practices learning initiatives, including the
10 University of Minnesota's college of direct support and
11 all Illinois Department of Human Services-approved direct
12 support professional competencies;

13 (2) national direct support professional competencies
14 or credentialing-based standards and trainings;

15 (3) facilitating direct support professional's
16 portfolio development;

17 (4) the role and value of skill mentors; and

18 (5) creating a career ladder.

19 (f) The Division shall produce a report detailing the
20 progress of the pilot program, including, but not limited to:

21 (1) the rate of recruitment and retention for direct
22 support professionals of providers participating in the
23 pilot program compared to the rate for non-participating
24 providers;

25 (2) the number of direct support professional
26 credentialed; and

1 (3) the enhancement of quality supports and services
2 to persons with developmental disabilities.

3 (Source: P.A. 102-830, eff. 1-1-23; 103-998, eff. 8-9-24;
4 revised 6-26-25.)

5 Section 150. The Department of Public Health Powers and
6 Duties Law of the Civil Administrative Code of Illinois is
7 amended by changing Sections 2310-376 and 2310-715.1 and by
8 setting forth and renumbering multiple versions of Section
9 2310-735 as follows:

10 (20 ILCS 2310/2310-376)

11 Sec. 2310-376. Hepatitis education and outreach.

12 (a) The Illinois General Assembly finds and declares the
13 following:

14 (1) The World Health Organization characterizes
15 hepatitis as a disease of primary concern to humanity.

16 (2) Hepatitis is considered a silent killer; no
17 recognizable signs or symptoms occur until severe liver
18 damage has occurred.

19 (3) Studies indicate that nearly 4 million Americans
20 (1.8 percent of the population) carry the virus HCV that
21 causes the disease.

22 (4) 30,000 acute new infections occur each year in the
23 United States, and only 25 to 30 percent are diagnosed.

24 (5) 8,000 to 10,000 Americans die from the disease

1 each year.

2 (6) 200,000 Illinois residents may be carriers and
3 could develop the debilitating and potentially deadly
4 liver disease.

5 (7) Inmates of correctional facilities have a higher
6 incidence of hepatitis and, upon their release, present a
7 significant health risk to the general population.

8 (8) Illinois members of the armed services are subject
9 to an increased risk of contracting hepatitis due to their
10 possible receipt of contaminated blood during a
11 transfusion occurring for the treatment of wounds and due
12 to their service in areas of the World where the disease is
13 more prevalent and healthcare is less capable of detecting
14 and treating the disease. Many of these service members
15 are unaware of the danger of hepatitis and their increased
16 risk of contracting the disease.

17 (b) Subject to appropriation, the Department shall conduct
18 an education and outreach campaign, in addition to its overall
19 effort to prevent infectious disease in Illinois, in order to
20 raise awareness about and promote prevention of hepatitis.

21 (c) Subject to appropriation, in addition to the education
22 and outreach campaign provided in subsection (b), the
23 Department shall develop and make available to physicians,
24 other health care providers, members of the armed services,
25 and other persons subject to an increased risk of contracting
26 hepatitis, educational materials, in written and electronic

1 forms, on the diagnosis, treatment, and prevention of the
2 disease. These materials shall include the recommendations of
3 the federal Centers for Disease Control and Prevention and any
4 other persons or entities determined by the Department to have
5 particular expertise on hepatitis, including the American
6 Liver Foundation. These materials shall be written in terms
7 that are understandable by members of the general public.

8 (d) (Blank). ~~Veterans~~

9 (Source: P.A. 104-234, eff. 8-15-25; 104-435, eff. 11-21-25;
10 revised 12-9-25.)

11 (20 ILCS 2310/2310-715.1)

12 Sec. 2310-715.1. Health care ~~Healthcare~~ strategy and
13 sustainability planning. The Department, under the direction
14 of the Office of the Governor and in coordination with any
15 other appropriate State office, shall engage in health care
16 strategy and delivery planning efforts to determine steps to
17 strengthen safety-net hospitals and other health care systems
18 in pursuit of long-term sustainability.

19 (Source: P.A. 104-2, eff. 7-1-25; revised 8-5-25.)

20 (20 ILCS 2310/2310-735)

21 Sec. 2310-735. Nonopioid alternatives pamphlet. The
22 Department may develop and publish on its website an
23 educational pamphlet regarding the use of nonopioid
24 alternatives for the treatment of acute nonoperative, acute

1 perioperative, subacute, or chronic pain. The pamphlet may
2 conform with the United States Department of Health and Human
3 Services' Pain Management Best Practices Inter-Agency Task
4 Force recommendations and shall include:

5 (1) information on available nonopioid alternatives
6 for the treatment of pain, including available nonopioid
7 medicinal drugs or drug products and nonpharmacological
8 therapies; and

9 (2) the advantages and disadvantages of the use of
10 nonopioid alternatives.

11 (Source: P.A. 104-369, eff. 1-1-26; revised 1-5-26.)

12 (20 ILCS 2310/2310-736)

13 Sec. 2310-736 ~~2310-735~~. Public educational effort on
14 amniotic fluid embolism.

15 (a) As used in this Section, "amniotic fluid embolism"
16 means a rare obstetric emergency in which amniotic fluid,
17 fetal cells, hair, or other debris enters the maternal
18 bloodstream leading to cardiovascular collapse, respiratory
19 failure, and disseminated intravascular coagulation.

20 (b) The Department shall conduct educational activities
21 for providers on the signs, symptoms, and management of
22 amniotic fluid embolism.

23 (c) The Department shall make available information about
24 amniotic fluid embolism on the Department's website.

25 (Source: P.A. 104-394, eff. 8-15-25; revised 10-9-25.)

1 Section 155. The Illinois State Police Law of the Civil
2 Administrative Code of Illinois is amended by changing Section
3 2605-51 and by setting forth and renumbering multiple versions
4 of Section 2605-625 as follows:

5 (20 ILCS 2605/2605-51)

6 Sec. 2605-51. Division of the Academy and Training.

7 (a) The Division of the Academy and Training shall
8 exercise, but not be limited to, the following functions:

9 (1) Oversee and operate the Illinois State Police
10 Training Academy.

11 (2) Train and prepare new officers for a career in law
12 enforcement, with innovative, quality training and
13 educational practices.

14 (3) Offer continuing training and educational programs
15 for Illinois State Police employees.

16 (4) Oversee the Illinois State Police's recruitment
17 initiatives.

18 (5) Oversee and operate the Illinois State Police's
19 quartermaster.

20 (6) Duties assigned to the Illinois State Police in
21 Article 5, Chapter 11 of the Illinois Vehicle Code
22 concerning testing and training officers on the detection
23 of impaired driving.

24 (7) Duties assigned to the Illinois State Police in

1 Article 108B of the Code of Criminal Procedure of 1963.

2 (a-5) Successful completion of the Illinois State Police
3 Academy satisfies the minimum standards pursuant to
4 subsections (a), (b), and (d) of Section 7 of the Illinois
5 Police Training Act and exempts Illinois State Police officers
6 from the Illinois Law Enforcement Training Standards Board's
7 State Comprehensive Examination and Equivalency Examination.
8 Satisfactory completion shall be evidenced by a commission or
9 certificate issued to the officer.

10 (b) The Division of the Academy and Training shall
11 exercise the rights, powers, and duties vested in the former
12 Division of State Troopers by Section 17 of the Illinois State
13 Police Act.

14 (c) Specialized training. The Division of the Academy and
15 Training shall provide the following specialized training:

16 (1) Crash reconstruction specialist; training. The
17 Division of the Academy and Training shall cooperate with
18 the Division of Forensic Services to provide specialized
19 training in crash reconstruction for Illinois State Police
20 officers. Only Illinois State Police officers who
21 successfully complete the training may be assigned as
22 crash reconstruction specialists.

23 (2) Death and homicide investigations; training. The
24 Division of the Academy and Training shall provide
25 training in death and homicide investigation for Illinois
26 State Police officers. Only Illinois State Police officers

1 who successfully complete the training may be assigned as
2 lead investigators in death and homicide investigations.
3 Satisfactory completion of the training shall be evidenced
4 by a certificate issued to the officer by the Division of
5 the Academy and Training. The Director shall develop a
6 process for waiver applications for officers whose prior
7 training and experience as homicide investigators may
8 qualify them for a waiver. The Director may issue a
9 waiver, at his or her discretion, based solely on the
10 prior training and experience of an officer as a homicide
11 investigator.

12 (A) The Division of the Academy and Training shall
13 require all homicide investigator training to include
14 instruction on victim-centered, trauma-informed
15 investigation. This training must be implemented by
16 July 1, 2023.

17 (B) The Division of the Academy and Training shall
18 cooperate with the Division of Criminal Investigation
19 to develop a model curriculum on victim-centered,
20 trauma-informed investigation. This curriculum must be
21 implemented by July 1, 2023.

22 (3) Investigation of officer-involved criminal sexual
23 assault; training. The Division of the Academy and
24 Training shall cooperate with the Division of Criminal
25 Investigation to provide a specialized criminal sexual
26 assault and sexual abuse investigation training program

1 for Illinois State Police officers. Only Illinois State
2 Police officers who successfully complete the training may
3 be assigned as investigators in officer-involved criminal
4 sexual assault investigations under Section 10 of the Law
5 Enforcement Criminal Sexual Assault Investigation Act.

6 (4) Investigation of officer-involved deaths;
7 training. The Division of the Academy and Training shall
8 have a written policy regarding the investigation of
9 officer-involved deaths that involve a law enforcement
10 officer employed by the Illinois State Police as required
11 under Section 1-10 of the Police and Community Relations
12 Improvement Act and shall provide specialized training in
13 that policy for Illinois State Police officers.

14 (5) Juvenile specialist; training. The Division of the
15 Academy and Training shall provide specialized juvenile
16 training for Illinois State Police officers who meet the
17 definition of "juvenile police officer" as defined under
18 paragraph (17) of Section 1-3 of the Juvenile Court Act of
19 1987. Juvenile specialists may complete questioning of
20 juveniles on school grounds as provided under Section
21 22-88 of the School Code.

22 (6) Peer support program; training. The Division of
23 the Academy and Training shall cooperate with the Office
24 of the Director to provide peer support advisors with
25 appropriate specialized training in counseling to conduct
26 peer support counseling sessions under Section 10 of the

1 First Responders Suicide Prevention Act.

2 (7) Police dog training standards; training. All
3 police dogs used by the Illinois State Police for drug
4 enforcement purposes pursuant to the Cannabis Control Act,
5 the Illinois Controlled Substances Act, and the
6 Methamphetamine Control and Community Protection Act shall
7 be trained by programs that meet the certification
8 requirements set by the Director or the Director's
9 designee. Satisfactory completion of the training shall be
10 evidenced by a certificate issued by the Division of the
11 Academy and Training.

12 (8) Safe2Help; training. The Division of the Academy
13 and Training shall cooperate with the Division of Criminal
14 Investigation to ensure all program personnel or call
15 center staff, or both, are appropriately trained in the
16 areas described in subsection (f) of Section 10 of the
17 Student Confidential Reporting Act. ~~(10)~~

18 (c-5) In-service training.

19 (1) At least once, the Division of the Academy and
20 Training shall develop and require the following
21 in-service training opportunities to be completed by
22 Illinois State Police officers:

23 (A) Cell phone medical information; training.

24 Training required under this subparagraph (A) shall
25 provide instruction on accessing and using medical
26 information stored in cell phones. The Division may

1 use the program approved under Section 2310-711 of the
2 Department of Public Health Powers and Duties Law of
3 the Civil Administrative Code of Illinois to develop
4 the Division's program.

5 (B) Autism spectrum disorders; training. Training
6 required under this subparagraph (B) shall instruct
7 Illinois State Police officers on the nature of autism
8 spectrum disorders and in identifying and
9 appropriately responding to individuals with autism
10 spectrum disorders. The Illinois State Police shall
11 review the training curriculum and may consult with
12 the Department of Public Health or the Department of
13 Human Services to update the training curriculum as
14 needed.

15 (2) At least every year, the Division of the Academy
16 and Training shall provide the following in-service
17 training to Illinois State Police officers:

18 (A) Cultural diversity; training.

19 (i) Training required under this subparagraph
20 (A) shall provide training and continuing
21 education to Illinois State Police officers
22 concerning cultural diversity, including topics
23 such as sensitivity toward racial and ethnic
24 differences.

25 (ii) This training and continuing education
26 shall, among other things, emphasize that the

1 primary purpose of enforcement of the Illinois
2 Vehicle Code is safety and equal, uniform, and
3 non-discriminatory enforcement of the law.

4 (B) Minimum annual in-service training
5 requirements. Minimum annual in-service training
6 includes:

7 (i) crisis intervention training;

8 (ii) emergency medical response training and
9 certification;

10 (iii) firearm qualification training;

11 (iv) law updates; and

12 (v) officer wellness and mental health.

13 (C) Firearms restraining orders; training.
14 Training required under this subparagraph (C) shall
15 provide instruction on the processes used to file a
16 firearms restraining order, to identify situations in
17 which a firearms restraining order is appropriate, and
18 to safely promote the usage of the firearms
19 restraining order in different situations.

20 (3) At least every 3 years, the Division of the
21 Academy and Training shall provide the following
22 in-service training to Illinois State Police officers:

23 (A) Arrest and use of force and control tactics;
24 training. Training required under this subparagraph
25 (A) shall provide to Illinois State Police officers
26 training and continuing education concerning knowledge

1 of policies and laws regulating the use of force;
2 shall equip officers with tactics and skills,
3 including de-escalation techniques, to prevent or
4 reduce the need to use force or, when force must be
5 used, to use force that is objectively reasonable,
6 necessary, and proportional under the totality of the
7 circumstances; and shall ensure appropriate
8 supervision and accountability. The training shall
9 consist of at least 30 hours and shall include:

10 (i) at least 12 hours of hands-on,
11 scenario-based role-playing;

12 (ii) at least 6 hours of instruction on use of
13 force techniques, including the use of
14 de-escalation techniques to prevent or reduce the
15 need for force whenever safe and feasible;

16 (iii) specific training on the law concerning
17 stops, searches, and the use of force under the
18 Fourth Amendment to the United States
19 Constitution;

20 (iv) specific training on officer safety
21 techniques, including cover, concealment, and
22 time; and

23 (v) at least 6 hours of training focused on
24 high-risk traffic stops.

25 (B) Minimum triennial in-service training
26 requirements. Minimum triennial in-service training

1 required ~~this~~ under this subparagraph (B) includes
2 training and continuing education to Illinois State
3 Police officers concerning:

4 (i) constitutional and proper use of law
5 enforcement authority;

6 (ii) civil and human rights;

7 (iii) cultural competency, including implicit
8 bias and racial and ethnic sensitivity; and

9 (iv) procedural justice.

10 (C) Mandated reporter; training. Training required
11 under this subparagraph (C) must be approved by the
12 Department of Children and Family Services as provided
13 under Section 4 of the Abused and Neglected Child
14 Reporting Act and includes training on the reporting
15 of child abuse and neglect.

16 (D) Sexual assault and sexual abuse; training.

17 (i) Training required under this subparagraph
18 (D) shall include in-service training on sexual
19 assault and sexual abuse response and training on
20 report writing requirements, including, but not
21 limited to, the following:

22 (a) recognizing the symptoms of trauma;

23 (b) understanding the role trauma has
24 played in a victim's life;

25 (c) responding to the needs and concerns
26 of a victim;

1 (d) delivering services in a
2 compassionate, sensitive, and nonjudgmental
3 manner;

4 (e) interviewing techniques in accordance
5 with the curriculum standards in subdivision
6 (iii) of this subparagraph;

7 (f) understanding cultural perceptions and
8 common myths of sexual assault and sexual
9 abuse; and

10 (g) report writing techniques in
11 accordance with the curriculum standards in
12 subdivision (iii) of this subparagraph and the
13 Sexual Assault Incident Procedure Act.

14 (ii) Instructors providing training under this
15 subparagraph (D) ~~(C)~~ shall have successfully
16 completed training on evidence-based,
17 trauma-informed, victim-centered responses to
18 cases of sexual assault and sexual abuse and shall
19 have experience responding to sexual assault and
20 sexual abuse cases.

21 (iii) The Illinois State Police shall adopt
22 rules, in consultation with the Office of the
23 Attorney General and the Illinois Law Enforcement
24 Training Standards Board, to determine the
25 specific training requirements. The rules adopted
26 by the Illinois State Police shall include, at a

1 minimum, both of the following:

2 (a) evidence-based curriculum standards
3 for report writing and immediate response to
4 sexual assault and sexual abuse, including
5 trauma-informed, victim-centered interview
6 techniques, which have been demonstrated to
7 minimize retraumatization, for all Illinois
8 State Police officers; and

9 (b) evidence-based curriculum standards
10 for trauma-informed, victim-centered
11 investigation and interviewing techniques,
12 which have been demonstrated to minimize
13 retraumatization, for cases of sexual assault
14 and sexual abuse for all Illinois State Police
15 officers who conduct sexual assault and sexual
16 abuse investigations.

17 (4) At least every 5 years, the Division of the
18 Academy and Training shall provide the following
19 in-service training to Illinois State Police officers:

20 (A) Psychology of domestic violence; training.

21 Training under this subparagraph (A) shall provide aid
22 in understanding the actions of domestic violence
23 victims and abusers and the actions needed to prevent
24 further victimization of those who have been abused.
25 The training shall focus specifically on looking
26 beyond physical evidence to the psychology of domestic

1 violence situations by studying the dynamics of the
2 aggressor-victim relationship, separately evaluating
3 claims where both parties claim to be the victim, and
4 assessing the long-term effects of domestic violence
5 situations.

6 (c-10) Cadet training. The Division of the Academy and
7 Training shall provide the following basic training to
8 Illinois State Police cadets or ensure the following training
9 was completed prior to an Illinois State Police cadet becoming
10 an Illinois State Police officer:

11 (1) Animal fighting awareness and humane response;
12 training. Training required under this paragraph (1) shall
13 include a training program in animal fighting awareness
14 and humane response for Illinois State Police cadets. The
15 purpose of that training shall be for Illinois State
16 Police officers to identify animal fighting operations and
17 respond appropriately. Training under this paragraph (1)
18 shall include a humane response component that provides
19 guidelines for appropriate law enforcement response to
20 animal abuse, cruelty, and neglect, or similar condition,
21 as well as training on canine behavior and nonlethal ways
22 to subdue a canine.

23 (2) Arrest and use of force and control tactics and
24 officer safety; training. Training required under this
25 paragraph (2) must include, without limitation, training
26 on officer safety techniques, such as cover, concealment,

1 and time.

2 (3) Arrest of a parent or an immediate family member;
3 training. Training required under this paragraph (3) shall
4 instruct Illinois State Police cadets on trauma-informed
5 responses designed to ensure the physical safety and
6 well-being of a child of an arrested parent or immediate
7 family member, which must include, without limitation: (A)
8 training in understanding the trauma experienced by the
9 child while maintaining the integrity of the arrest and
10 safety of officers, suspects, and other involved
11 individuals; (B) training in de-escalation tactics that
12 would include the use of force when reasonably necessary;
13 and (C) training in understanding and inquiring whether a
14 child will require supervision and care.

15 (4) Autism and other developmental or physical
16 disabilities; training. Training required under this
17 paragraph (4) shall instruct Illinois State Police cadets
18 on identifying and interacting with persons with autism
19 and other developmental or physical disabilities, reducing
20 barriers to reporting crimes against persons with autism,
21 and addressing the unique challenges presented by cases
22 involving victims or witnesses with autism and other
23 developmental disabilities.

24 (5) Cell phone medical information; training. Training
25 required under this paragraph (5) shall instruct Illinois
26 State Police cadets to access and use medical information

1 stored in cell phones. The Division of the Academy and
2 Training may use the program approved under Section
3 2310-711 of the Department of Public Health Powers and
4 Duties Law of the Civil Administrative Code of Illinois to
5 develop the training required under this paragraph (5).

6 (6) Compliance with the Health Care Violence
7 Prevention Act; training. Training required under this
8 paragraph (6) shall provide an appropriate level of
9 training for Illinois State Police cadets concerning the
10 Health Care Violence Prevention Act.

11 (7) Constitutional law; training. Training required
12 under this paragraph (7) shall instruct Illinois State
13 Police cadets on constitutional and proper use of law
14 enforcement authority, procedural justice, civil rights,
15 human rights, and cultural competency, including implicit
16 bias and racial and ethnic sensitivity.

17 (8) Courtroom testimony; training.

18 (9) Crime victims; training. Training required under
19 this paragraph (9) shall provide instruction in techniques
20 designed to promote effective communication at the initial
21 contact with crime victims and to comprehensively explain
22 to victims and witnesses their rights under the Rights of
23 Crime Victims and Witnesses Act and the Crime Victims
24 Compensation Act.

25 (10) Criminal law; training.

26 (11) Crisis intervention team and mental health

1 awareness; training. Training required under this
2 paragraph (11) shall include a specialty certification
3 course of at least 40 hours, addressing specialized
4 policing responses to people with mental illnesses. The
5 Division of the Academy and Training shall conduct Crisis
6 Intervention Team training programs that train officers to
7 identify signs and symptoms of mental illness, to
8 de-escalate situations involving individuals who appear to
9 have a mental illness and connect individuals in crisis to
10 treatment.

11 (12) Cultural diversity; training.

12 (A) The training required under this paragraph
13 (12) shall provide training to Illinois State Police
14 cadets concerning cultural competency and cultural
15 diversity, including sensitivity toward racial and
16 ethnic differences.

17 (B) This training shall include, but not be
18 limited to, an emphasis on the fact that the primary
19 purpose of enforcement of the Illinois Vehicle Code is
20 safety, equal, and uniform and non-discriminatory
21 enforcement under the law.

22 (13) De-escalation and use of force; training.
23 Training required under this paragraph (13) must consist
24 of at least 6 hours of instruction on use of force
25 techniques, including the use of de-escalation techniques
26 to prevent or reduce the need for force whenever safe and

1 feasible.

2 (14) Domestic violence; training. Training required
3 under this paragraph (14) shall provide aid in
4 understanding the actions of domestic violence victims and
5 abusers and to prevent further victimization of those who
6 have been abused, focusing specifically on looking beyond
7 the physical evidence to the psychology of domestic
8 violence situations, such as the dynamics of the
9 aggressor-victim relationship, separately evaluating
10 claims where both parties claim to be the victim, and
11 long-term effects.

12 (15) Effective recognition of and responses to stress,
13 trauma, and post-traumatic stress; training. Training
14 required under this paragraph (15) shall instruct Illinois
15 State Police cadets to recognize and respond to stress,
16 trauma, and post-traumatic stress experienced by law
17 enforcement officers. The training must be consistent with
18 Section 25 of the Illinois Mental Health First Aid
19 Training Act in a peer setting, including recognizing
20 signs and symptoms of work-related cumulative stress,
21 issues that may lead to suicide, and solutions for
22 intervention with peer support resources.

23 (16) Elder abuse; training. Training required under
24 this paragraph (16) shall teach Illinois State Police
25 cadets to recognize neglect and financial exploitation
26 against the elderly and adults with disabilities. The

1 training shall also teach Illinois State Police cadets to
2 recognize self-neglect by the elderly and adults with
3 disabilities. In this subparagraph, "adults with
4 disabilities" has the meaning given to that term in the
5 Adult Protective Services Act.

6 (17) Electronic control devices; training. Training
7 required under this paragraph (17) shall include training
8 in the use of electronic control devices, including the
9 psychological and physiological effects of the use of
10 those devices on humans.

11 (18) Epinephrine auto-injector administration;
12 training. Training required under this paragraph (18)
13 shall instruct Illinois State Police cadets to recognize
14 and respond to anaphylaxis. The training must comply with
15 subsection (c) of Section 40 of the Illinois State Police
16 Act.

17 (19) Evidence collection; training. Training required
18 under this paragraph (19) must include proper procedures
19 for collecting, handling, and preserving evidence, and
20 rules of law.

21 (20) Firearms restraining orders; training. Providing
22 instruction on the process used to file a firearms
23 restraining order and how to identify situations in which
24 a firearms restraining order is appropriate and how to
25 safely promote the usage of the firearms restraining order
26 in different situations.

1 (21) Firearms; training. Successful completion of a
2 40-hour course of training in use of a suitable type
3 firearm shall be a condition precedent to the possession
4 and use of that respective firearm in connection with the
5 officer's official duties. To satisfy the requirements of
6 this Act, the training must include the following:

7 (A) Instruction in the dangers of misuse of the
8 firearm, safety rules, and care and cleaning of the
9 firearm.

10 (B) Practice firing on a range and qualification
11 with the firearm in accordance with the standards
12 established by the Board.

13 (C) Instruction in the legal use of firearms under
14 the Criminal Code of 2012 and relevant court
15 decisions.

16 (D) A forceful presentation of the ethical and
17 moral considerations assumed by any person who uses a
18 firearm.

19 (22) First-aid; training. First-aid training must
20 include cardiopulmonary resuscitation.

21 (23) Hate crimes; training. Training required under
22 this paragraph (23) shall instruct Illinois State Police
23 cadets in identifying, responding to, and reporting all
24 hate crimes.

25 (24) High-risk traffic stops; training. Training
26 required under this paragraph (24) must consist of at

1 least 6 hours of training focused on high-risk traffic
2 stops.

3 (25) High-speed vehicle chase; training. Training
4 required under this paragraph (25) shall instruct Illinois
5 State Police cadets on the hazards of high-speed police
6 vehicle chases with an emphasis on alternatives to the
7 high-speed vehicle chase.

8 (26) Human relations; training.

9 (27) Human trafficking; training. Training required
10 under this paragraph (27) shall instruct Illinois State
11 Police cadets in the detection and investigation of all
12 forms of human trafficking, including, but not limited to,
13 involuntary servitude under subsection (b) of Section 10-9
14 of the Criminal Code of 2012, involuntary sexual servitude
15 of a minor under subsection (c) of Section 10-9 of the
16 Criminal Code of 2012, and trafficking in persons under
17 subsection (d) of Section 10-9 of the Criminal Code of
18 2012. This program shall be made available to all cadets
19 and Illinois State Police officers.

20 (28) Juvenile law; training. Training required under
21 this paragraph (28) shall instruct Illinois State Police
22 cadets on juvenile law and the proper processing and
23 handling of juvenile offenders.

24 (29) Mandated reporter; training. Training required
25 under this paragraph (29) must be approved by the
26 Department of Children and Family Services as provided

1 under Section 4 of the Abused and Neglected Child
2 Reporting Act and includes training on the reporting of
3 child abuse and neglect.

4 (30) Mental conditions and crises, training. Training
5 required under this paragraph (30) shall include, without
6 limitation, (A) recognizing the disease of addiction, (B)
7 recognizing situations which require immediate assistance,
8 and (C) responding in a manner that safeguards and
9 provides assistance to individuals in need of mental
10 treatment.

11 (31) Officer wellness and suicide prevention;
12 training. The training required under this paragraph (31)
13 shall include instruction on job-related stress management
14 techniques, skills for recognizing signs and symptoms of
15 work-related cumulative stress, recognition of other
16 issues that may lead to officer suicide, solutions for
17 intervention, and a presentation on available peer support
18 resources.

19 (32) Officer-worn body cameras; training.

20 (A) As used in this paragraph (32), "officer-worn
21 body camera" has the meaning given to that term in
22 Article 10 of the Law Enforcement Officer-Worn Body
23 Camera Act.

24 (B) The training required under this paragraph
25 (32) shall provide training in the use of officer-worn
26 body cameras to cadets who will use officer-worn body

1 cameras.

2 (33) Opioid antagonists; training.

3 (A) As used in this paragraph (33), "opioid
4 antagonist" has the meaning given to that term in
5 subsection (e) of Section 5-23 of the Substance Use
6 Disorder Act.

7 (B) Training required under this paragraph (33)
8 shall instruct Illinois State Police cadets to
9 administer opioid antagonists.

10 (34) Persons arrested while under the influence of
11 alcohol or drugs; training. Training required under this
12 paragraph (34) shall comply with Illinois State Police
13 policy adopted under Section 2605-54. The training shall
14 be consistent with the Substance Use Disorder Act and
15 shall provide guidance for the arrest of persons under the
16 influence of alcohol or drugs, proper medical attention if
17 warranted, and care and release of those persons from
18 custody. The training shall provide guidance concerning
19 the release of persons arrested under the influence of
20 alcohol or drugs who are under the age of 21 years of age,
21 which shall include, but shall not be limited to,
22 instructions requiring the arresting officer to make a
23 reasonable attempt to contact a responsible adult who is
24 willing to take custody of the person who is under the
25 influence of alcohol or drugs.

26 (35) Physical training.

1 (36) Post-traumatic stress disorder; training.
2 Training required under this paragraph (36) shall equip
3 Illinois State Police cadets to identify the symptoms of
4 post-traumatic stress disorder and to respond
5 appropriately to individuals exhibiting those symptoms.

6 (37) Report writing; training. Training required under
7 this paragraph (37) shall instruct Illinois State Police
8 cadets on writing reports and proper documentation of
9 statements.

10 (38) Scenario training. At least 12 hours of hands-on,
11 scenario-based role-playing.

12 (39) Search and seizure; training. Training required
13 under this paragraph (39) shall instruct Illinois State
14 Police cadets on search and seizure, including temporary
15 questioning.

16 (40) Sexual assault and sexual abuse; training.
17 Training required under this paragraph (40) shall instruct
18 Illinois State Police cadets on sexual assault and sexual
19 abuse response and report writing training requirements,
20 including, but not limited to, the following:

21 (A) recognizing the symptoms of trauma;

22 (B) understanding the role trauma has played in a
23 victim's life;

24 (C) responding to the needs and concerns of a
25 victim;

26 (D) delivering services in a compassionate,

1 sensitive, and nonjudgmental manner;

2 (E) interviewing techniques in accordance with the
3 curriculum standards in subsection (f) of Section
4 10.19 of the Illinois Police Training Act;

5 (F) understanding cultural perceptions and common
6 myths of sexual assault and sexual abuse; and

7 (G) report-writing techniques in accordance with
8 the curriculum standards in subsection (f) of Section
9 10.19 of the Illinois Police Training Act and the
10 Sexual Assault Incident Procedure Act.

11 (41) Traffic control and crash investigation;
12 training.

13 (d) The Division of the Academy and Training shall
14 administer and conduct a program consistent with 18 U.S.C.
15 926B and 926C for qualified active and retired Illinois State
16 Police officers.

17 (Source: P.A. 103-34, eff. 1-1-24; 103-939, eff. 1-1-25;
18 103-949, eff. 1-1-25; 104-24, eff. 1-1-26; 104-417, eff.
19 8-15-25; revised 1-29-26.)

20 (20 ILCS 2605/2605-625)

21 Sec. 2605-625. Analysis and report of cumulative data
22 concerning stolen firearms or firearms with obliterated serial
23 numbers that were used or alleged to have been used in the
24 commission of offenses. The Illinois State Police shall
25 conduct an analysis of the cumulative data regarding the

1 disposition of cases involving a stolen firearm or a firearm
2 with an obliterated serial number that was used or alleged to
3 have been used in the commission of an offense and make that
4 information available on the Illinois State Police publicly
5 accessible databases. The Illinois State Police shall publish
6 the results of its analysis in a report to the General
7 Assembly, Governor, and Attorney General and shall make the
8 report available on its website.

9 (Source: P.A. 104-5, eff. 1-1-26.)

10 (20 ILCS 2605/2605-630)

11 Sec. 2605-630 ~~2605-625~~. Technical managers workforce goals
12 and report.

13 (a) By August 1 of each calendar year, the Illinois State
14 Police shall make a report in writing to the Governor and the
15 General Assembly, stating in detail the Illinois State
16 Police's efforts in the prior fiscal year to fill open
17 technical manager positions.

18 (b) The report shall include:

19 (1) The total number of technical manager positions
20 within the Illinois State Police for the previous fiscal
21 year.

22 (2) The number of technical manager positions that
23 were unfilled at any point during the previous fiscal
24 year.

25 (3) The duration of time each technical manager

1 position remained unfilled.

2 (4) The number of technical manager positions filled
3 during the previous fiscal year.

4 (5) A detailed report of any recruitment efforts or
5 initiatives undertaken to fill technical manager
6 positions.

7 (c) The General Assembly may review the report and may
8 request additional information or hold hearings regarding the
9 Illinois State Police's staffing levels, recruitment
10 strategies, and efforts.

11 (Source: P.A. 104-25, eff. 10-1-25; revised 10-7-25.)

12 (20 ILCS 2605/2605-635)

13 Sec. 2605-635 ~~2605-625~~. Illinois State Police to develop a
14 strategic plan and support and coordinate with
15 multi-disciplinary human trafficking task forces (MDHTTF) to
16 improve victim-centered, trauma-informed law enforcement
17 response to victims of human trafficking across the State.

18 (a) In this Section:

19 "Children" means persons under 18 years of age.

20 "Human trafficking" means a violation or attempted
21 violation of Section 10-9 of the Criminal Code of 2012. "Human
22 trafficking" includes trafficking of children and adults for
23 both labor and sex services.

24 "Multi-disciplinary human trafficking task forces"
25 (MDHTTF) means task forces established to coordinate

1 detection, investigation, and response to victims of human and
2 child trafficking across multiple jurisdictions and
3 disciplines and whose participants may include, but are not
4 limited to, federal, State, and local law enforcement, local
5 government, the Illinois State Police, the Departments of
6 Children and Family Services, Juvenile Justice, and
7 Corrections, prosecutors, children's advocacy centers, adult
8 and pediatric medical personnel, and service providers
9 specializing in victim-centered, trauma-informed response to
10 victims of human trafficking. Such multi-disciplinary task
11 forces may include Metropolitan Enforcement Groups as defined
12 in Section 3 of the Intergovernmental Drug Laws Enforcement
13 Act.

14 (b) The Illinois State Police shall:

15 (1) on or before July 1, 2026, develop a strategic
16 plan to improve victim-centered, trauma-informed law
17 enforcement response to victims of human trafficking
18 across the State, in consultation with the Department of
19 Human Services, victim-centered, trauma-informed human
20 trafficking service providers, local, State, and federal
21 law enforcement partners, metropolitan enforcement groups
22 (MEG) and task forces, existing federally funded task
23 forces, and allied organizations;

24 (2) support implementation of a network of
25 multi-disciplinary human trafficking task forces (MDHTTF)
26 across the State building upon the existing

1 multi-disciplinary human trafficking task forces, and in
2 partnership with the Department of Human Services,
3 victim-centered, trauma-informed human trafficking
4 service providers, children's advocacy centers, local,
5 State, and federal law enforcement partners, MEGs and
6 multi-jurisdictional law enforcement task forces, existing
7 federally funded task forces, and allied organizations.
8 Each MDHTTF shall include at least one representative from
9 each of the following: a local, regional or statewide
10 organization which has received specialized training in
11 victim-centered, trauma-informed response to victims of
12 human trafficking, a local or county law enforcement
13 agency, a prosecutor and a children's advocacy center;

14 (3) convene representatives from Illinois
15 multi-disciplinary human trafficking task forces on a
16 quarterly basis to discuss emerging issues, law
17 enforcement strategies, and changes to protocols needed to
18 hold perpetrators of human trafficking accountable;

19 (4) convene an annual statewide conference for
20 stakeholders and multi-disciplinary human trafficking task
21 forces (MDHTTF) to provide training and discuss strategies
22 to reduce and respond to human trafficking in the State in
23 partnership with the Department of Human Services with the
24 input of victim-centered, trauma-informed human
25 trafficking service providers, and subject to
26 appropriation;

1 (5) create standardized protocols for law enforcement
2 investigations and multi-disciplinary response to
3 referrals from the National Human Trafficking Hotline,
4 other tip-line calls, traffic interdiction of suspected
5 traffickers, and other human trafficking victim referrals
6 in partnership with the Department of Human Services,
7 victim-centered, trauma-informed human trafficking
8 service providers, local, State, and federal law
9 enforcement partners, MEG and task forces, existing
10 federally funded task forces, and allied organizations;

11 (6) work with the Illinois Law Enforcement Training
12 Standards Board, local law enforcement, victim-centered,
13 trauma-informed service providers, and survivor leaders to
14 develop, on or before July 1, 2026, curriculum standards
15 for law enforcement training on human trafficking;

16 (7) on or before July 1, 2026, work with the Illinois
17 Law Enforcement Training Standards Board, in consultation
18 with the Attorney General, law enforcement agencies, human
19 trafficking service providers, and other providers with
20 expertise in recognizing and responding to victims of
21 human trafficking, to develop and make available to each
22 law enforcement agency, comprehensive guidelines for
23 creation of a law enforcement agency policy on
24 victim-centered, trauma-informed detection,
25 investigation, and response to victims of human
26 trafficking; and

1 (8) provide support for local law enforcement
2 encountering victims of human trafficking.

3 (Source: P.A. 104-159, eff. 1-1-26; revised 1-2-26.)

4 Section 160. The Criminal Identification Act is amended by
5 changing Section 5.2 as follows:

6 (20 ILCS 2630/5.2)

7 (Text of Section before amendment by P.A. 104-459)

8 Sec. 5.2. Expungement, sealing, and immediate sealing.

9 (a) General Provisions.

10 (1) Definitions. In this Act, words and phrases have
11 the meanings set forth in this subsection, except when a
12 particular context clearly requires a different meaning.

13 (A) The following terms shall have the meanings
14 ascribed to them in the following Sections of the
15 Unified Code of Corrections:

16 Business Offense, Section 5-1-2.

17 Charge, Section 5-1-3.

18 Court, Section 5-1-6.

19 Defendant, Section 5-1-7.

20 Felony, Section 5-1-9.

21 Imprisonment, Section 5-1-10.

22 Judgment, Section 5-1-12.

23 Misdemeanor, Section 5-1-14.

24 Offense, Section 5-1-15.

1 Parole, Section 5-1-16.

2 Petty Offense, Section 5-1-17.

3 Probation, Section 5-1-18.

4 Sentence, Section 5-1-19.

5 Supervision, Section 5-1-21.

6 Victim, Section 5-1-22.

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

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

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

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

16 (F) As used in this Section, "last sentence" means
17 the sentence, order of supervision, or order of
18 qualified probation (as defined by subsection
19 (a)(1)(J)), for a criminal offense (as defined by
20 subsection (a)(1)(D)) that terminates last in time in
21 any jurisdiction, regardless of whether the petitioner
22 has included the criminal offense for which the
23 sentence or order of supervision or qualified
24 probation was imposed in his or her petition. If
25 multiple sentences, orders of supervision, or orders
26 of qualified probation terminate on the same day and

1 are last in time, they shall be collectively
2 considered the "last sentence" regardless of whether
3 they were ordered to run concurrently.

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

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

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

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

25 (J) "Qualified probation" means an order of
26 probation under Section 10 of the Cannabis Control

1 Act, Section 410 of the Illinois Controlled Substances
2 Act, Section 70 of the Methamphetamine Control and
3 Community Protection Act, Section 5-6-3.3 or 5-6-3.4
4 of the Unified Code of Corrections, Section
5 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as
6 those provisions existed before their deletion by
7 Public Act 89-313), Section 10-102 of the Illinois
8 Alcoholism and Other Drug Dependency Act, Section
9 40-10 of the Substance Use Disorder Act, or Section 10
10 of the Steroid Control Act. For the purpose of this
11 Section, "successful completion" of an order of
12 qualified probation under Section 10-102 of the
13 Illinois Alcoholism and Other Drug Dependency Act and
14 Section 40-10 of the Substance Use Disorder Act means
15 that the probation was terminated satisfactorily and
16 the judgment of conviction was vacated.

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

1 affected.

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

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

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

17 (2.5) Commencing 180 days after July 29, 2016 (the
18 effective date of Public Act 99-697), the law enforcement
19 agency issuing the citation shall automatically expunge,
20 on or before January 1 and July 1 of each year, the law
21 enforcement records of a person found to have committed a
22 civil law violation of subsection (a) of Section 4 of the
23 Cannabis Control Act or subsection (c) of Section 3.5 of
24 the Drug Paraphernalia Control Act in the law enforcement
25 agency's possession or control and which contains the
26 final satisfactory disposition which pertain to the person

1 issued a citation for that offense. The law enforcement
2 agency shall provide by rule the process for access,
3 review, and to confirm the automatic expungement by the
4 law enforcement agency issuing the citation. Commencing
5 180 days after July 29, 2016 (the effective date of Public
6 Act 99-697), the clerk of the circuit court shall expunge,
7 upon order of the court, or in the absence of a court order
8 on or before January 1 and July 1 of each year, the court
9 records of a person found in the circuit court to have
10 committed a civil law violation of subsection (a) of
11 Section 4 of the Cannabis Control Act or subsection (c) of
12 Section 3.5 of the Drug Paraphernalia Control Act in the
13 clerk's possession or control and which contains the final
14 satisfactory disposition which pertain to the person
15 issued a citation for any of those offenses.

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

19 (A) the sealing or expungement of the records of
20 arrests or charges not initiated by arrest that result
21 in an order of supervision for or conviction of: (i)
22 any sexual offense committed against a minor; (ii)
23 Section 11-501 of the Illinois Vehicle Code or a
24 similar provision of a local ordinance; or (iii)
25 Section 11-503 of the Illinois Vehicle Code or a
26 similar provision of a local ordinance, unless the

1 arrest or charge is for a misdemeanor violation of
2 subsection (a) of Section 11-503 or a similar
3 provision of a local ordinance, that occurred prior to
4 the offender reaching the age of 25 years and the
5 offender has no other conviction for violating Section
6 11-501 or 11-503 of the Illinois Vehicle Code or a
7 similar provision of a local ordinance.

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

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

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

23 (ii) Section 11-1.50, 12-3.4, 12-15, 12-30,
24 26-5, or 48-1 of the Criminal Code of 1961 or the
25 Criminal Code of 2012, or a similar provision of a
26 local ordinance;

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

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

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

11 (D) (blank).

12 (b) Expungement.

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

26 (1.5) When a petitioner seeks to have a record of

1 arrest expunged under this Section, and the offender has
2 been convicted of a criminal offense, the State's Attorney
3 may object to the expungement on the grounds that the
4 records contain specific relevant information aside from
5 the mere fact of the arrest.

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

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

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

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

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

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

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

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

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

11 (4) Whenever a person has been arrested for or
12 convicted of any offense, in the name of a person whose
13 identity he or she has stolen or otherwise come into
14 possession of, the aggrieved person from whom the identity
15 was stolen or otherwise obtained without authorization,
16 upon learning of the person having been arrested using his
17 or her identity, may, upon verified petition to the chief
18 judge of the circuit wherein the arrest was made, have a
19 court order entered nunc pro tunc by the Chief Judge to
20 correct the arrest record, conviction record, if any, and
21 all official records of the arresting authority, the
22 Illinois State Police, other criminal justice agencies,
23 the prosecutor, and the trial court concerning such
24 arrest, if any, by removing his or her name from all such
25 records in connection with the arrest and conviction, if
26 any, and by inserting in the records the name of the

1 offender, if known or ascertainable, in lieu of the
2 aggrieved's name. The records of the circuit court clerk
3 shall be sealed until further order of the court upon good
4 cause shown and the name of the aggrieved person
5 obliterated on the official index required to be kept by
6 the circuit court clerk under Section 16 of the Clerks of
7 Courts Act, but the order shall not affect any index
8 issued by the circuit court clerk before the entry of the
9 order. Nothing in this Section shall limit the Illinois
10 State Police or other criminal justice agencies or
11 prosecutors from listing under an offender's name the
12 false names he or she has used.

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

1 with the proceedings of the trial court concerning the
2 offense available for public inspection.

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

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

26 (8) If the petitioner has been granted a certificate

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

7 (c) Sealing.

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

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

16 (A) All arrests resulting in release without
17 charging;

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

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

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

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

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

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

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

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

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

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

15 (E) Records identified as eligible under
16 subsection (c)(2)(C), (c)(2)(D), (c)(2)(E), or
17 (c)(2)(F) may be sealed upon termination of the
18 petitioner's last sentence if the petitioner earned a
19 high school diploma, associate's degree, career
20 certificate, vocational technical certification, or
21 bachelor's degree, or passed the high school level
22 Test of General Educational Development, during the
23 period of his or her sentence or mandatory supervised
24 release. This subparagraph shall apply only to a
25 petitioner who has not completed the same educational
26 goal prior to the period of his or her sentence or

1 mandatory supervised release. If a petition for
2 sealing eligible records filed under this subparagraph
3 is denied by the court, the time periods under
4 subparagraph (B) or (C) shall apply to any subsequent
5 petition for sealing filed by the petitioner.

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

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

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

22 (1) Filing the petition. Upon becoming eligible to
23 petition for the expungement or sealing of records under
24 this Section, the petitioner shall file a petition
25 requesting the expungement or sealing of records with the
26 clerk of the court where the arrests occurred or the

1 charges were brought, or both. If arrests occurred or
2 charges were brought in multiple jurisdictions, a petition
3 must be filed in each such jurisdiction. The petitioner
4 shall pay the applicable fee, except no fee shall be
5 required if the petitioner has obtained a court order
6 waiving fees under Supreme Court Rule 298 or it is
7 otherwise waived.

8 (1.5) County fee waiver pilot program. From August 9,
9 2019 (the effective date of Public Act 101-306) through
10 December 31, 2020, in a county of 3,000,000 or more
11 inhabitants, no fee shall be required to be paid by a
12 petitioner if the records sought to be expunged or sealed
13 were arrests resulting in release without charging or
14 arrests or charges not initiated by arrest resulting in
15 acquittal, dismissal, or conviction when the conviction
16 was reversed or vacated, unless excluded by subsection
17 (a)(3)(B). The provisions of this paragraph (1.5), other
18 than this sentence, are inoperative on and after January
19 1, 2022.

20 (2) Contents of petition. The petition shall be
21 verified and shall contain the petitioner's name, date of
22 birth, current address and, for each arrest or charge not
23 initiated by arrest sought to be sealed or expunged, the
24 case number, the date of arrest (if any), the identity of
25 the arresting authority, and such other information as the
26 court may require. During the pendency of the proceeding,

1 the petitioner shall promptly notify the circuit court
2 clerk of any change of his or her address. If the
3 petitioner has received a certificate of eligibility for
4 sealing from the Prisoner Review Board under paragraph
5 (10) of subsection (a) of Section 3-3-2 of the Unified
6 Code of Corrections, the certificate shall be attached to
7 the petition.

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

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

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

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

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

23 (4) Service of petition. The circuit court clerk shall
24 promptly serve a copy of the petition and documentation to
25 support the petition under subsection (e-5) or (e-6) on
26 the State's Attorney or prosecutor charged with the duty

1 of prosecuting the offense, the Illinois State Police, the
2 arresting agency and the chief legal officer of the unit
3 of local government effecting the arrest.

4 (5) Objections.

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

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

16 (6) Entry of order.

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

24 (B) Unless the State's Attorney or prosecutor, the
25 Illinois State Police, the arresting agency, or the
26 chief legal officer files an objection to the petition

1 to expunge or seal within 60 days from the date of
2 service of the petition, the court shall enter an
3 order granting or denying the petition.

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

21 (D) Notwithstanding any other provision of law,
22 the court shall not deny a petition to expunge or seal
23 under this Section because the petitioner has
24 submitted a drug test taken within 30 days before the
25 filing of the petition to expunge or seal that
26 indicates a positive test for the presence of cannabis

1 within the petitioner's body. In this subparagraph
2 (D), "cannabis" has the meaning ascribed to it in
3 Section 3 of the Cannabis Control Act.

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

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

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

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

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

25 (E) the specific adverse consequences the
26 petitioner may be subject to if the petition is

1 denied.

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

11 (9) Implementation of order.

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

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

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

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

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

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

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

21 (ii) the records of the circuit court clerk
22 shall be impounded until further order of the
23 court upon good cause shown and the name of the
24 petitioner obliterated on the official index
25 required to be kept by the circuit court clerk
26 under Section 16 of the Clerks of Courts Act, but

1 the order shall not affect any index issued by the
2 circuit court clerk before the entry of the order;

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

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

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

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

25 (i) the records shall be expunged (as defined
26 in subsection (a)(1)(E)) by the arresting agency

1 and any other agency as ordered by the court,
2 within 60 days of the date of service of the order,
3 unless a motion to vacate, modify, or reconsider
4 the order is filed under paragraph (12) of
5 subsection (d) of this Section;

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

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

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

1 Corrections upon conviction for any offense; and

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

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

18 (D) The Illinois State Police shall send written
19 notice to the petitioner of its compliance with each
20 order to expunge or seal records within 60 days of the
21 date of service of that order or, if a motion to
22 vacate, modify, or reconsider is filed, within 60 days
23 of service of the order resolving the motion, if that
24 order requires the Illinois State Police to expunge or
25 seal records. In the event of an appeal from the
26 circuit court order, the Illinois State Police shall

1 send written notice to the petitioner of its
2 compliance with an Appellate Court or Supreme Court
3 judgment to expunge or seal records within 60 days of
4 the issuance of the court's mandate. The notice is not
5 required while any motion to vacate, modify, or
6 reconsider, or any appeal or petition for
7 discretionary appellate review, is pending.

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

22 (F) Notwithstanding any other provision of this
23 Section, a circuit court clerk may access a sealed
24 record for the limited purpose of collecting payment
25 for any legal financial obligations that were
26 established, imposed, or originated in the criminal

1 proceedings for which those records have been sealed.

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

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

26 (12) Motion to Vacate, Modify, or Reconsider. Under

1 Section 2-1203 of the Code of Civil Procedure, the
2 petitioner or any party entitled to notice may file a
3 motion to vacate, modify, or reconsider the order granting
4 or denying the petition to expunge or seal within 60 days
5 of service of the order. If filed more than 60 days after
6 service of the order, a petition to vacate, modify, or
7 reconsider shall comply with subsection (c) of Section
8 2-1401 of the Code of Civil Procedure. Upon filing of a
9 motion to vacate, modify, or reconsider, notice of the
10 motion shall be served upon the petitioner and all parties
11 entitled to notice of the petition.

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

21 (14) Compliance with Order Granting Petition to Seal
22 Records. Unless a court has entered a stay of an order
23 granting a petition to seal, all parties entitled to
24 notice of the petition must fully comply with the terms of
25 the order within 60 days of service of the order even if a
26 party is seeking relief from the order through a motion

1 filed under paragraph (12) of this subsection (d) or is
2 appealing the order.

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

13 (16) The changes to this subsection (d) made by Public
14 Act 98-163 apply to all petitions pending on August 5,
15 2013 (the effective date of Public Act 98-163) and to all
16 orders ruling on a petition to expunge or seal on or after
17 August 5, 2013 (the effective date of Public Act 98-163).

18 (e) Whenever a person who has been convicted of an offense
19 is granted a pardon by the Governor which specifically
20 authorizes expungement, he or she may, upon verified petition
21 to the Chief Judge of the circuit where the person had been
22 convicted, any judge of the circuit designated by the Chief
23 Judge, or in counties of less than 3,000,000 inhabitants, the
24 presiding trial judge at the defendant's trial, have a court
25 order entered expunging the record of arrest from the official
26 records of the arresting authority and order that the records

1 of the circuit court clerk and the Illinois State Police be
2 sealed until further order of the court upon good cause shown
3 or as otherwise provided herein, and the name of the defendant
4 obliterated from the official index requested to be kept by
5 the circuit court clerk under Section 16 of the Clerks of
6 Courts Act in connection with the arrest and conviction for
7 the offense for which he or she had been pardoned but the order
8 shall not affect any index issued by the circuit court clerk
9 before the entry of the order. All records sealed by the
10 Illinois State Police may be disseminated by the Illinois
11 State Police only to the arresting authority, the State's
12 Attorney, and the court upon a later arrest for the same or
13 similar offense or for the purpose of sentencing for any
14 subsequent felony. Upon conviction for any subsequent offense,
15 the Department of Corrections shall have access to all sealed
16 records of the Illinois State Police pertaining to that
17 individual. Upon entry of the order of expungement, the
18 circuit court clerk shall promptly mail a copy of the order to
19 the person who was pardoned.

20 (e-5) Whenever a person who has been convicted of an
21 offense is granted a certificate of eligibility for sealing by
22 the Prisoner Review Board which specifically authorizes
23 sealing, he or she may, upon verified petition to the Chief
24 Judge of the circuit where the person had been convicted, any
25 judge of the circuit designated by the Chief Judge, or in
26 counties of less than 3,000,000 inhabitants, the presiding

1 trial judge at the petitioner's trial, have a court order
2 entered sealing the record of arrest from the official records
3 of the arresting authority and order that the records of the
4 circuit court clerk and the Illinois State Police be sealed
5 until further order of the court upon good cause shown or as
6 otherwise provided herein, and the name of the petitioner
7 obliterated from the official index requested to be kept by
8 the circuit court clerk under Section 16 of the Clerks of
9 Courts Act in connection with the arrest and conviction for
10 the offense for which he or she had been granted the
11 certificate but the order shall not affect any index issued by
12 the circuit court clerk before the entry of the order. All
13 records sealed by the Illinois State Police may be
14 disseminated by the Illinois State Police only as required by
15 this Act or to the arresting authority, a law enforcement
16 agency, the State's Attorney, and the court upon a later
17 arrest for the same or similar offense or for the purpose of
18 sentencing for any subsequent felony. Upon conviction for any
19 subsequent offense, the Department of Corrections shall have
20 access to all sealed records of the Illinois State Police
21 pertaining to that individual. Upon entry of the order of
22 sealing, the circuit court clerk shall promptly mail a copy of
23 the order to the person who was granted the certificate of
24 eligibility for sealing.

25 (e-6) Whenever a person who has been convicted of an
26 offense is granted a certificate of eligibility for

1 expungement by the Prisoner Review Board which specifically
2 authorizes expungement, he or she may, upon verified petition
3 to the Chief Judge of the circuit where the person had been
4 convicted, any judge of the circuit designated by the Chief
5 Judge, or in counties of less than 3,000,000 inhabitants, the
6 presiding trial judge at the petitioner's trial, have a court
7 order entered expunging the record of arrest from the official
8 records of the arresting authority and order that the records
9 of the circuit court clerk and the Illinois State Police be
10 sealed until further order of the court upon good cause shown
11 or as otherwise provided herein, and the name of the
12 petitioner obliterated from the official index requested to be
13 kept by the circuit court clerk under Section 16 of the Clerks
14 of Courts Act in connection with the arrest and conviction for
15 the offense for which he or she had been granted the
16 certificate but the order shall not affect any index issued by
17 the circuit court clerk before the entry of the order. All
18 records sealed by the Illinois State Police may be
19 disseminated by the Illinois State Police only as required by
20 this Act or to the arresting authority, a law enforcement
21 agency, the State's Attorney, and the court upon a later
22 arrest for the same or similar offense or for the purpose of
23 sentencing for any subsequent felony. Upon conviction for any
24 subsequent offense, the Department of Corrections shall have
25 access to all expunged records of the Illinois State Police
26 pertaining to that individual. Upon entry of the order of

1 expungement, the circuit court clerk shall promptly mail a
2 copy of the order to the person who was granted the certificate
3 of eligibility for expungement.

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

16 (g) Immediate Sealing.

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

22 (2) Eligible Records. Arrests or charges not initiated
23 by arrest resulting in acquittal or dismissal with
24 prejudice, except as excluded by subsection (a)(3)(B),
25 that occur on or after January 1, 2018 (the effective date
26 of Public Act 100-282), may be sealed immediately if the

1 petition is filed with the circuit court clerk on the same
2 day and during the same hearing in which the case is
3 disposed.

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

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

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

17 (A) Filing the Petition. Upon entry of the final
18 disposition of the case, the defendant's attorney may
19 immediately petition the court, on behalf of the
20 defendant, for immediate sealing of eligible records
21 under paragraph (2) of this subsection (g) that are
22 entered on or after January 1, 2018 (the effective
23 date of Public Act 100-282). The immediate sealing
24 petition may be filed with the circuit court clerk
25 during the hearing in which the final disposition of
26 the case is entered. If the defendant's attorney does

1 not file the petition for immediate sealing during the
2 hearing, the defendant may file a petition for sealing
3 at any time as authorized under subsection (c) (3) (A).

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

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

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

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

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

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

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

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

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

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

25 (L) Effect of Order. An order granting an
26 immediate sealing petition shall not be considered

1 void because it fails to comply with the provisions of
2 this Section or because of an error asserted in a
3 motion to vacate, modify, or reconsider. The circuit
4 court retains jurisdiction to determine whether the
5 order is voidable, and to vacate, modify, or
6 reconsider its terms based on a motion filed under
7 subparagraph (L) of this subsection (g).

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

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

16 (1) A trafficking victim, as defined by paragraph (10)
17 of subsection (a) of Section 10-9 of the Criminal Code of
18 2012, may petition for vacation and expungement or
19 immediate sealing of his or her criminal record upon the
20 completion of his or her last sentence if his or her
21 participation in the underlying offense was a result of
22 human trafficking under Section 10-9 of the Criminal Code
23 of 2012 or a severe form of trafficking under the federal
24 Trafficking Victims Protection Act.

25 (1.5) A petition under paragraph (1) shall be
26 prepared, signed, and filed in accordance with Supreme

1 Court Rule 9. The court may allow the petitioner to attend
2 any required hearing remotely in accordance with local
3 rules. The court may allow a petition to be filed under
4 seal if the public filing of the petition would constitute
5 a risk of harm to the petitioner.

6 (2) A petitioner under this subsection (h), in
7 addition to the requirements provided under paragraph (4)
8 of subsection (d) of this Section, shall include in his or
9 her petition a clear and concise statement that: (A) he or
10 she was a victim of human trafficking at the time of the
11 offense; and (B) that his or her participation in the
12 offense was a result of human trafficking under Section
13 10-9 of the Criminal Code of 2012 or a severe form of
14 trafficking under the federal Trafficking Victims
15 Protection Act.

16 (3) If an objection is filed alleging that the
17 petitioner is not entitled to vacation and expungement or
18 immediate sealing under this subsection (h), the court
19 shall conduct a hearing under paragraph (7) of subsection
20 (d) of this Section and the court shall determine whether
21 the petitioner is entitled to vacation and expungement or
22 immediate sealing under this subsection (h). A petitioner
23 is eligible for vacation and expungement or immediate
24 relief under this subsection (h) if he or she shows, by a
25 preponderance of the evidence, that: (A) he or she was a
26 victim of human trafficking at the time of the offense;

1 and (B) that his or her participation in the offense was a
2 result of human trafficking under Section 10-9 of the
3 Criminal Code of 2012 or a severe form of trafficking
4 under the federal Trafficking Victims Protection Act.

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

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

9 (A) The Illinois State Police and all law
10 enforcement agencies within the State shall
11 automatically expunge all criminal history records of
12 an arrest, charge not initiated by arrest, order of
13 supervision, or order of qualified probation for a
14 Minor Cannabis Offense committed prior to June 25,
15 2019 (the effective date of Public Act 101-27) if:

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

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

24 (B) If the law enforcement agency is unable to
25 verify satisfaction of condition (ii) in paragraph
26 (A), records that satisfy condition (i) in paragraph

1 (A) shall be automatically expunged.

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

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

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

11 (iii) Records created prior to January 1, 2000
12 shall be automatically expunged prior to January
13 1, 2025.

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

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

1 (2) Pardons Authorizing Expungement of Minor Cannabis
2 Offenses.

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

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

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

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

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

23 (i) The Prisoner Review Board shall notify the
24 State's Attorney of the county of conviction of
25 each record identified by State Police in
26 paragraph (2) (A) that is classified as a Class 4

1 felony. The State's Attorney may provide a written
2 objection to the Prisoner Review Board on the sole
3 basis that the record identified does not meet the
4 criteria established in paragraph (2) (A). Such an
5 objection must be filed within 60 days or by such
6 later date set by the Prisoner Review Board in the
7 notice after the State's Attorney received notice
8 from the Prisoner Review Board.

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

14 (iii) The Prisoner Review Board shall make a
15 confidential and privileged recommendation to the
16 Governor as to whether to grant a pardon
17 authorizing expungement for each of the records
18 identified by the Department of State Police as
19 described in paragraph (2) (A).

20 (C) If an individual has been granted a pardon
21 authorizing expungement as described in this Section,
22 the Prisoner Review Board, through the Attorney
23 General, shall file a petition for expungement with
24 the Chief Judge of the circuit or any judge of the
25 circuit designated by the Chief Judge where the
26 individual had been convicted. Such petition may

1 include more than one individual. Whenever an
2 individual who has been convicted of an offense is
3 granted a pardon by the Governor that specifically
4 authorizes expungement, an objection to the petition
5 may not be filed. Petitions to expunge under this
6 subsection (i) may include more than one individual.
7 Within 90 days of the filing of such a petition, the
8 court shall enter an order expunging the records of
9 arrest from the official records of the arresting
10 authority and order that the records of the circuit
11 court clerk and the Illinois State Police be expunged
12 and the name of the defendant obliterated from the
13 official index requested to be kept by the circuit
14 court clerk under Section 16 of the Clerks of Courts
15 Act in connection with the arrest and conviction for
16 the offense for which the individual had received a
17 pardon but the order shall not affect any index issued
18 by the circuit court clerk before the entry of the
19 order. Upon entry of the order of expungement, the
20 circuit court clerk shall promptly provide a copy of
21 the order and a certificate of disposition to the
22 individual who was pardoned to the individual's last
23 known address or by electronic means (if available) or
24 otherwise make it available to the individual upon
25 request.

26 (D) Nothing in this Section is intended to

1 diminish or abrogate any rights or remedies otherwise
2 available to the individual.

3 (3) Any individual may file a motion to vacate and
4 expunge a conviction for a misdemeanor or Class 4 felony
5 violation of Section 4 or Section 5 of the Cannabis
6 Control Act. Motions to vacate and expunge under this
7 subsection (i) may be filed with the circuit court, Chief
8 Judge of a judicial circuit or any judge of the circuit
9 designated by the Chief Judge. The circuit court clerk
10 shall promptly serve a copy of the motion to vacate and
11 expunge, and any supporting documentation, on the State's
12 Attorney or prosecutor charged with the duty of
13 prosecuting the offense. When considering such a motion to
14 vacate and expunge, a court shall consider the following:
15 the reasons to retain the records provided by law
16 enforcement, the petitioner's age, the petitioner's age at
17 the time of offense, the time since the conviction, and
18 the specific adverse consequences if denied. An individual
19 may file such a petition after the completion of any
20 non-financial sentence or non-financial condition imposed
21 by the conviction. Within 60 days of the filing of such
22 motion, a State's Attorney may file an objection to such a
23 petition along with supporting evidence. If a motion to
24 vacate and expunge is granted, the records shall be
25 expunged in accordance with subparagraphs (d)(8) and
26 (d)(9)(A) of this Section. An agency providing civil legal

1 aid, as defined by Section 15 of the Public Interest
2 Attorney Assistance Act, assisting individuals seeking to
3 file a motion to vacate and expunge under this subsection
4 may file motions to vacate and expunge with the Chief
5 Judge of a judicial circuit or any judge of the circuit
6 designated by the Chief Judge, and the motion may include
7 more than one individual. Motions filed by an agency
8 providing civil legal aid concerning more than one
9 individual may be prepared, presented, and signed
10 electronically.

11 (4) Any State's Attorney may file a motion to vacate
12 and expunge a conviction for a misdemeanor or Class 4
13 felony violation of Section 4 or Section 5 of the Cannabis
14 Control Act. Motions to vacate and expunge under this
15 subsection (i) may be filed with the circuit court, Chief
16 Judge of a judicial circuit or any judge of the circuit
17 designated by the Chief Judge, and may include more than
18 one individual. Motions filed by a State's Attorney
19 concerning more than one individual may be prepared,
20 presented, and signed electronically. When considering
21 such a motion to vacate and expunge, a court shall
22 consider the following: the reasons to retain the records
23 provided by law enforcement, the individual's age, the
24 individual's age at the time of offense, the time since
25 the conviction, and the specific adverse consequences if
26 denied. Upon entry of an order granting a motion to vacate

1 and expunge records pursuant to this Section, the State's
2 Attorney shall notify the Prisoner Review Board within 30
3 days. Upon entry of the order of expungement, the circuit
4 court clerk shall promptly provide a copy of the order and
5 a certificate of disposition to the individual whose
6 records will be expunged to the individual's last known
7 address or by electronic means (if available) or otherwise
8 make available to the individual upon request. If a motion
9 to vacate and expunge is granted, the records shall be
10 expunged in accordance with subparagraphs (d)(8) and
11 (d)(9)(A) of this Section.

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

16 (6) If a person is arrested for a Minor Cannabis
17 Offense as defined in this Section before June 25, 2019
18 (the effective date of Public Act 101-27) and the person's
19 case is still pending but a sentence has not been imposed,
20 the person may petition the court in which the charges are
21 pending for an order to summarily dismiss those charges
22 against him or her, and expunge all official records of
23 his or her arrest, plea, trial, conviction, incarceration,
24 supervision, or expungement. If the court determines, upon
25 review, that: (A) the person was arrested before June 25,
26 2019 (the effective date of Public Act 101-27) for an

1 offense that has been made eligible for expungement; (B)
2 the case is pending at the time; and (C) the person has not
3 been sentenced of the minor cannabis violation eligible
4 for expungement under this subsection, the court shall
5 consider the following: the reasons to retain the records
6 provided by law enforcement, the petitioner's age, the
7 petitioner's age at the time of offense, the time since
8 the conviction, and the specific adverse consequences if
9 denied. If a motion to dismiss and expunge is granted, the
10 records shall be expunged in accordance with subparagraph
11 (d) (9) (A) of this Section.

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

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

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

25 (10) Effect of Expungement. A person's right to
26 expunge an expungeable offense shall not be limited under

1 this Section. The effect of an order of expungement shall
2 be to restore the person to the status he or she occupied
3 before the arrest, charge, or conviction.

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

7 (j) Felony Prostitution Convictions.

8 (1) Automatic Sealing of Felony Prostitution Arrests.

9 (A) The Illinois State Police and local law
10 enforcement agencies within the State shall
11 automatically seal the law enforcement records
12 relating to a person's Class 4 felony arrests and
13 charges not initiated by arrest for prostitution if
14 that arrest or charge not initiated by arrest is
15 eligible for sealing under paragraph (2) of subsection
16 (c).

17 (B) In the absence of a court order or upon the
18 order of a court, the clerk of the circuit court shall
19 automatically seal the court records and case files
20 relating to a person's Class 4 felony arrests and
21 charges not initiated by arrest for prostitution if
22 that arrest or charge not initiated by arrest is
23 eligible for sealing under paragraph (2) of subsection
24 (c).

25 (C) The automatic sealing described in this
26 paragraph (1) shall be completed no later than January

1 1, 2028.

2 (2) Automatic Sealing of Felony Prostitution
3 Convictions.

4 (A) The Illinois State Police and local law
5 enforcement agencies within the State shall
6 automatically seal the law enforcement records
7 relating to a person's Class 4 felony conviction for
8 prostitution if those records are eligible for sealing
9 under paragraph (2) of subsection (c).

10 (B) In the absence of a court order or upon the
11 order of a court, the clerk of the circuit court shall
12 automatically seal the court records relating to a
13 person's Class 4 felony conviction for prostitution if
14 those records are eligible for sealing under paragraph
15 (2) of subsection (c).

16 (C) The automatic sealing of records described in
17 this paragraph (2) shall be completed no later than
18 January 1, 2028.

19 (3) Motions to Vacate and Expunge Felony Prostitution
20 Convictions. Any individual may file a motion to vacate
21 and expunge a conviction for a prior Class 4 felony
22 violation of prostitution. Motions to vacate and expunge
23 under this subsection (j) may be filed with the circuit
24 court, Chief Judge of a judicial circuit, or any judge of
25 the circuit designated by the Chief Judge. When
26 considering the motion to vacate and expunge, a court

1 shall consider the following:

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

4 (B) the petitioner's age;

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

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

24 (4) Any State's Attorney may file a motion to vacate
25 and expunge a conviction for a Class 4 felony violation of
26 prostitution. Motions to vacate and expunge under this

1 subsection (j) may be filed with the circuit court, Chief
2 Judge of a judicial circuit, or any judge of the circuit
3 court designated by the Chief Judge, and may include more
4 than one individual. When considering the motion to vacate
5 and expunge, a court shall consider the following reasons:

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

8 (B) the petitioner's age;

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

10 (D) the time since the conviction; and

11 (E) the specific adverse consequences if denied.

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

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

23 (6) The Illinois State Police shall allow a person to
24 ~~a~~ use the access and review process, established in the
25 Illinois State Police, for verifying that his or her
26 records relating to felony prostitution eligible under

1 this Section have been expunged.

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

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

10 (9) Information. The Illinois State Police shall post
11 general information on its website about the expungement
12 or sealing process described in this subsection (j).

13 (Source: P.A. 103-35, eff. 1-1-24; 103-154, eff. 6-30-23;
14 103-609, eff. 7-1-24; 103-755, eff. 8-2-24; 103-1071, eff.
15 7-1-25; 104-417, eff. 8-15-25; revised 1-20-26.)

16 (Text of Section after amendment by P.A. 104-459)

17 Sec. 5.2. Expungement, sealing, and immediate sealing.

18 (a) General Provisions.

19 (1) Definitions. In this Act, words and phrases have
20 the meanings set forth in this subsection, except when a
21 particular context clearly requires a different meaning.

22 (A) The following terms shall have the meanings
23 ascribed to them in the following Sections of the
24 Unified Code of Corrections:

25 Business Offense, Section 5-1-2.

1 Charge, Section 5-1-3.
2 Court, Section 5-1-6.
3 Defendant, Section 5-1-7.
4 Felony, Section 5-1-9.
5 Imprisonment, Section 5-1-10.
6 Judgment, Section 5-1-12.
7 Misdemeanor, Section 5-1-14.
8 Offense, Section 5-1-15.
9 Parole, Section 5-1-16.
10 Petty Offense, Section 5-1-17.
11 Probation, Section 5-1-18.
12 Sentence, Section 5-1-19.
13 Supervision, Section 5-1-21.
14 Victim, Section 5-1-22.

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

20 (C) "Conviction" means a judgment of conviction or
21 sentence entered upon a plea of guilty or upon a
22 verdict or finding of guilty of an offense, rendered
23 by a legally constituted jury or by a court of
24 competent jurisdiction authorized to try the case
25 without a jury. An order of supervision successfully
26 completed by the petitioner is not a conviction. An

1 order of qualified probation (as defined in subsection
2 (a) (1) (J)) successfully completed by the petitioner is
3 not a conviction. An order of supervision or an order
4 of qualified probation that is terminated
5 unsatisfactorily is a conviction, unless the
6 unsatisfactory termination is reversed, vacated, or
7 modified and the judgment of conviction, if any, is
8 reversed or vacated.

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

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

24 (F) As used in this Section, "last sentence" means
25 the sentence, order of supervision, or order of
26 qualified probation (as defined by subsection

1 (a)(1)(J)), for a criminal offense (as defined by
2 subsection (a)(1)(D)) that terminates last in time in
3 any jurisdiction, regardless of whether the petitioner
4 has included the criminal offense for which the
5 sentence or order of supervision or qualified
6 probation was imposed in his or her petition. If
7 multiple sentences, orders of supervision, or orders
8 of qualified probation terminate on the same day and
9 are last in time, they shall be collectively
10 considered the "last sentence" regardless of whether
11 they were ordered to run concurrently.

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

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

25 (H) "Municipal ordinance violation" means an
26 offense defined by a municipal or local ordinance that

1 is criminal in nature and with which the petitioner
2 was charged or for which the petitioner was arrested
3 and released without charging.

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

7 (J) "Qualified probation" means an order of
8 probation under Section 10 of the Cannabis Control
9 Act, Section 410 of the Illinois Controlled Substances
10 Act, Section 70 of the Methamphetamine Control and
11 Community Protection Act, Section 5-6-3.3 or 5-6-3.4
12 of the Unified Code of Corrections, Section
13 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as
14 those provisions existed before their deletion by
15 Public Act 89-313), Section 10-102 of the Illinois
16 Alcoholism and Other Drug Dependency Act, Section
17 40-10 of the Substance Use Disorder Act, or Section 10
18 of the Steroid Control Act. For the purpose of this
19 Section, "successful completion" of an order of
20 qualified probation under Section 10-102 of the
21 Illinois Alcoholism and Other Drug Dependency Act and
22 Section 40-10 of the Substance Use Disorder Act means
23 that the probation was terminated satisfactorily and
24 the judgment of conviction was vacated.

25 (K) (i) Except as provided in subdivision (ii),
26 "seal" means to physically and electronically maintain

1 the records, unless the records would otherwise be
2 destroyed due to age, but to make the records
3 unavailable without a court order, subject to the
4 exceptions in Sections 12 and 13 of this Act. The
5 petitioner's name shall also be obliterated from the
6 official index required to be kept by the circuit
7 court clerk under Section 16 of the Clerks of Courts
8 Act, but any index issued by the circuit court clerk
9 before the entry of the order to seal shall not be
10 affected.

11 (ii) For records subject to relief under
12 subsection (k) of this Section, "seal" means to
13 physically and electronically maintain the records,
14 unless the records would otherwise be destroyed due to
15 age, but to have the records impounded, as defined in
16 paragraph (2) of subsection (b) of Section 5 of the
17 Court Record and Document Accessibility Act. The
18 defendant's name shall also be obliterated from the
19 official index required to be kept by the circuit
20 court clerk under Section 16 of the Clerks of Courts
21 Act. Upon request, and without court order, the
22 circuit court clerk shall provide to the Illinois
23 State Police the disposition information for any
24 record that was ordered to be sealed or impounded
25 pursuant to this Section.

26 (L) "Sexual offense committed against a minor"

1 includes, but is not limited to, the offenses of
2 indecent solicitation of a child or criminal sexual
3 abuse when the victim of such offense is under 18 years
4 of age.

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

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

15 (2.5) Commencing 180 days after July 29, 2016 (the
16 effective date of Public Act 99-697), the law enforcement
17 agency issuing the citation shall automatically expunge,
18 on or before January 1 and July 1 of each year, the law
19 enforcement records of a person found to have committed a
20 civil law violation of subsection (a) of Section 4 of the
21 Cannabis Control Act or subsection (c) of Section 3.5 of
22 the Drug Paraphernalia Control Act in the law enforcement
23 agency's possession or control and which contains the
24 final satisfactory disposition which pertain to the person
25 issued a citation for that offense. The law enforcement
26 agency shall provide by rule the process for access,

1 review, and to confirm the automatic expungement by the
2 law enforcement agency issuing the citation. Commencing
3 180 days after July 29, 2016 (the effective date of Public
4 Act 99-697), the clerk of the circuit court shall expunge,
5 upon order of the court, or in the absence of a court order
6 on or before January 1 and July 1 of each year, the court
7 records of a person found in the circuit court to have
8 committed a civil law violation of subsection (a) of
9 Section 4 of the Cannabis Control Act or subsection (c) of
10 Section 3.5 of the Drug Paraphernalia Control Act in the
11 clerk's possession or control and which contains the final
12 satisfactory disposition which pertain to the person
13 issued a citation for any of those offenses.

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

17 (A) the sealing or expungement of the records of
18 arrests or charges not initiated by arrest that result
19 in an order of supervision for or conviction of: (i)
20 any sexual offense committed against a minor; (ii)
21 Section 11-501 of the Illinois Vehicle Code or a
22 similar provision of a local ordinance; or (iii)
23 Section 11-503 of the Illinois Vehicle Code or a
24 similar provision of a local ordinance, unless the
25 arrest or charge is for a misdemeanor violation of
26 subsection (a) of Section 11-503 or a similar

1 provision of a local ordinance, that occurred prior to
2 the offender reaching the age of 25 years and the
3 offender has no other conviction for violating Section
4 11-501 or 11-503 of the Illinois Vehicle Code or a
5 similar provision of a local ordinance.

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

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

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

21 (ii) Section 11-1.50, 12-3.4, 12-15, 12-30,
22 26-5, or 48-1 of the Criminal Code of 1961 or the
23 Criminal Code of 2012, or a similar provision of a
24 local ordinance;

25 (iii) Section 12-3.1 or 12-3.2 of the Criminal
26 Code of 1961 or the Criminal Code of 2012, or

1 Section 125 of the Stalking No Contact Order Act,
2 or Section 219 of the Civil No Contact Order Act,
3 or a similar provision of a local ordinance;

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

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

9 (D) (blank).

10 (b) Expungement.

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

24 (1.5) When a petitioner seeks to have a record of
25 arrest expunged under this Section, and the petitioner has
26 been convicted of a criminal offense, the State's Attorney

1 may object to the expungement on the grounds that the
2 records contain specific relevant information aside from
3 the mere fact of the arrest.

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

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

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

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

25 (i) Those arrests or charges that resulted in
26 orders of supervision under Section 3-707, 3-708,

1 3-710, or 5-401.3 of the Illinois Vehicle Code or
2 a similar provision of a local ordinance, or under
3 Section 11-1.50, 12-3.2, or 12-15 of the Criminal
4 Code of 1961 or the Criminal Code of 2012, or a
5 similar provision of a local ordinance, shall not
6 be eligible for expungement until 5 years have
7 passed following the satisfactory termination of
8 the supervision.

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

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

25 (C) When the arrest or charge not initiated by
26 arrest sought to be expunged resulted in an order of

1 qualified probation, successfully completed by the
2 petitioner, such records shall not be eligible for
3 expungement until 5 years have passed following the
4 satisfactory termination of the probation.

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

9 (4) Whenever a person has been arrested for or
10 convicted of any offense, in the name of a person whose
11 identity he or she has stolen or otherwise come into
12 possession of, the aggrieved person from whom the identity
13 was stolen or otherwise obtained without authorization,
14 upon learning of the person having been arrested using his
15 or her identity, may, upon verified petition to the chief
16 judge of the circuit wherein the arrest was made, have a
17 court order entered nunc pro tunc by the Chief Judge to
18 correct the arrest record, conviction record, if any, and
19 all official records of the arresting authority, the
20 Illinois State Police, other criminal justice agencies,
21 the prosecutor, and the trial court concerning such
22 arrest, if any, by removing his or her name from all such
23 records in connection with the arrest and conviction, if
24 any, and by inserting in the records the name of the
25 petitioner, if known or ascertainable, in lieu of the
26 aggrieved's name. The records of the circuit court clerk

1 shall be sealed until further order of the court upon good
2 cause shown and the name of the aggrieved person
3 obliterated on the official index required to be kept by
4 the circuit court clerk under Section 16 of the Clerks of
5 Courts Act, but the order shall not affect any index
6 issued by the circuit court clerk before the entry of the
7 order. Nothing in this Section shall limit the Illinois
8 State Police or other criminal justice agencies or
9 prosecutors from listing under a petitioner's name the
10 false names he or she has used.

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

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

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

24 (8) If the petitioner has been granted a certificate
25 of innocence under Section 2-702 of the Code of Civil
26 Procedure, the court that grants the certificate of

1 innocence shall also enter an order expunging the
2 conviction for which the petitioner has been determined to
3 be innocent as provided in subsection (h) of Section 2-702
4 of the Code of Civil Procedure.

5 (c) Sealing.

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

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

14 (A) All arrests resulting in release without
15 charging;

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

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

25 (C-5) Arrests or charges not initiated by arrest
26 resulting in orders of qualified probation;

1 (D) Arrests or charges not initiated by arrest
2 resulting in convictions with sentences of conditional
3 discharge or probation, completed without revocation
4 by the petitioner, unless otherwise excluded by
5 subsection (a) (3);

6 (E) Arrests or charges not initiated by arrest
7 resulting in misdemeanor convictions not included in
8 subsection (c) (2) (D), including convictions on
9 municipal ordinance violations, unless excluded by
10 subsection (a) (3); and

11 (F) Arrests or charges not initiated by arrest
12 resulting in felony convictions not included in
13 subsection (c) (2) (D) unless otherwise excluded by
14 subsection (a) (3).

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

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

21 (B) Records identified as eligible under
22 subsection (c) (2) (C), (c) (2) (C-5), (c) (2) (D), or
23 (c) (2) (E) may be sealed 2 years after the termination
24 of petitioner's last sentence (as defined in
25 subsection (a) (1) (F)).

26 (C) Except as otherwise provided in subparagraphs

1 (B) and (E) of this paragraph (3), records identified
2 as eligible under subsection (c)(2)(F) may be sealed 3
3 years after the termination of the petitioner's last
4 sentence (as defined in subsection (a)(1)(F)).
5 Convictions requiring public registration under the
6 Arsonist Registry Act, the Sex Offender Registration
7 Act, or the Murderer and Violent Offender Against
8 Youth Registration Act may not be sealed until the
9 petitioner is no longer required to register under
10 that relevant Act.

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

14 (E) Records identified as eligible under
15 subsection (c)(2)(F) may be sealed upon termination of
16 the petitioner's last sentence if the petitioner
17 earned a high school diploma, associate's degree,
18 career certificate, vocational technical
19 certification, or bachelor's degree, or passed the
20 high school level Test of General Educational
21 Development, during the period of his or her sentence
22 or mandatory supervised release. This subparagraph
23 shall apply only to a petitioner who has not completed
24 the same educational goal prior to the period of his or
25 her sentence or mandatory supervised release. If a
26 petition for sealing eligible records filed under this

1 subparagraph is denied by the court, the time periods
2 under subparagraph (C) shall apply to any subsequent
3 petition for sealing filed by the petitioner.

4 (4) (Blank).

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

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

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

25 (1.5) County fee waiver pilot program. From August 9,
26 2019 (the effective date of Public Act 101-306) through

1 December 31, 2020, in a county of 3,000,000 or more
2 inhabitants, no fee shall be required to be paid by a
3 petitioner if the records sought to be expunged or sealed
4 were arrests resulting in release without charging or
5 arrests or charges not initiated by arrest resulting in
6 acquittal, dismissal, or conviction when the conviction
7 was reversed or vacated, unless excluded by subsection
8 (a)(3)(B). The provisions of this paragraph (1.5), other
9 than this sentence, are inoperative on and after January
10 1, 2022.

11 (2) Contents of petition. The petition shall be
12 verified and shall contain the petitioner's name, date of
13 birth, current address and, for each arrest or charge not
14 initiated by arrest sought to be sealed or expunged, the
15 case number, the date of arrest (if any), the identity of
16 the arresting authority, and such other information as the
17 court may require. During the pendency of the proceeding,
18 the petitioner shall promptly notify the circuit court
19 clerk of any change of his or her address. If the
20 petitioner has received a certificate of eligibility for
21 sealing from the Prisoner Review Board under paragraph
22 (10) of subsection (a) of Section 3-3-2 of the Unified
23 Code of Corrections, the certificate shall be attached to
24 the petition.

25 (3) (Blank).

26 (4) Service of petition. The circuit court clerk shall

1 promptly serve a copy of the petition and documentation to
2 support the petition under subsection (e-5) or (e-6) on
3 the State's Attorney or prosecutor charged with the duty
4 of prosecuting the offense, the Illinois State Police, the
5 arresting agency, and, for municipal ordinance violations,
6 the chief legal officer of the unit of local government
7 effecting the arrest.

8 (5) Objections.

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

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

20 (6) Entry of order.

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

1 subsection (d) (6) .

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

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

25 (D) (Blank) .

26 (7) Hearings. If an objection is filed, the court

1 shall set a date for a hearing and notify the petitioner
2 and all parties entitled to notice of the petition of the
3 hearing date at least 30 days prior to the hearing. Prior
4 to the hearing, the State's Attorney shall consult with
5 the Illinois State Police as to the appropriateness of the
6 relief sought in the petition to expunge or seal. At the
7 hearing, the court shall hear evidence on whether the
8 petition should or should not be granted, and shall grant
9 or deny the petition to expunge or seal the records based
10 on the evidence presented at the hearing. The court may
11 consider the following:

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

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

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

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

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

24 (8) Service of order. After entering an order to
25 expunge or seal records, the court must provide copies of
26 the order to the Illinois State Police, in a form and

1 manner prescribed by the Illinois State Police, to the
2 petitioner, to the State's Attorney or prosecutor charged
3 with the duty of prosecuting the offense, to the arresting
4 agency, to the chief legal officer of the unit of local
5 government effecting the arrest for municipal ordinance
6 violations, and to such other criminal justice agencies as
7 may be ordered by the court. The disposition information
8 for each case or record ordered expunged, sealed, or
9 impounded shall be attached to the order provided to the
10 Illinois State Police.

11 (9) Implementation of order.

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

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

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

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

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

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

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

21 (ii) the records of the circuit court clerk
22 shall be impounded until further order of the
23 court upon good cause shown and the name of the
24 petitioner obliterated on the official index
25 required to be kept by the circuit court clerk
26 under Section 16 of the Clerks of Courts Act, but

1 the order shall not affect any index issued by the
2 circuit court clerk before the entry of the order;

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

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

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

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

25 (i) the records shall be expunged (as defined
26 in subsection (a)(1)(E)) by the arresting agency

1 and any other agency as ordered by the court,
2 within 60 days of the date of service of the order,
3 unless a motion to vacate, modify, or reconsider
4 the order is filed under paragraph (12) of
5 subsection (d) of this Section;

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

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

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

1 Corrections upon conviction for any offense; and

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

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

18 (D) The Illinois State Police shall send written
19 notice to the petitioner of its compliance with each
20 order to expunge or seal records within 60 days of the
21 date of service of that order or, if a motion to
22 vacate, modify, or reconsider is filed, within 60 days
23 of service of the order resolving the motion, if that
24 order requires the Illinois State Police to expunge or
25 seal records. In the event of an appeal from the
26 circuit court order, the Illinois State Police shall

1 send written notice to the petitioner of its
2 compliance with an Appellate Court or Supreme Court
3 judgment to expunge or seal records within 60 days of
4 the issuance of the court's mandate. The notice is not
5 required while any motion to vacate, modify, or
6 reconsider, or any appeal or petition for
7 discretionary appellate review, is pending.

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

22 (F) Notwithstanding any other provision of this
23 Section, a circuit court clerk may access a sealed
24 record for the limited purpose of collecting payment
25 for any legal financial obligations that were
26 established, imposed, or originated in the criminal

1 proceedings for which those records have been sealed.

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

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

26 (12) Motion to Vacate, Modify, or Reconsider. Under

1 Section 2-1203 of the Code of Civil Procedure, the
2 petitioner or any party entitled to notice may file a
3 motion to vacate, modify, or reconsider the order granting
4 or denying the petition to expunge or seal within 60 days
5 of service of the order. If filed more than 60 days after
6 service of the order, a petition to vacate, modify, or
7 reconsider shall comply with subsection (c) of Section
8 2-1401 of the Code of Civil Procedure. Upon filing of a
9 motion to vacate, modify, or reconsider, notice of the
10 motion shall be served upon the petitioner and all parties
11 entitled to notice of the petition.

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

21 (14) Compliance with Order Granting Petition to Seal
22 Records. Unless a court has entered a stay of an order
23 granting a petition to seal, all parties entitled to
24 notice of the petition must fully comply with the terms of
25 the order within 60 days of service of the order even if a
26 party is seeking relief from the order through a motion

1 filed under paragraph (12) of this subsection (d) or is
2 appealing the order.

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

13 (16) The changes to this subsection (d) made by Public
14 Act 98-163 apply to all petitions pending on August 5,
15 2013 (the effective date of Public Act 98-163) and to all
16 orders ruling on a petition to expunge or seal on or after
17 August 5, 2013 (the effective date of Public Act 98-163).

18 (17) Upon request, and without court order, the
19 circuit court clerk shall provide the disposition
20 information for any record that was ordered to be sealed
21 or impounded pursuant to this Section to the Illinois
22 State Police.

23 (e) Whenever a person who has been convicted of an offense
24 is granted a pardon by the Governor which specifically
25 authorizes expungement, he or she may, upon verified petition
26 to the Chief Judge of the circuit where the person had been

1 convicted, any judge of the circuit designated by the Chief
2 Judge, or in counties of less than 3,000,000 inhabitants, the
3 presiding trial judge at the defendant's trial, have a court
4 order entered expunging the record of arrest from the official
5 records of the arresting authority and order that the records
6 of the circuit court clerk and the Illinois State Police be
7 sealed until further order of the court upon good cause shown
8 or as otherwise provided herein, and the name of the defendant
9 obliterated from the official index requested to be kept by
10 the circuit court clerk under Section 16 of the Clerks of
11 Courts Act in connection with the arrest and conviction for
12 the offense for which he or she had been pardoned but the order
13 shall not affect any index issued by the circuit court clerk
14 before the entry of the order. All records sealed by the
15 Illinois State Police may be disseminated by the Illinois
16 State Police only to the arresting authority, the State's
17 Attorney, and the court upon a later arrest for the same or
18 similar offense or for the purpose of sentencing for any
19 subsequent felony. Upon conviction for any subsequent offense,
20 the Department of Corrections shall have access to all sealed
21 records of the Illinois State Police pertaining to that
22 individual. Upon entry of the order of expungement, the
23 circuit court clerk shall promptly mail a copy of the order to
24 the person who was pardoned.

25 (e-5) Whenever a person who has been convicted of an
26 offense is granted a certificate of eligibility for sealing by

1 the Prisoner Review Board which specifically authorizes
2 sealing, he or she may, upon verified petition to the Chief
3 Judge of the circuit where the person had been convicted, any
4 judge of the circuit designated by the Chief Judge, or in
5 counties of less than 3,000,000 inhabitants, the presiding
6 trial judge at the petitioner's trial, have a court order
7 entered sealing the record of arrest from the official records
8 of the arresting authority and order that the records of the
9 circuit court clerk and the Illinois State Police be sealed
10 until further order of the court upon good cause shown or as
11 otherwise provided herein, and the name of the petitioner
12 obliterated from the official index requested to be kept by
13 the circuit court clerk under Section 16 of the Clerks of
14 Courts Act in connection with the arrest and conviction for
15 the offense for which he or she had been granted the
16 certificate but the order shall not affect any index issued by
17 the circuit court clerk before the entry of the order. All
18 records sealed by the Illinois State Police may be
19 disseminated by the Illinois State Police only as required by
20 this Act or to the arresting authority, a law enforcement
21 agency, the State's Attorney, and the court upon a later
22 arrest for the same or similar offense or for the purpose of
23 sentencing for any subsequent felony. Upon conviction for any
24 subsequent offense, the Department of Corrections shall have
25 access to all sealed records of the Illinois State Police
26 pertaining to that individual. Upon entry of the order of

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

4 (e-6) Whenever a person who has been convicted of an
5 offense is granted a certificate of eligibility for
6 expungement by the Prisoner Review Board which specifically
7 authorizes expungement, he or she may, upon verified petition
8 to the Chief Judge of the circuit where the person had been
9 convicted, any judge of the circuit designated by the Chief
10 Judge, or in counties of less than 3,000,000 inhabitants, the
11 presiding trial judge at the petitioner's trial, have a court
12 order entered expunging the record of arrest from the official
13 records of the arresting authority and order that the records
14 of the circuit court clerk and the Illinois State Police be
15 sealed until further order of the court upon good cause shown
16 or as otherwise provided herein, and the name of the
17 petitioner obliterated from the official index requested to be
18 kept by the circuit court clerk under Section 16 of the Clerks
19 of Courts Act in connection with the arrest and conviction for
20 the offense for which he or she had been granted the
21 certificate but the order shall not affect any index issued by
22 the circuit court clerk before the entry of the order. All
23 records sealed by the Illinois State Police may be
24 disseminated by the Illinois State Police only as required by
25 this Act or to the arresting authority, a law enforcement
26 agency, the State's Attorney, and the court upon a later

1 arrest for the same or similar offense or for the purpose of
2 sentencing for any subsequent felony. Upon conviction for any
3 subsequent offense, the Department of Corrections shall have
4 access to all expunged records of the Illinois State Police
5 pertaining to that individual. Upon entry of the order of
6 expungement, the circuit court clerk shall promptly mail a
7 copy of the order to the person who was granted the certificate
8 of eligibility for expungement.

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

21 (g) Immediate Sealing.

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

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

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

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

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

22 (A) Filing the Petition. Upon entry of the final
23 disposition of the case, the defendant's attorney may
24 immediately petition the court, on behalf of the
25 defendant, for immediate sealing of eligible records
26 under paragraph (2) of this subsection (g) that are

1 entered on or after January 1, 2018 (the effective
2 date of Public Act 100-282). The immediate sealing
3 petition may be filed with the circuit court clerk
4 during the hearing in which the final disposition of
5 the case is entered. If the defendant's attorney does
6 not file the petition for immediate sealing during the
7 hearing, the defendant may file a petition for sealing
8 at any time as authorized under subsection (c) (3) (A).

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

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

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

23 (E) Entry of Order. The presiding trial judge
24 shall enter an order granting or denying the petition
25 for immediate sealing during the hearing in which it
26 is filed. Petitions for immediate sealing shall be

1 ruled on in the same hearing in which the final
2 disposition of the case is entered.

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

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

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

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

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

20 (K) Motion to Vacate, Modify, or Reconsider. Under
21 Section 2-1203 of the Code of Civil Procedure, the
22 petitioner, State's Attorney, or the Illinois State
23 Police may file a motion to vacate, modify, or
24 reconsider the order denying the petition to
25 immediately seal within 60 days of service of the
26 order. If filed more than 60 days after service of the

1 order, a petition to vacate, modify, or reconsider
2 shall comply with subsection (c) of Section 2-1401 of
3 the Code of Civil Procedure.

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

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

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

21 (1) A trafficking victim, as defined by paragraph (10)
22 of subsection (a) of Section 10-9 of the Criminal Code of
23 2012, may petition for vacation and expungement or
24 immediate sealing of his or her criminal record upon the
25 completion of his or her last sentence if his or her
26 participation in the underlying offense was a result of

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

4 (1.5) A petition under paragraph (1) shall be
5 prepared, signed, and filed in accordance with Supreme
6 Court Rule 9. The court may allow the petitioner to attend
7 any required hearing remotely in accordance with local
8 rules. The court may allow a petition to be filed under
9 seal if the public filing of the petition would constitute
10 a risk of harm to the petitioner.

11 (2) A petitioner under this subsection (h), in
12 addition to the requirements provided under paragraph (4)
13 of subsection (d) of this Section, shall include in his or
14 her petition a clear and concise statement that: (A) he or
15 she was a victim of human trafficking at the time of the
16 offense; and (B) that his or her participation in the
17 offense was a result of human trafficking under Section
18 10-9 of the Criminal Code of 2012 or a severe form of
19 trafficking under the federal Trafficking Victims
20 Protection Act.

21 (3) If an objection is filed alleging that the
22 petitioner is not entitled to vacation and expungement or
23 immediate sealing under this subsection (h), the court
24 shall conduct a hearing under paragraph (7) of subsection
25 (d) of this Section and the court shall determine whether
26 the petitioner is entitled to vacation and expungement or

1 immediate sealing under this subsection (h). A petitioner
2 is eligible for vacation and expungement or immediate
3 relief under this subsection (h) if he or she shows, by a
4 preponderance of the evidence, that: (A) he or she was a
5 victim of human trafficking at the time of the offense;
6 and (B) that his or her participation in the offense was a
7 result of human trafficking under Section 10-9 of the
8 Criminal Code of 2012 or a severe form of trafficking
9 under the federal Trafficking Victims Protection Act.

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

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

14 (A) The Illinois State Police and all law
15 enforcement agencies within the State shall
16 automatically expunge all criminal history records of
17 an arrest, charge not initiated by arrest, order of
18 supervision, or order of qualified probation for a
19 Minor Cannabis Offense committed prior to June 25,
20 2019 (the effective date of Public Act 101-27) if:

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

24 (ii) No criminal charges were filed relating
25 to the arrest or law enforcement interaction or
26 criminal charges were filed and subsequently

1 dismissed or vacated or the arrestee was
2 acquitted.

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

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

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

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

16 (iii) Records created prior to January 1, 2000
17 shall be automatically expunged prior to January
18 1, 2025.

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

26 (D) Nothing in this Section shall be construed to

1 restrict or modify an individual's right to have that
2 individual's records expunged except as otherwise may
3 be provided in this Act, or diminish or abrogate any
4 rights or remedies otherwise available to the
5 individual.

6 (2) Pardons Authorizing Expungement of Minor Cannabis
7 Offenses.

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

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

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

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

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

1 in paragraph (2) (A) .

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

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

19 (iii) The Prisoner Review Board shall make a
20 confidential and privileged recommendation to the
21 Governor as to whether to grant a pardon
22 authorizing expungement for each of the records
23 identified by the Department of State Police as
24 described in paragraph (2) (A) .

25 (C) If an individual has been granted a pardon
26 authorizing expungement as described in this Section,

1 the Prisoner Review Board, through the Attorney
2 General, shall file a petition for expungement with
3 the Chief Judge of the circuit or any judge of the
4 circuit designated by the Chief Judge where the
5 individual had been convicted. Such petition may
6 include more than one individual. Whenever an
7 individual who has been convicted of an offense is
8 granted a pardon by the Governor that specifically
9 authorizes expungement, an objection to the petition
10 may not be filed. Petitions to expunge under this
11 subsection (i) may include more than one individual.
12 Within 90 days of the filing of such a petition, the
13 court shall enter an order expunging the records of
14 arrest from the official records of the arresting
15 authority and order that the records of the circuit
16 court clerk and the Illinois State Police be expunged
17 and the name of the defendant obliterated from the
18 official index requested to be kept by the circuit
19 court clerk under Section 16 of the Clerks of Courts
20 Act in connection with the arrest and conviction for
21 the offense for which the individual had received a
22 pardon but the order shall not affect any index issued
23 by the circuit court clerk before the entry of the
24 order. Upon entry of the order of expungement, the
25 circuit court clerk shall promptly provide a copy of
26 the order and a certificate of disposition to the

1 individual who was pardoned to the individual's last
2 known address or by electronic means (if available) or
3 otherwise make it available to the individual upon
4 request.

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

8 (3) Any individual may file a motion to vacate and
9 expunge a conviction for a misdemeanor or Class 4 felony
10 violation of Section 4 or Section 5 of the Cannabis
11 Control Act. Motions to vacate and expunge under this
12 subsection (i) may be filed with the circuit court, Chief
13 Judge of a judicial circuit or any judge of the circuit
14 designated by the Chief Judge. The circuit court clerk
15 shall promptly serve a copy of the motion to vacate and
16 expunge, and any supporting documentation, on the State's
17 Attorney or prosecutor charged with the duty of
18 prosecuting the offense. When considering such a motion to
19 vacate and expunge, a court shall consider the following:
20 the reasons to retain the records provided by law
21 enforcement, the petitioner's age, the petitioner's age at
22 the time of offense, the time since the conviction, and
23 the specific adverse consequences if denied. An individual
24 may file such a petition after the completion of any
25 non-financial sentence or non-financial condition imposed
26 by the conviction. Within 60 days of the filing of such

1 motion, a State's Attorney may file an objection to such a
2 petition along with supporting evidence. If a motion to
3 vacate and expunge is granted, the records shall be
4 expunged in accordance with subparagraphs (d)(8) and
5 (d)(9)(A) of this Section. An agency providing civil legal
6 aid, as defined by Section 15 of the Public Interest
7 Attorney Assistance Act, assisting individuals seeking to
8 file a motion to vacate and expunge under this subsection
9 may file motions to vacate and expunge with the Chief
10 Judge of a judicial circuit or any judge of the circuit
11 designated by the Chief Judge, and the motion may include
12 more than one individual. Motions filed by an agency
13 providing civil legal aid concerning more than one
14 individual may be prepared, presented, and signed
15 electronically.

16 (4) Any State's Attorney may file a motion to vacate
17 and expunge a conviction for a misdemeanor or Class 4
18 felony violation of Section 4 or Section 5 of the Cannabis
19 Control Act. Motions to vacate and expunge under this
20 subsection (i) may be filed with the circuit court, Chief
21 Judge of a judicial circuit or any judge of the circuit
22 designated by the Chief Judge, and may include more than
23 one individual. Motions filed by a State's Attorney
24 concerning more than one individual may be prepared,
25 presented, and signed electronically. When considering
26 such a motion to vacate and expunge, a court shall

1 consider the following: the reasons to retain the records
2 provided by law enforcement, the individual's age, the
3 individual's age at the time of offense, the time since
4 the conviction, and the specific adverse consequences if
5 denied. Upon entry of an order granting a motion to vacate
6 and expunge records pursuant to this Section, the State's
7 Attorney shall notify the Prisoner Review Board within 30
8 days. Upon entry of the order of expungement, the circuit
9 court clerk shall promptly provide a copy of the order and
10 a certificate of disposition to the individual whose
11 records will be expunged to the individual's last known
12 address or by electronic means (if available) or otherwise
13 make available to the individual upon request. If a motion
14 to vacate and expunge is granted, the records shall be
15 expunged in accordance with subparagraphs (d)(8) and
16 (d)(9)(A) of this Section.

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

21 (6) If a person is arrested for a Minor Cannabis
22 Offense as defined in this Section before June 25, 2019
23 (the effective date of Public Act 101-27) and the person's
24 case is still pending but a sentence has not been imposed,
25 the person may petition the court in which the charges are
26 pending for an order to summarily dismiss those charges

1 against him or her, and expunge all official records of
2 his or her arrest, plea, trial, conviction, incarceration,
3 supervision, or expungement. If the court determines, upon
4 review, that: (A) the person was arrested before June 25,
5 2019 (the effective date of Public Act 101-27) for an
6 offense that has been made eligible for expungement; (B)
7 the case is pending at the time; and (C) the person has not
8 been sentenced of the minor cannabis violation eligible
9 for expungement under this subsection, the court shall
10 consider the following: the reasons to retain the records
11 provided by law enforcement, the petitioner's age, the
12 petitioner's age at the time of offense, the time since
13 the conviction, and the specific adverse consequences if
14 denied. If a motion to dismiss and expunge is granted, the
15 records shall be expunged in accordance with subparagraph
16 (d) (9) (A) of this Section.

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

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

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

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

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

12 (j) Felony Prostitution Convictions.

13 (1) Automatic Sealing of Felony Prostitution Arrests.

14 (A) The Illinois State Police and local law
15 enforcement agencies within the State shall
16 automatically seal the law enforcement records
17 relating to a person's Class 4 felony arrests and
18 charges not initiated by arrest for prostitution if
19 that arrest or charge not initiated by arrest is
20 eligible for sealing under paragraph (2) of subsection
21 (c).

22 (B) In the absence of a court order or upon the
23 order of a court, the clerk of the circuit court shall
24 automatically seal the court records and case files
25 relating to a person's Class 4 felony arrests and
26 charges not initiated by arrest for prostitution if

1 that arrest or charge not initiated by arrest is
2 eligible for sealing under paragraph (2) of subsection
3 (c).

4 (C) The automatic sealing described in this
5 paragraph (1) shall be completed no later than January
6 1, 2028.

7 (2) Automatic Sealing of Felony Prostitution
8 Convictions.

9 (A) The Illinois State Police and local law
10 enforcement agencies within the State shall
11 automatically seal the law enforcement records
12 relating to a person's Class 4 felony conviction for
13 prostitution if those records are eligible for sealing
14 under paragraph (2) of subsection (c).

15 (B) In the absence of a court order or upon the
16 order of a court, the clerk of the circuit court shall
17 automatically seal the court records relating to a
18 person's Class 4 felony conviction for prostitution if
19 those records are eligible for sealing under paragraph
20 (2) of subsection (c).

21 (C) The automatic sealing of records described in
22 this paragraph (2) shall be completed no later than
23 January 1, 2028.

24 (3) Motions to Vacate and Expunge Felony Prostitution
25 Convictions. Any individual may file a motion to vacate
26 and expunge a conviction for a prior Class 4 felony

1 violation of prostitution. Motions to vacate and expunge
2 under this subsection (j) may be filed with the circuit
3 court, Chief Judge of a judicial circuit, or any judge of
4 the circuit designated by the Chief Judge. When
5 considering the motion to vacate and expunge, a court
6 shall consider the following:

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

9 (B) the petitioner's age;

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

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

1 designated by the Chief Judge, and the motion may
2 include more than one individual.

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

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

13 (B) the petitioner's age;

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

15 (D) the time since the conviction; and

16 (E) the specific adverse consequences if denied.

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

24 (5) In the public interest, the State's Attorney of a
25 county has standing to file motions to vacate and expunge
26 pursuant to this Section in the circuit court with

jurisdiction over the underlying conviction.

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

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

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

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

(k) Automatic Sealing.

(1) Applicability. Notwithstanding any other provision of this Act, and cumulative with any rights to expungement or sealing of criminal records, this subsection authorizes the automatic sealing of criminal records of adults and of minors prosecuted as adults. Any duties imposed upon the Illinois State Police by this Act are subject to appropriations being made for that purpose to the State Police Services Fund. Any duties imposed upon circuit

1 clerks by this Act are subject to appropriations being
2 made for that purpose to the Circuit Court Clerk Operation
3 and Administrative Fund.

4 (2) Beginning January 1, 2029, records created on or
5 after January 1, 1970 that meet the eligibility criteria
6 in paragraph (k)(3) and timing criteria in paragraph
7 (k)(4) or (k)(5) shall be automatically sealed without the
8 filing of a petition. The Illinois State Police shall
9 identify eligible records, automatically seal eligible
10 records, and provide an electronic notice to circuit
11 clerks, by means of the applicable e-filing system.

12 Commencing January 1, 2029, the Illinois State Police
13 shall, at least quarterly, seal all records identified as
14 subject to automatic sealing in paragraph (k)(3) and
15 meeting time requirements under paragraph (k)(5). At least
16 quarterly, the Illinois State Police shall electronically
17 notify each circuit court of all previously unidentified
18 records originating in that county for which a record is
19 subject to automatic sealing pursuant to this subsection.

20 Upon receipt of notice from the Illinois State Police,
21 circuit clerks shall seal records as that term is defined
22 in subsection (a)(1)(K)(ii). For records held
23 electronically, circuit clerks shall seal records within
24 90 days of notice from the Illinois State Police. For
25 records not held electronically, circuit clerks shall
26 ensure that the individual's name is obliterated from the

1 official index required to be kept by the circuit court
2 clerk under Section 16 of the Clerks of Courts Act and
3 shall also ensure that the permanent record, as defined by
4 the Supreme Court, is sealed as defined in subsection
5 (a)(1)(K)(ii) before anyone not authorized by law is able
6 to access the physical records.

7 For all records created before January 1, 2029, the
8 following timelines shall apply:

9 (A) Records created prior to January 1, 2029 but
10 on or after July 1, 2005 shall be identified and sealed
11 by the Illinois State Police, with notice provided to
12 circuit clerks by means of the applicable e-filing
13 system, by January 1, 2030. Circuit clerks shall seal
14 records in accordance with the procedures established
15 in this Section by January 1, 2031.

16 (B) Records created prior to July 1, 2005 but on or
17 after July 1, 1990 shall be identified and sealed by
18 the Illinois State Police, with notice provided to
19 circuit clerks by means of the applicable e-filing
20 system, by January 1, 2031. Circuit clerks shall seal
21 records in accordance with the procedures established
22 in this Section by January 1, 2032.

23 (C) Records created prior to July 1, 1990 but on or
24 after July 1, 1970 shall be identified and sealed by
25 the Illinois State Police, with notice provided to
26 circuit clerks by means of the applicable e-filing

1 system, by January 1, 2032. Circuit clerks shall seal
2 records in accordance with the procedures established
3 in this Section by January 1, 2034.

4 (3) Records listed in subsection (c)(2) are eligible
5 for automatic record sealing unless excluded by subsection
6 (a)(3) or in this paragraph (3):

7 (A) Records are not eligible for automatic sealing
8 while the subject of the record is serving a sentence,
9 order of supervision, or order of qualified probation
10 for a criminal offense in this State. Records are not
11 eligible for automatic sealing if the subject of the
12 record has pending filed charges. For the purposes of
13 determining if a charge is pending, if the Illinois
14 State Police is otherwise unable to determine
15 disposition status, misdemeanor charges shall not be
16 considered pending if one year has elapsed since the
17 filing of charges and felony charges shall not be
18 considered pending if 7 years have elapsed since the
19 filing of charges.

20 (B) Records of conviction for offenses included in
21 Article 9 or 11 of the Criminal Code of 1961 or the
22 Criminal Code of 2012, for felonies designated as
23 Class X, and for felonies that require public
24 registration under the Sex Offender Registration Act
25 are not eligible for automatic sealing.
26 Notwithstanding this subparagraph, offenses included

1 in Section 11-14 of the Criminal Code of 1961 or the
2 Criminal Code of 2012 are eligible for automatic
3 sealing. A conviction of a crime of violence, as that
4 term is defined in Section 20 of the Drug Court
5 Treatment Act, is not eligible for automatic sealing.
6 A conviction of trafficking in persons, involuntary
7 servitude, or involuntary sexual servitude of a minor,
8 a conviction of organized retail crime, a conviction
9 of robbery, a conviction of vehicular hijacking, a
10 conviction of burglary that is a Class 1 or 2 felony,
11 or a conviction of residential burglary, as those
12 terms are used in Sections 10-9, 16-25.1, 18-1, 18-3,
13 19-1, and 19-3 of the Criminal Code of 2012, is not
14 eligible for automatic sealing. Convictions requiring
15 public registration under the Arsonist Registration
16 Act or the Murderer and Violent Offender Against Youth
17 Registration Act are not eligible for automatic
18 sealing until the petitioner is no longer required to
19 register under the relevant Act.

20 (C) Records with the same case number as a
21 conviction listed in subparagraph (B) are not eligible
22 for automatic sealing.

23 (D) Felony conviction records are not eligible for
24 automatic sealing until all felony conviction records
25 eligible for automatic sealing for the subject of the
26 record have met the time requirements in paragraph

1 (5).

2 (4) Automatic Sealing of Nonconviction Records.
3 Arrests or charges not initiated by arrest resulting in
4 acquittal or dismissal, except as excluded by subsection
5 (a)(3)(B), that occur on or after January 1, 2029 shall be
6 sealed immediately after entry of the final disposition of
7 a case, except as provided in subsection (k)(3)(C). Upon
8 entry of a disposition for an eligible record under this
9 paragraph, the defendant shall be informed by the court
10 that the defendant's eligible records will be immediately
11 sealed and the procedure for the immediate sealing of
12 these records. The court shall enter an order sealing the
13 record after entry of the final disposition of a case.
14 After sealing records pursuant to this paragraph, the
15 circuit court clerk must provide notice of sealing to the
16 Illinois State Police and to the arresting agency in a
17 form and manner prescribed by the Supreme Court. The
18 circuit clerk shall provide this notice within 30 days of
19 sealing the record and may do so electronically. An order
20 to immediately seal records shall be implemented in
21 conformance with paragraph (8).

22 (5) When Records are Subject to Automatic Sealing.

23 (A) Records of arrest resulting in release without
24 charging and records of arrests or charges not
25 initiated by arrest resulting in acquittal, dismissal,
26 or conviction when the conviction was reversed or

1 vacated are subject to automatic sealing immediately.

2 (B) Records of arrests or charges not initiated by
3 arrest resulting in orders of supervision, including
4 orders of supervision for municipal ordinance
5 violations, resulting in orders of qualified
6 probation, are subject to automatic sealing if 2 years
7 have elapsed since the termination of the order of
8 supervision or qualified probation.

9 (C) Arrests or charges not initiated by arrest
10 resulting in misdemeanor convictions are subject to
11 automatic sealing if two years have elapsed since the
12 termination of the sentence associated with the
13 record.

14 (D) Arrests or charges not initiated by arrest
15 resulting in convictions for felony offenses are
16 subject to automatic sealing if 3 years have elapsed
17 since the termination of the sentence associated with
18 the record.

19 (E) For the purposes of determining if the
20 timelines in this paragraph (5) have been met, the
21 Illinois State Police shall consider records in its
22 possession and, in the absence of disposition or
23 sentence termination records, shall deem sentences
24 terminated based on the sentence or supervision term
25 length information in its possession. In the absence
26 of a known term length of probation or conditional

1 discharge, the Illinois State Police shall deem a term
2 completed if the maximum probation or conditional
3 discharge term length for the statutory class of the
4 offense has elapsed since the disposition date.

5 (6) Notice. At least monthly, the circuit court clerk
6 shall provide notice to each arresting agency of all
7 records sealed under this subsection. The circuit court
8 clerk may provide this notice electronically.

9 (7) Implementation.

10 (A) Upon notice of sealing provided by the circuit
11 court clerk, the arresting agency and any other agency
12 receiving notice of sealing shall seal the records
13 under the procedures in subsections (a)(1)(K) and
14 (d)(9)(C).

15 (B) In response to an inquiry for the sealed
16 records from anyone not authorized by law to access
17 the records, the court, the Illinois State Police, the
18 arresting agency, or the prosecuting agency receiving
19 the inquiry shall reply as it does in response to
20 inquiries when no records ever existed.

21 (C) Each circuit court that has sealed a record
22 shall make those records available to the subject of
23 the record, or an attorney representing the subject of
24 the record, without court order within 7 days.

25 (8) Upon request, the circuit court clerk shall
26 provide disposition information for any record sealed

1 pursuant to this subsection to the Illinois State Police,
2 the arresting agency, the State's Attorney, or prosecutor
3 that prosecuted the offense. If the Illinois State Police,
4 arresting agency, State's Attorney, or prosecutor that
5 prosecuted the offense determine a record has been
6 improperly sealed pursuant to this subsection, the
7 Illinois State Police, arresting agency, State's Attorney,
8 or prosecutor that prosecuted the offense may file a
9 petition to unseal the record with the court that entered
10 the original record. If the court determines the record
11 was improperly sealed, the court shall enter an order
12 unsealing the record.

13 (9) Records sealed under this subsection shall be used
14 and disseminated by the Illinois State Police only as
15 required or authorized by a federal or State law, rule, or
16 regulation that requires inquiry into and release of
17 criminal records. The Department of Corrections shall have
18 access to all sealed records of the Illinois State Police
19 pertaining to individuals committed or confined within or
20 sentenced to a term of imprisonment within a correctional
21 institution or facility.

22 (10) The Illinois State Police shall allow a person to
23 use the access and review process, established by the
24 Illinois State Police, for verifying that the person's
25 records eligible under this subsection have been sealed.
26 As part of the access and review process, upon request,

1 the Illinois State Police shall provide the subject of the
2 record written confirmation that the record was sealed
3 under this subsection.

4 (11) An individual may challenge the individual's
5 record and request corrections, including the sealing of
6 records eligible under this subsection, by completing and
7 submitting a record challenge form to the Illinois State
8 Police. The Illinois State Police shall automatically seal
9 all records identified as eligible under this subsection
10 based on the access and review process. The Illinois State
11 Police shall include any records identified as eligible
12 under this process in the next electronic notification of
13 the circuit court in which the case originated. The
14 Illinois State Police shall render a final administrative
15 decision with respect to the record challenge, which shall
16 be subject to administrative appeal procedures established
17 by the Illinois Criminal Justice Information Authority.

18 (12) Nothing in this Section shall be construed to
19 restrict or modify an individual's right to have that
20 individual's records expunged or sealed except as
21 otherwise may be provided in this Act or diminish or
22 abrogate any rights or remedies otherwise available to the
23 individual.

24 (13) The State or the county, or an official or
25 employee of the State or the county acting in the course of
26 the official's or employee's duties, is not liable for an

1 injury or loss a person might receive due to an act or
2 omission of a person in the commission of the person's
3 duties under this Act, except for willful, wanton
4 misconduct or gross negligence on the part of the
5 governmental unit or on the part of the official or
6 employee.

7 (1) Municipal ordinance violations and Class C
8 misdemeanors. Notwithstanding any other provision of this Act
9 to the contrary and cumulative with any rights to expungement
10 of criminal records, this subsection requires the sealing of
11 criminal records of municipal ordinance violations and Class C
12 misdemeanors without petition. Beginning January 1, 2028, and
13 on January 1 and July 1 of each year thereafter, circuit court
14 clerks shall seal any criminal records of arrests or charges
15 not initiated by arrest resulting in charges or convictions
16 for municipal ordinance violations or Class C misdemeanors if
17 one year has elapsed since the case was closed as designated by
18 the Supreme Court.

19 (Source: P.A. 103-35, eff. 1-1-24; 103-154, eff. 6-30-23;
20 103-609, eff. 7-1-24; 103-755, eff. 8-2-24; 103-1071, eff.
21 7-1-25; 104-417, eff. 8-15-25; 104-459, eff. 6-1-26; revised
22 1-20-26.)

23 Section 165. The Governor's Office of Management and
24 Budget Act is amended by changing Section 1 as follows:

(20 ILCS 3005/1) (from Ch. 127, par. 411)

Sec. 1. Definitions. In this Act:

"Capital expenditure" means money spent for replacing, remodeling, expanding, or acquiring facilities, buildings, or land owned directly by the State through any State department, authority, public corporation of the State, State college or university, or any other public agency created by the State, but not units of local government or school districts.

"Director" means the Director of the Governor's Office of Management and Budget.

"Office" means the Governor's Office of Management and Budget.

"State Agency" whether used in the singular or plural, means all Departments, Officers, Commissions, Boards, Institutions and bodies, politic and corporate of the State, including the Offices of Clerk of the Supreme Court and Clerks of the Appellate Courts; except it shall not mean the several Courts of the State, nor the Legislature, its Committees or Commissions, nor the Constitutionally elected State Officers, nor the Executive Ethics Commission, nor the Offices of Executive Inspectors General.

(Source: P.A. 96-555, eff. 8-18-09; revised 7-7-25.)

Section 170. The Energy Efficient Building Act is amended by changing Section 10 as follows:

1 (20 ILCS 3125/10)

2 Sec. 10. Definitions. In this Act:

3 "Agency" means the Environmental Protection Agency.

4 "Board" means the Capital Development Board.

5 "Building" includes both residential buildings and
6 commercial buildings.

7 "Code" means the latest published edition of the
8 International Code Council's International Energy Conservation
9 Code as adopted by the Board, including any published
10 supplements adopted by the Board and any amendments and
11 adaptations to the Code that are made by the Board.

12 "Commercial building" means any building except a building
13 that is a residential building, as defined in this Section.

14 "Municipality" means any city, village, or incorporated
15 town.

16 "Residential building" means (i) a detached one-family or
17 2-family dwelling or (ii) any building that is 3 stories or
18 less in height above grade that contains multiple dwelling
19 units, in which the occupants reside on a primarily permanent
20 basis, such as a townhouse, a row house, an apartment house, a
21 convent, a monastery, a rectory, a fraternity or sorority
22 house, a dormitory, and a rooming house; provided, however,
23 that when applied to a building located within the boundaries
24 of a municipality having a population of 1,000,000 or more,
25 the term "residential building" means a building containing
26 one or more dwelling units, not exceeding 4 stories above

1 grade, where occupants are primarily permanent.

2 "Site energy index" means a scalar published by the
3 Pacific Northwest National Laboratories representing the ratio
4 of the site energy performance of an evaluated code compared
5 to the site energy performance of the 2006 International
6 Energy Conservation Code. A "site energy index" includes only
7 conservation measures and excludes net energy credit for any
8 on-site or off-site energy production.

9 (Source: P.A. 101-144, eff. 7-26-19; 102-444, eff. 8-20-21;
10 102-662, eff. 9-15-21; 102-813, eff. 5-13-22; revised 7-7-25.)

11 Section 175. The Illinois Housing Development Act is
12 amended by changing Section 7.33 as follows:

13 (20 ILCS 3805/7.33)

14 Sec. 7.33. Urban and suburban gardening at affordable
15 housing projects.

16 (a) ~~Findings.~~ The General Assembly finds that the
17 long-term sustainability of ~~the~~ Illinois communities depends
18 upon improved uses of land that has already been developed.
19 The General Assembly also finds that agricultural growth in
20 urban and suburban areas contributes significantly to
21 environmental and economic sustainability by providing
22 locally-produced agricultural goods, as well as improving the
23 landscape of these areas.

24 The purpose of this Section is to authorize the Authority

1 to develop a program that provides incentives for the
2 development of housing projects that incorporate urban and
3 suburban gardening programs.

4 (b) ~~Definitions.~~ As used in this Section, "gardening"
5 means the production of consumable produce to be kept or sold
6 and includes the farming of chicken, ducks, and small farm
7 animals for milk production.

8 (c) Notwithstanding any other provision of law, the
9 Authority may develop a program that provides incentives for
10 the development of affordable housing projects that
11 incorporate urban and suburban gardening programs. Under the
12 program, the University of Illinois shall be consulted
13 regarding best practices in urban gardening and farming,
14 including vertical gardening, aquaponics, and community
15 gardening. An affordable housing project that incorporates an
16 urban or suburban gardening program must provide any land,
17 buildings, or tools necessary to develop and maintain the
18 garden or farm. Under the program, the Authority shall also
19 coordinate and collaborate with the Department of Commerce and
20 Economic Opportunity to create distribution networks that link
21 urban and suburban gardens with local businesses in order to
22 facilitate the sale and distribution of locally-grown
23 agricultural products and food stuffs to consumers residing
24 within the local community.

25 (d) The Authority and the Department of Commerce and
26 Economic Opportunity may adopt any rules necessary to

1 implement the program.

2 (Source: P.A. 103-459, eff. 8-4-23; revised 6-26-25.)

3 Section 180. The Illinois Criminal Justice Information Act
4 is amended by setting forth, renumbering, and changing
5 multiple versions of Section 16 as follows:

6 (20 ILCS 3930/14.1)

7 Sec. 14.1 ~~16~~. Homicide reporting.

8 (a) Beginning July 1, 2026, the Authority shall study and
9 compile and, by September 1, 2026 and every 4 months
10 thereafter, publish on the Authority's public website, in a
11 form determined by the Authority, the information submitted by
12 the Illinois State Police under Section 5-10 of the Uniform
13 Crime Reporting Act.

14 (b) The Authority shall publish the following information
15 for each relevant law enforcement agency:

16 (1) the number of homicides;

17 (2) the number of aggravated assaults with a firearm;

18 (3) the number of aggravated assaults with a firearm
19 and homicides for which an alleged perpetrator has been
20 cleared by arrest;

21 (4) the number of aggravated assaults with a firearm
22 and homicides that are considered clear or closed for a
23 reason other than an arrest; and

24 (5) the number of cases described in paragraph (4)

1 that were cleared or closed because:

2 (i) the alleged perpetrator is deceased;

3 (ii) the case was declined by prosecution;

4 (iii) the suspect is in custody of another
5 jurisdiction; or

6 (iv) there are other exceptional means outside of
7 law enforcement's control.

8 (Source: P.A. 104-197, eff. 1-1-26; revised 1-5-26.)

9 (20 ILCS 3930/14.2)

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

12 Sec. 14.2 ~~16~~. Public defense performance metrics, data
13 collection, analysis, and public reporting.

14 (a) The State Public Defender Commission shall identify
15 and implement a system of performance metrics to assess the
16 provision of indigent defense services in this State relative
17 to the standards established by the Commission under Section
18 45 of the State Public Defender Act and national standards and
19 benchmarks to ensure the State of Illinois complies with its
20 obligations under the Sixth Amendment of the United States
21 Constitution.

22 (b) The Commission has the authority and the duty to:

23 (1) establish procedures for the mandatory collection
24 of data concerning the operation of the Office of the
25 State Public Defender, the Commission, each indigent

1 criminal defense system, and the overall operation of
2 indigent criminal defense services in the State, including
3 provision of resources to facilitate integration of State
4 data collection with existing county and State-based data
5 reporting and case management systems and requirements;
6 and

7 (2) collect and receive from any department, division,
8 board, bureau, commission, or other agency of the State,
9 or any political subdivision of the State or any public
10 authority, including, but not limited to, agencies of the
11 judicial branch, information and data, including, but not
12 limited to:

13 (A) the types of and numbers of matters in which
14 public defense services have been provided on an
15 annual basis in categories to be determined by the
16 Commission and in alignment with existing circuit
17 court data guidelines established by the
18 Administrative Office of the Illinois Courts;

19 (B) for each public defender agency and State's
20 Attorney's office:

21 (i) the number of administrators, attorneys,
22 and other staff who work at each agency, including
23 whether they are full-time or part-time and
24 whether they are employed or contracted; and the
25 salaries and other compensation paid to individual
26 administrators, attorneys, and staff;

1 (ii) the funds and in-kind resources spent on
2 an annual basis for expert witnesses,
3 investigators, and other litigation costs;

4 (iii) the funds and in-kind resources spent on
5 an annual basis for office space, technology,
6 equipment, and other fixed expenses;

7 (iv) the total numbers of matters, by
8 category, opened, disposed, and pending within
9 each annual period for each attorney and for the
10 agency in total;

11 (C) the criteria and procedures used to determine
12 whether a person is eligible to receive public
13 defender services, the number of persons considered
14 for and applicants denied such services, the reasons
15 for the denials, and the results of any review of such
16 denials; and

17 (D) the standards and criteria used by each county
18 to determine whether individual attorneys are
19 qualified to provide indigent legal services, and how
20 those standards and criteria compare to those set by
21 the State Public Defender Commission.

22 (c) The Commission shall analyze and evaluate the
23 collected data, and undertake any necessary research and
24 studies, in order to consider and recommend measures to
25 enhance the provision of indigent legal services relative to
26 the standards established by the Commission under the State

1 Public Defender Act and national standards and benchmarks.

2 (d) The Commission shall provide a written report on the
3 performance metrics to the Governor, General Assembly, and
4 Illinois Supreme Court, no later than December 15 of each year
5 commencing in calendar year 2028 ~~the calendar year following~~
6 ~~the effective date of this amendatory Act of the 104th General~~
7 ~~Assembly~~. The Commission shall publish the report on its
8 website.

9 (Source: P.A. 104-300, eff. 1-1-27; revised 10-27-25.)

10 Section 185. The Government Buildings Energy Cost
11 Reduction Act of 1991 is amended by changing Section 10 as
12 follows:

13 (20 ILCS 3953/10) (from Ch. 96 1/2, par. 9810)

14 Sec. 10. Definitions. In this Act, "energy ~~"Energy~~
15 ~~conservation project"~~ and "project designed to reduce energy
16 consumption and costs" mean any improvement, repair,
17 alteration, or betterment of any building or facility or any
18 equipment, fixture, or furnishing to be added to or used in any
19 building or facility that the Director of Commerce and
20 Economic Opportunity has determined will be a cost effective
21 energy related project that will lower energy or utility costs
22 in connection with the operation or maintenance of such
23 building or facility, and will achieve energy cost savings
24 sufficient to cover bond debt service and other project costs

1 within 7 years from the date of project installation.

2 (Source: P.A. 94-793, eff. 5-19-06; revised 7-7-25.)

3 Section 190. The Sex Offender Management Board Act is
4 amended by changing Section 10 as follows:

5 (20 ILCS 4026/10)

6 Sec. 10. Definitions. In this Act, unless the context
7 otherwise requires:

8 (a) "Board" means the Sex Offender Management Board
9 created in Section 15.

10 (b) "Sex offender" means any person who is convicted or
11 found delinquent in the State of Illinois, or under any
12 substantially similar federal law or law of another state, of
13 any sex offense or attempt of a sex offense as defined in
14 subsection (c) of this Section, or any former statute of this
15 State that defined a felony sex offense, or who has been
16 declared as a sexually dangerous person under the Sexually
17 Dangerous Persons Act or declared a sexually violent person
18 under the Sexually Violent Persons Commitment Act, or any
19 substantially similar federal law or law of another state.

20 (c) "Sex offense" means any felony or misdemeanor offense
21 described in this subsection (c) as follows:

22 (1) indecent solicitation of a child, in violation of
23 Section 11-6 of the Criminal Code of 1961 or the Criminal
24 Code of 2012;

1 (2) indecent solicitation of an adult, in violation of
2 Section 11-6.5 of the Criminal Code of 1961 or the
3 Criminal Code of 2012;

4 (3) public indecency, in violation of Section 11-9 or
5 11-30 of the Criminal Code of 1961 or the Criminal Code of
6 2012;

7 (4) sexual exploitation of a child, in violation of
8 Section 11-9.1 of the Criminal Code of 1961 or the
9 Criminal Code of 2012;

10 (5) sexual relations within families, in violation of
11 Section 11-11 of the Criminal Code of 1961 or the Criminal
12 Code of 2012;

13 (6) promoting commercial sexual exploitation of a
14 child or soliciting for a sexually exploited child, in
15 violation of Section 11-14.4 or 11-15.1 of the Criminal
16 Code of 1961 or the Criminal Code of 2012;

17 (7) promoting commercial sexual exploitation of a
18 child or keeping a place of commercial sexual exploitation
19 of a child, in violation of Section 11-14.4 or 11-17.1 of
20 the Criminal Code of 1961 or the Criminal Code of 2012;

21 (8) patronizing a sexually exploited child, in
22 violation of Section 11-18.1 of the Criminal Code of 1961
23 or the Criminal Code of 2012;

24 (9) promoting commercial sexual exploitation of a
25 child or juvenile pimping, in violation of Section 11-14.4
26 or 11-19.1 of the Criminal Code of 1961 or the Criminal

1 Code of 2012;

2 (10) promoting commercial sexual exploitation of a
3 child or exploitation of a child, in violation of Section
4 11-14.4 or 11-19.2 of the Criminal Code of 1961 or the
5 Criminal Code of 2012;

6 (11) child sexual abuse material or child pornography,
7 in violation of Section 11-20.1 of the Criminal Code of
8 1961 or the Criminal Code of 2012;

9 (11.5) aggravated child pornography, in violation of
10 Section 11-20.1B or 11-20.3 of the Criminal Code of 1961;

11 (12) harmful material, in violation of Section 11-21
12 of the Criminal Code of 1961 or the Criminal Code of 2012;

13 (13) criminal sexual assault, in violation of Section
14 11-1.20 or 12-13 of the Criminal Code of 1961 or the
15 Criminal Code of 2012;

16 (13.5) grooming, in violation of Section 11-25 of the
17 Criminal Code of 1961 or the Criminal Code of 2012;

18 (14) aggravated criminal sexual assault, in violation
19 of Section 11-1.30 or 12-14 of the Criminal Code of 1961 or
20 the Criminal Code of 2012;

21 (14.5) traveling to meet a minor or traveling to meet
22 a child, in violation of Section 11-26 of the Criminal
23 Code of 1961 or the Criminal Code of 2012;

24 (15) predatory criminal sexual assault of a child, in
25 violation of Section 11-1.40 or 12-14.1 of the Criminal
26 Code of 1961 or the Criminal Code of 2012;

1 (16) criminal sexual abuse, in violation of Section
2 11-1.50 or 12-15 of the Criminal Code of 1961 or the
3 Criminal Code of 2012;

4 (17) aggravated criminal sexual abuse, in violation of
5 Section 11-1.60 or 12-16 of the Criminal Code of 1961 or
6 the Criminal Code of 2012;

7 (18) ritualized abuse of a child, in violation of
8 Section 12-33 of the Criminal Code of 1961 or the Criminal
9 Code of 2012;

10 (19) an attempt to commit any of the offenses
11 enumerated in this subsection (c); or

12 (20) any felony offense under Illinois law that is
13 sexually motivated.

14 (d) "Management" means treatment, and supervision of any
15 sex offender that conforms to the standards created by the
16 Board under Section 15.

17 (e) "Sexually motivated" means one or more of the facts of
18 the underlying offense indicates conduct that is of a sexual
19 nature or that shows an intent to engage in behavior of a
20 sexual nature.

21 (f) "Sex offender evaluator" means a person licensed under
22 the Sex Offender Evaluation and Treatment Provider Act to
23 conduct sex offender evaluations.

24 (g) "Sex offender treatment provider" means a person
25 licensed under the Sex Offender Evaluation and Treatment
26 Provider Act to provide sex offender treatment services.

1 (h) "Associate sex offender provider" means a person
2 licensed under the Sex Offender Evaluation and Treatment
3 Provider Act to provide sex offender evaluations and to
4 provide sex offender treatment under the supervision of a
5 licensed sex offender evaluator or a licensed sex offender
6 treatment provider.

7 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
8 revised 11-19-25.)

9 Section 195. The Balanced Budget Note Act is amended by
10 changing Section 5 as follows:

11 (25 ILCS 80/5) (from Ch. 63, par. 42.93-5)

12 Sec. 5. Supplemental appropriation bill defined. For
13 purposes of this Act, "supplemental appropriation bill" means
14 any appropriation bill that (a) is ~~(a)~~ introduced or amended
15 (including any changes to legislation by means of the
16 submission of a conference committee report) on or after July
17 1 of a fiscal year and (b) proposes (as introduced or as
18 amended as the case may be) to authorize, increase, decrease,
19 or reallocate any general funds appropriation for that same
20 fiscal year. The general funds consist of the General Revenue
21 Fund, the Common School Fund, the General Revenue Common
22 School Special Account Fund, the Education Assistance Fund,
23 the Fund for the Advancement of Education, the Commitment to
24 Human Services Fund, and the Budget Stabilization Fund.

(Source: P.A. 100-587, eff. 6-4-18; revised 6-24-25.)

Section 200. The Fiscal Control and Internal Auditing Act is amended by changing Section 1003 as follows:

(30 ILCS 10/1003) (from Ch. 15, par. 1003)

Sec. 1003. Definitions. In this Act:

(a) "Designated State agencies" include the offices of the Secretary of State, the State Comptroller, the State Treasurer, and the Attorney General, the State Board of Education, the State colleges and universities, the Illinois Toll Highway Authority, the Illinois Housing Development Authority, the public retirement systems, the Illinois Student Assistance Commission, the Illinois Finance Authority, the Environmental Protection Agency, the Capital Development Board, the Department of Military Affairs, the State Fire Marshal, and each Department of State government created in Article 5, Section 5-15 of the Civil Administrative Code of Illinois.

(b) "State agency" means that term as defined in the Illinois State Auditing Act, as now or hereafter amended, except the judicial branch which shall be covered by subsection (c) of Section 2001 and Section 3004 of this Act.

(c) "Chief executive officer" includes, respectively, the Secretary of State, the State Comptroller, the State Treasurer, the Attorney General, the State Superintendent of

1 Education, such chief executive officers as are designated by
2 the governing board of each State college and university, the
3 executive director of the Illinois Toll Highway Authority, and
4 the executive director of the Illinois Housing Development
5 Authority, as well as the chief executive officer of each
6 designated other State agency.

7 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A.
8 96-793 for the effective date of changes made by P.A. 96-795);
9 revised 7-1-25.)

10 Section 205. The State Finance Act is amended by setting
11 forth and renumbering multiple versions of Section 5.1030 and
12 by changing Sections 6z-82, 8.3, 8g, and 8g-1 as follows:

13 (30 ILCS 105/5.1030)

14 Sec. 5.1030. (Repealed).

15 (Source: P.A. 104-429, eff. 8-18-25. Repealed internally, eff.
16 8-18-25.)

17 (30 ILCS 105/5.1032)

18 Sec. 5.1032 ~~5.1030~~. The Budget Reserve for Immediate
19 Disbursements and Governmental Emergencies Fund.

20 (Source: P.A. 104-2, eff. 6-16-25; revised 10-9-25.)

21 (30 ILCS 105/5.1033)

22 Sec. 5.1033 ~~5.1030~~. The Prescription Drug Affordability

1 Fund.

2 (Source: P.A. 104-27, eff. 1-1-26; revised 10-9-25.)

3 (30 ILCS 105/5.1034)

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

6 Sec. 5.1034 ~~5.1030~~. The Neonatal Intensive Care Leave
7 Fund.

8 (Source: P.A. 104-259, eff. 6-1-26; revised 10-9-25.)

9 (30 ILCS 105/5.1035)

10 Sec. 5.1035 ~~5.1030~~. The Consumer Protection Fund.

11 (Source: P.A. 104-428, eff. 8-18-25; revised 10-9-25.)

12 (30 ILCS 105/6z-82)

13 (Text of Section before amendment by P.A. 104-131)

14 Sec. 6z-82. State Police Operations Assistance Fund.

15 (a) There is created in the State treasury a special fund
16 known as the State Police Operations Assistance Fund. The Fund
17 shall receive revenue under the Criminal and Traffic
18 Assessment Act, the Illinois Hazardous Materials
19 Transportation Act, and the Illinois Motor Carrier Safety Law.
20 The Fund may also receive revenue from grants, donations,
21 appropriations, and any other legal source.

22 (a-5) This Fund may charge, collect, and receive fees or
23 moneys as described in Section 15-312 of the Illinois Vehicle

1 Code and receive all fees received by the Illinois State
2 Police under that Section. The moneys shall be used by the
3 Illinois State Police for its expenses in providing police
4 escorts and commercial vehicle enforcement activities.

5 (b) The Illinois State Police may use moneys in the Fund to
6 finance any of its lawful purposes or functions.

7 (c) Expenditures may be made from the Fund only as
8 appropriated by the General Assembly by law.

9 (d) Investment income that is attributable to the
10 investment of moneys in the Fund shall be retained in the Fund
11 for the uses specified in this Section.

12 (e) The State Police Operations Assistance Fund shall not
13 be subject to administrative chargebacks.

14 (f) (Blank).

15 (g) (Blank).

16 (h) (Blank).

17 (Source: P.A. 103-34, eff. 6-9-23; 103-363, eff. 7-28-23;
18 103-605, eff. 7-1-24; 103-616, eff. 7-1-24; 104-25, eff.
19 10-1-25; 104-417, eff. 8-15-25.)

20 (Text of Section after amendment by P.A. 104-131)

21 Sec. 6z-82. State Police Operations Assistance Fund.

22 (a) There is created in the State treasury a special fund
23 known as the State Police Operations Assistance Fund. The Fund
24 shall receive revenue under the Criminal and Traffic
25 Assessment Act, the Illinois Hazardous Materials

1 Transportation Act, ~~and~~ the Illinois Motor Carrier Safety Law,
2 and Section 8 of the Illinois False Claims Act. The Fund may
3 also receive revenue from grants, donations, appropriations,
4 and any other legal source.

5 (a-5) This Fund may charge, collect, and receive fees or
6 moneys as described in Section 15-312 of the Illinois Vehicle
7 Code and receive all fees received by the Illinois State
8 Police under that Section. The moneys shall be used by the
9 Illinois State Police for its expenses in providing police
10 escorts and commercial vehicle enforcement activities.

11 (b) The Illinois State Police may use moneys in the Fund to
12 finance any of its lawful purposes or functions.

13 (c) Expenditures may be made from the Fund only as
14 appropriated by the General Assembly by law.

15 (d) Investment income that is attributable to the
16 investment of moneys in the Fund shall be retained in the Fund
17 for the uses specified in this Section.

18 (e) The State Police Operations Assistance Fund shall not
19 be subject to administrative chargebacks.

20 (e-5) Moneys in the Fund shall be used to cover costs
21 incurred by the criminal justice system to administer the Sex
22 Offender Registration and the Murderer and Violent Offender
23 Against Youth Registration Act. Fifty percent of the moneys
24 received from Sections 3 and 10 of the Sex Offender
25 Registration Act and Sections 10 and 60 of the Murder and
26 Violent Offender Against Youth Registration Act shall be

1 allocated by the Illinois State Police for sheriffs' offices
2 and police departments.

3 (e-10) Moneys in the Fund shall be used to produce
4 materials to educate drivers on approaching stationary
5 authorized emergency vehicles, to hire off-duty Illinois State
6 Police personnel for enforcement of Section 11-907 of the
7 Illinois Vehicle Code, and for other law enforcement purposes
8 the Director of the Illinois State Police deems necessary in
9 these efforts.

10 (f) (Blank).

11 (g) (Blank).

12 (h) (Blank).

13 (i) Notwithstanding any other provision of law to the
14 contrary, and in addition to any other transfers that may be
15 provided by law, on September 1, 2026 (the effective date of
16 Public Act 104-131) ~~this amendatory Act of the 104th General~~
17 ~~Assembly~~, or as soon thereafter as practical, the State
18 Comptroller shall direct and the State Treasurer shall
19 transfer the remaining balance from the Drug Traffic
20 Prevention Fund into the State Police Operations Assistance
21 Fund. Upon completion of the transfer, the Drug Traffic
22 Prevention Fund is dissolved, and any future deposits due to
23 that Fund and any outstanding obligations or liabilities of
24 that Fund shall pass to the State Police Operations Assistance
25 Fund.

26 (j) Notwithstanding any other provision of law to the

1 contrary, and in addition to any other transfers that may be
2 provided by law, on September 1, 2026 (the effective date of
3 Public Act 104-131) ~~this amendatory Act of the 104th General~~
4 ~~Assembly~~, or as soon thereafter as practical, the State
5 Comptroller shall direct and the State Treasurer shall
6 transfer the remaining balance from the State Police Wireless
7 Service Emergency Fund into the State Police Operations
8 Assistance Fund. Upon completion of the transfer, the State
9 Police Wireless Service Emergency Fund is dissolved, and any
10 future deposits due to that Fund and any outstanding
11 obligations or liabilities of that Fund shall pass to the
12 State Police Operations Assistance Fund.

13 (k) Notwithstanding any other provision of law to the
14 contrary, and in addition to any other transfers that may be
15 provided by law, on September 1, 2026 (the effective date of
16 Public Act 104-131) ~~this amendatory Act of the 104th General~~
17 ~~Assembly~~, or as soon thereafter as practical, the State
18 Comptroller shall direct and the State Treasurer shall
19 transfer the remaining balance from the Offender Registration
20 Fund into the State Police Operations Assistance Fund. Upon
21 completion of the transfer, the Offender Registration Fund is
22 dissolved, and any future deposits due to that Fund and any
23 outstanding obligations or liabilities of that Fund shall pass
24 to the State Police Operations Assistance Fund.

25 (l) Notwithstanding any other provision of law to the
26 contrary, and in addition to any other transfers that may be

1 provided by law, on September 1, 2026 (the effective date of
2 Public Act 104-131) ~~this amendatory Act of the 104th General~~
3 ~~Assembly~~, or as soon thereafter as practical, the State
4 Comptroller shall direct and the State Treasurer shall
5 transfer the remaining balance from the State Police
6 Whistleblower Reward and Protection Fund into the State Police
7 Operations Assistance Fund. Upon completion of the transfer,
8 the State Police Whistleblower Reward and Protection Fund is
9 dissolved, and any future deposits due to that Fund and any
10 outstanding obligations or liabilities of that Fund shall pass
11 to the State Police Operations Assistance Fund.

12 (m) Notwithstanding any other provision of law to the
13 contrary, and in addition to any other transfers that may be
14 provided by law, on September 1, 2026 (the effective date of
15 Public Act 104-131) ~~this amendatory Act of the 104th General~~
16 ~~Assembly~~, or as soon thereafter as practical, the State
17 Comptroller shall direct and the State Treasurer shall
18 transfer the remaining balance from the Scott's Law Fund into
19 the State Police Operations Assistance Fund. Upon completion
20 of the transfer, the Scott's Law Fund is dissolved, and any
21 future deposits due to that Fund and any outstanding
22 obligations or liabilities of that Fund shall pass to the
23 State Police Operations Assistance Fund.

24 (Source: P.A. 103-34, eff. 6-9-23; 103-363, eff. 7-28-23;
25 103-605, eff. 7-1-24; 103-616, eff. 7-1-24; 104-25, eff.
26 10-1-25; 104-131, eff. 9-1-26; 104-417, eff. 8-15-25; revised

1 9-10-25.)

2 (30 ILCS 105/8.3)

3 (Text of Section before amendment by P.A. 104-457 and
4 104-458)

5 Sec. 8.3. Money in the Road Fund shall, if and when the
6 State of Illinois incurs any bonded indebtedness for the
7 construction of permanent highways, be set aside and used for
8 the purpose of paying and discharging annually the principal
9 and interest on that bonded indebtedness then due and payable,
10 and for no other purpose. The surplus, if any, in the Road Fund
11 after the payment of principal and interest on that bonded
12 indebtedness then annually due shall be used as follows:

13 first -- to pay the cost of administration of Chapters
14 2 through 10 of the Illinois Vehicle Code, except the cost
15 of administration of Articles I and II of Chapter 3 of that
16 Code, and to pay the costs of the Executive Ethics
17 Commission for oversight and administration of the Chief
18 Procurement Officer appointed under paragraph (2) of
19 subsection (a) of Section 10-20 of the Illinois
20 Procurement Code for transportation; and

21 secondly -- for expenses of the Department of
22 Transportation for construction, reconstruction,
23 improvement, repair, maintenance, operation, and
24 administration of highways in accordance with the
25 provisions of laws relating thereto, or for any purpose

1 related or incident to and connected therewith, including
2 the separation of grades of those highways with railroads
3 and with highways and including the payment of awards made
4 by the Illinois Workers' Compensation Commission under the
5 terms of the Workers' Compensation Act or Workers'
6 Occupational Diseases Act for injury or death of an
7 employee of the Division of Highways in the Department of
8 Transportation; or for the acquisition of land and the
9 erection of buildings for highway purposes, including the
10 acquisition of highway right-of-way or for investigations
11 to determine the reasonably anticipated future highway
12 needs; or for making of surveys, plans, specifications and
13 estimates for and in the construction and maintenance of
14 flight strips and of highways necessary to provide access
15 to military and naval reservations, to defense industries
16 and defense-industry sites, and to the sources of raw
17 materials and for replacing existing highways and highway
18 connections shut off from general public use at military
19 and naval reservations and defense-industry sites, or for
20 the purchase of right-of-way, except that the State shall
21 be reimbursed in full for any expense incurred in building
22 the flight strips; or for the operating and maintaining of
23 highway garages; or for patrolling and policing the public
24 highways and conserving the peace; or for the operating
25 expenses of the Department relating to the administration
26 of public transportation programs; or, during fiscal year

2025, for the purposes of a grant not to exceed \$10,020,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2026, for the purposes of a grant not to exceed \$11,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of Public Health;

2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly, except fiscal year 2025 when no more than \$20,969,900 may be expended and except fiscal year 2026 when no more than \$23,067,000 may be expended;

3. Department of Central Management Services, except

1 for expenditures incurred for group insurance premiums of
2 appropriate personnel;

3 4. Judicial Systems and Agencies.

4 Beginning with fiscal year 1981 and thereafter, no Road
5 Fund monies shall be appropriated to the following Departments
6 or agencies of State government for administration, grants, or
7 operations; but this limitation is not a restriction upon
8 appropriating for those purposes any Road Fund monies that are
9 eligible for federal reimbursement:

10 1. Illinois State Police, except for expenditures with
11 respect to the Division of Patrol and Division of Criminal
12 Investigation;

13 2. Department of Transportation, only with respect to
14 Intercity Rail Subsidies, except fiscal year 2025 when no
15 more than \$67,000,000 may be expended and except fiscal
16 year 2026 when no more than \$76,000,000 may be expended,
17 and Rail Freight Services.

18 Beginning with fiscal year 1982 and thereafter, no Road
19 Fund monies shall be appropriated to the following Departments
20 or agencies of State government for administration, grants, or
21 operations; but this limitation is not a restriction upon
22 appropriating for those purposes any Road Fund monies that are
23 eligible for federal reimbursement: Department of Central
24 Management Services, except for awards made by the Illinois
25 Workers' Compensation Commission under the terms of the
26 Workers' Compensation Act or Workers' Occupational Diseases

1 Act for injury or death of an employee of the Division of
2 Highways in the Department of Transportation.

3 Beginning with fiscal year 1984 and thereafter, no Road
4 Fund monies shall be appropriated to the following Departments
5 or agencies of State government for administration, grants, or
6 operations; but this limitation is not a restriction upon
7 appropriating for those purposes any Road Fund monies that are
8 eligible for federal reimbursement:

9 1. Illinois State Police, except not more than 40% of
10 the funds appropriated for the Division of Patrol and
11 Division of Criminal Investigation;

12 2. State Officers.

13 Beginning with fiscal year 1984 and thereafter, no Road
14 Fund monies shall be appropriated to any Department or agency
15 of State government for administration, grants, or operations
16 except as provided hereafter; but this limitation is not a
17 restriction upon appropriating for those purposes any Road
18 Fund monies that are eligible for federal reimbursement. It
19 shall not be lawful to circumvent the above appropriation
20 limitations by governmental reorganization or other methods.
21 Appropriations shall be made from the Road Fund only in
22 accordance with the provisions of this Section.

23 Money in the Road Fund shall, if and when the State of
24 Illinois incurs any bonded indebtedness for the construction
25 of permanent highways, be set aside and used for the purpose of
26 paying and discharging during each fiscal year the principal

1 and interest on that bonded indebtedness as it becomes due and
2 payable as provided in the General Obligation Bond Act, and
3 for no other purpose. The surplus, if any, in the Road Fund
4 after the payment of principal and interest on that bonded
5 indebtedness then annually due shall be used as follows:

6 first -- to pay the cost of administration of Chapters
7 2 through 10 of the Illinois Vehicle Code; and

8 secondly -- no Road Fund monies derived from fees,
9 excises, or license taxes relating to registration,
10 operation and use of vehicles on public highways or to
11 fuels used for the propulsion of those vehicles, shall be
12 appropriated or expended other than for costs of
13 administering the laws imposing those fees, excises, and
14 license taxes, statutory refunds and adjustments allowed
15 thereunder, administrative costs of the Department of
16 Transportation, including, but not limited to, the
17 operating expenses of the Department relating to the
18 administration of public transportation programs, payment
19 of debts and liabilities incurred in construction and
20 reconstruction of public highways and bridges, acquisition
21 of rights-of-way for and the cost of construction,
22 reconstruction, maintenance, repair, and operation of
23 public highways and bridges under the direction and
24 supervision of the State, political subdivision, or
25 municipality collecting those monies, or during fiscal
26 year 2025 for the purposes of a grant not to exceed

1 \$10,020,000 to the Regional Transportation Authority on
2 behalf of PACE for the purpose of ADA/Para-transit
3 expenses, or during fiscal year 2026 for the purposes of a
4 grant not to exceed \$11,500,000 to the Regional
5 Transportation Authority on behalf of PACE for the purpose
6 of ADA/Para-transit expenses, and the costs for patrolling
7 and policing the public highways (by the State, political
8 subdivision, or municipality collecting that money) for
9 enforcement of traffic laws. The separation of grades of
10 such highways with railroads and costs associated with
11 protection of at-grade highway and railroad crossing shall
12 also be permissible.

13 Appropriations for any of such purposes are payable from
14 the Road Fund or the Grade Crossing Protection Fund as
15 provided in Section 8 of the Motor Fuel Tax Law.

16 Except as provided in this paragraph, beginning with
17 fiscal year 1991 and thereafter, no Road Fund monies shall be
18 appropriated to the Illinois State Police for the purposes of
19 this Section in excess of its total fiscal year 1990 Road Fund
20 appropriations for those purposes unless otherwise provided in
21 Section 5g of this Act. For fiscal years 2003, 2004, 2005,
22 2006, and 2007 only, no Road Fund monies shall be appropriated
23 to the Department of State Police for the purposes of this
24 Section in excess of \$97,310,000. For fiscal year 2008 only,
25 no Road Fund monies shall be appropriated to the Department of
26 State Police for the purposes of this Section in excess of

1 \$106,100,000. For fiscal year 2009 only, no Road Fund monies
2 shall be appropriated to the Department of State Police for
3 the purposes of this Section in excess of \$114,700,000.
4 Beginning in fiscal year 2010, no Road Fund moneys shall be
5 appropriated to the Illinois State Police. It shall not be
6 lawful to circumvent this limitation on appropriations by
7 governmental reorganization or other methods unless otherwise
8 provided in Section 5g of this Act.

9 In fiscal year 1994, no Road Fund monies shall be
10 appropriated to the Secretary of State for the purposes of
11 this Section in excess of the total fiscal year 1991 Road Fund
12 appropriations to the Secretary of State for those purposes,
13 plus \$9,800,000. It shall not be lawful to circumvent this
14 limitation on appropriations by governmental reorganization or
15 other method.

16 Beginning with fiscal year 1995 and thereafter, no Road
17 Fund monies shall be appropriated to the Secretary of State
18 for the purposes of this Section in excess of the total fiscal
19 year 1994 Road Fund appropriations to the Secretary of State
20 for those purposes. It shall not be lawful to circumvent this
21 limitation on appropriations by governmental reorganization or
22 other methods.

23 Beginning with fiscal year 2000, total Road Fund
24 appropriations to the Secretary of State for the purposes of
25 this Section shall not exceed the amounts specified for the
26 following fiscal years:

1	Fiscal Year 2000	\$80,500,000;
2	Fiscal Year 2001	\$80,500,000;
3	Fiscal Year 2002	\$80,500,000;
4	Fiscal Year 2003	\$130,500,000;
5	Fiscal Year 2004	\$130,500,000;
6	Fiscal Year 2005	\$130,500,000;
7	Fiscal Year 2006	\$130,500,000;
8	Fiscal Year 2007	\$130,500,000;
9	Fiscal Year 2008	\$130,500,000;
10	Fiscal Year 2009	\$130,500,000.

11 For fiscal year 2010, no road fund moneys shall be
12 appropriated to the Secretary of State.

13 Beginning in fiscal year 2011, moneys in the Road Fund
14 shall be appropriated to the Secretary of State for the
15 exclusive purpose of paying refunds due to overpayment of fees
16 related to Chapter 3 of the Illinois Vehicle Code unless
17 otherwise provided for by law.

18 Beginning in fiscal year 2025, moneys in the Road Fund may
19 be appropriated to the Environmental Protection Agency for the
20 exclusive purpose of making deposits into the Electric Vehicle
21 Rebate Fund, subject to appropriation, to be used for purposes
22 consistent with Section 11 of Article IX of the Illinois
23 Constitution.

24 In fiscal year 2026, in addition to any other uses
25 permitted by law, moneys in the Road Fund may be used, subject
26 to appropriation, by the Department of Transportation for

1 grants to port districts for the purpose of making
2 infrastructure improvements consistent with Section 11 of
3 Article IX of the Illinois Constitution.

4 It shall not be lawful to circumvent this limitation on
5 appropriations by governmental reorganization or other
6 methods.

7 No new program may be initiated in fiscal year 1991 and
8 thereafter that is not consistent with the limitations imposed
9 by this Section for fiscal year 1984 and thereafter, insofar
10 as appropriation of Road Fund monies is concerned.

11 Nothing in this Section prohibits transfers from the Road
12 Fund to the State Construction Account Fund under Section 5e
13 of this Act; nor to the General Revenue Fund, as authorized by
14 Public Act 93-25.

15 The additional amounts authorized for expenditure in this
16 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
17 shall be repaid to the Road Fund from the General Revenue Fund
18 in the next succeeding fiscal year that the General Revenue
19 Fund has a positive budgetary balance, as determined by
20 generally accepted accounting principles applicable to
21 government.

22 The additional amounts authorized for expenditure by the
23 Secretary of State and the Department of State Police in this
24 Section by Public Act 94-91 shall be repaid to the Road Fund
25 from the General Revenue Fund in the next succeeding fiscal
26 year that the General Revenue Fund has a positive budgetary

1 balance, as determined by generally accepted accounting
2 principles applicable to government.

3 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 1-1-24;
4 103-588, eff. 6-5-24; 103-605, eff. 7-1-24; 103-616, eff.
5 7-1-24; 104-2, eff. 6-16-25; 104-417, eff. 8-15-25.)

6 (Text of Section after amendment by P.A. 104-457 and
7 104-458)

8 Sec. 8.3. Money in the Road Fund shall, if and when the
9 State of Illinois incurs any bonded indebtedness for the
10 construction of permanent highways, be set aside and used for
11 the purpose of paying and discharging annually the principal
12 and interest on that bonded indebtedness then due and payable,
13 and for no other purpose. The surplus, if any, in the Road Fund
14 after the payment of principal and interest on that bonded
15 indebtedness then annually due shall be used as follows:

16 first -- to pay the cost of administration of Chapters
17 2 through 10 of the Illinois Vehicle Code, except the cost
18 of administration of Articles I and II of Chapter 3 of that
19 Code, and to pay the costs of the Executive Ethics
20 Commission for oversight and administration of the Chief
21 Procurement Officer appointed under paragraph (2) of
22 subsection (a) of Section 10-20 of the Illinois
23 Procurement Code for transportation; and

24 secondly -- for expenses of the Department of
25 Transportation for construction, reconstruction,

1 improvement, repair, maintenance, operation, and
2 administration of highways in accordance with the
3 provisions of laws relating thereto, or for any purpose
4 related or incident to and connected therewith, including
5 the separation of grades of those highways with railroads
6 and with highways and including the payment of awards made
7 by the Illinois Workers' Compensation Commission under the
8 terms of the Workers' Compensation Act or Workers'
9 Occupational Diseases Act for injury or death of an
10 employee of the Division of Highways in the Department of
11 Transportation; or for the acquisition of land and the
12 erection of buildings for highway purposes, including the
13 acquisition of highway right-of-way or for investigations
14 to determine the reasonably anticipated future highway
15 needs; or for making of surveys, plans, specifications and
16 estimates for and in the construction and maintenance of
17 flight strips and of highways necessary to provide access
18 to military and naval reservations, to defense industries
19 and defense-industry sites, and to the sources of raw
20 materials and for replacing existing highways and highway
21 connections shut off from general public use at military
22 and naval reservations and defense-industry sites, or for
23 the purchase of right-of-way, except that the State shall
24 be reimbursed in full for any expense incurred in building
25 the flight strips; or for the operating and maintaining of
26 highway garages; or for patrolling and policing the public

1 highways and conserving the peace; or for the operating
2 expenses of the Department relating to the administration
3 of public transportation programs; ~~Northern Illinois~~
4 ~~Transit~~ or, during fiscal year 2025, for the purposes of a
5 grant not to exceed \$10,020,000 to the Northern Illinois
6 Transit Authority on behalf of PACE for the purpose of
7 ADA/Para-transit expenses; or, during fiscal year 2026,
8 for the purposes of a grant not to exceed \$11,500,000 to
9 the Regional Transportation Authority on behalf of PACE
10 for the purpose of ADA/Para-transit expenses; or for any
11 of those purposes or any other purpose that may be
12 provided by law.

13 Appropriations for any of those purposes are payable from
14 the Road Fund. Appropriations may also be made from the Road
15 Fund for the administrative expenses of any State agency that
16 are related to motor vehicles or arise from the use of motor
17 vehicles.

18 Beginning with fiscal year 1980 and thereafter, no Road
19 Fund monies shall be appropriated to the following Departments
20 or agencies of State government for administration, grants, or
21 operations; but this limitation is not a restriction upon
22 appropriating for those purposes any Road Fund monies that are
23 eligible for federal reimbursement:

24 1. Department of Public Health;

25 2. Department of Transportation, only with respect to
26 subsidies for one-half fare Student Transportation and

1 Reduced Fare for Elderly, except fiscal year 2025 when no
2 more than \$20,969,900 may be expended and except fiscal
3 year 2026 when no more than \$23,067,000 may be expended;

4 3. Department of Central Management Services, except
5 for expenditures incurred for group insurance premiums of
6 appropriate personnel;

7 4. Judicial Systems and Agencies.

8 Beginning with fiscal year 1981 and thereafter, no Road
9 Fund monies shall be appropriated to the following Departments
10 or agencies of State government for administration, grants, or
11 operations; but this limitation is not a restriction upon
12 appropriating for those purposes any Road Fund monies that are
13 eligible for federal reimbursement:

14 1. Illinois State Police, except for expenditures with
15 respect to the Division of Patrol and Division of Criminal
16 Investigation;

17 2. Department of Transportation, only with respect to
18 Intercity Rail Subsidies, except fiscal year 2025 when no
19 more than \$67,000,000 may be expended and except fiscal
20 year 2026 when no more than \$76,000,000 may be expended,
21 and Rail Freight Services.

22 Beginning with fiscal year 1982 and thereafter, no Road
23 Fund monies shall be appropriated to the following Departments
24 or agencies of State government for administration, grants, or
25 operations; but this limitation is not a restriction upon
26 appropriating for those purposes any Road Fund monies that are

1 eligible for federal reimbursement: Department of Central
2 Management Services, except for awards made by the Illinois
3 Workers' Compensation Commission under the terms of the
4 Workers' Compensation Act or Workers' Occupational Diseases
5 Act for injury or death of an employee of the Division of
6 Highways in the Department of Transportation.

7 Beginning with fiscal year 1984 and thereafter, no Road
8 Fund monies shall be appropriated to the following Departments
9 or agencies of State government for administration, grants, or
10 operations; but this limitation is not a restriction upon
11 appropriating for those purposes any Road Fund monies that are
12 eligible for federal reimbursement:

13 1. Illinois State Police, except not more than 40% of
14 the funds appropriated for the Division of Patrol and
15 Division of Criminal Investigation;

16 2. State Officers.

17 Beginning with fiscal year 1984 and thereafter, no Road
18 Fund monies shall be appropriated to any Department or agency
19 of State government for administration, grants, or operations
20 except as provided hereafter; but this limitation is not a
21 restriction upon appropriating for those purposes any Road
22 Fund monies that are eligible for federal reimbursement. It
23 shall not be lawful to circumvent the above appropriation
24 limitations by governmental reorganization or other methods.
25 Appropriations shall be made from the Road Fund only in
26 accordance with the provisions of this Section.

1 Money in the Road Fund shall, if and when the State of
2 Illinois incurs any bonded indebtedness for the construction
3 of permanent highways, be set aside and used for the purpose of
4 paying and discharging during each fiscal year the principal
5 and interest on that bonded indebtedness as it becomes due and
6 payable as provided in the General Obligation Bond Act, and
7 for no other purpose. The surplus, if any, in the Road Fund
8 after the payment of principal and interest on that bonded
9 indebtedness then annually due shall be used as follows:

10 first -- to pay the cost of administration of Chapters
11 2 through 10 of the Illinois Vehicle Code; and

12 secondly -- no Road Fund monies derived from fees,
13 excises, or license taxes relating to registration,
14 operation and use of vehicles on public highways or to
15 fuels used for the propulsion of those vehicles, shall be
16 appropriated or expended other than for costs of
17 administering the laws imposing those fees, excises, and
18 license taxes, statutory refunds and adjustments allowed
19 thereunder, administrative costs of the Department of
20 Transportation, including, but not limited to, the
21 operating expenses of the Department relating to the
22 administration of public transportation programs, payment
23 of debts and liabilities incurred in construction and
24 reconstruction of public highways and bridges, acquisition
25 of rights-of-way for and the cost of construction,
26 reconstruction, maintenance, repair, and operation of

1 public highways and bridges under the direction and
2 supervision of the State, political subdivision, or
3 municipality collecting those monies, ~~Northern Illinois~~
4 ~~Transit~~ or during fiscal year 2025 for the purposes of a
5 grant not to exceed \$10,020,000 to the Northern Illinois
6 Transit Authority on behalf of PACE for the purpose of
7 ADA/Para-transit expenses, or during fiscal year 2026 for
8 the purposes of a grant not to exceed \$11,500,000 to the
9 Regional Transportation Authority on behalf of PACE for
10 the purpose of ADA/Para-transit expenses, and the costs
11 for patrolling and policing the public highways (by the
12 State, political subdivision, or municipality collecting
13 that money) for enforcement of traffic laws. The
14 separation of grades of such highways with railroads and
15 costs associated with protection of at-grade highway and
16 railroad crossing shall also be permissible.

17 Appropriations for any of such purposes are payable from
18 the Road Fund or the Grade Crossing Protection Fund as
19 provided in Section 8 of the Motor Fuel Tax Law.

20 Except as provided in this paragraph, beginning with
21 fiscal year 1991 and thereafter, no Road Fund monies shall be
22 appropriated to the Illinois State Police for the purposes of
23 this Section in excess of its total fiscal year 1990 Road Fund
24 appropriations for those purposes unless otherwise provided in
25 Section 5g of this Act. For fiscal years 2003, 2004, 2005,
26 2006, and 2007 only, no Road Fund monies shall be appropriated

1 to the Department of State Police for the purposes of this
2 Section in excess of \$97,310,000. For fiscal year 2008 only,
3 no Road Fund monies shall be appropriated to the Department of
4 State Police for the purposes of this Section in excess of
5 \$106,100,000. For fiscal year 2009 only, no Road Fund monies
6 shall be appropriated to the Department of State Police for
7 the purposes of this Section in excess of \$114,700,000.
8 Beginning in fiscal year 2010, no Road Fund moneys shall be
9 appropriated to the Illinois State Police. It shall not be
10 lawful to circumvent this limitation on appropriations by
11 governmental reorganization or other methods unless otherwise
12 provided in Section 5g of this Act.

13 In fiscal year 1994, no Road Fund monies shall be
14 appropriated to the Secretary of State for the purposes of
15 this Section in excess of the total fiscal year 1991 Road Fund
16 appropriations to the Secretary of State for those purposes,
17 plus \$9,800,000. It shall not be lawful to circumvent this
18 limitation on appropriations by governmental reorganization or
19 other method.

20 Beginning with fiscal year 1995 and thereafter, no Road
21 Fund monies shall be appropriated to the Secretary of State
22 for the purposes of this Section in excess of the total fiscal
23 year 1994 Road Fund appropriations to the Secretary of State
24 for those purposes. It shall not be lawful to circumvent this
25 limitation on appropriations by governmental reorganization or
26 other methods.

1 Beginning with fiscal year 2000, total Road Fund
2 appropriations to the Secretary of State for the purposes of
3 this Section shall not exceed the amounts specified for the
4 following fiscal years:

5 Fiscal Year 2000	\$80,500,000;
6 Fiscal Year 2001	\$80,500,000;
7 Fiscal Year 2002	\$80,500,000;
8 Fiscal Year 2003	\$130,500,000;
9 Fiscal Year 2004	\$130,500,000;
10 Fiscal Year 2005	\$130,500,000;
11 Fiscal Year 2006	\$130,500,000;
12 Fiscal Year 2007	\$130,500,000;
13 Fiscal Year 2008	\$130,500,000;
14 Fiscal Year 2009	\$130,500,000.

15 For fiscal year 2010, no road fund moneys shall be
16 appropriated to the Secretary of State.

17 Beginning in fiscal year 2011, moneys in the Road Fund
18 shall be appropriated to the Secretary of State for the
19 exclusive purpose of paying refunds due to overpayment of fees
20 related to Chapter 3 of the Illinois Vehicle Code unless
21 otherwise provided for by law.

22 Beginning in fiscal year 2025, moneys in the Road Fund may
23 be appropriated to the Environmental Protection Agency for the
24 exclusive purpose of making deposits into the Electric Vehicle
25 Rebate and Charging Fund, subject to appropriation, to be used
26 for purposes consistent with Section 11 of Article IX of the

1 Illinois Constitution.

2 In fiscal year 2026, in addition to any other uses
3 permitted by law, moneys in the Road Fund may be used, subject
4 to appropriation, by the Department of Transportation for
5 grants to port districts for the purpose of making
6 infrastructure improvements consistent with Section 11 of
7 Article IX of the Illinois Constitution.

8 Notwithstanding any provision of law to the contrary,
9 beginning in Fiscal Year 2027, any interest earned on monies
10 in the Road Fund and the State Construction Account Fund shall
11 be dedicated to public transportation construction
12 improvements or debt service. Of the interest earned on moneys
13 in the Road Fund and the State Construction Account Fund on or
14 after July 1, 2026, 90% shall be deposited into the Northern
15 Illinois Transit Capital Improvement Fund to be used by the
16 Northern Illinois Transit Authority for construction
17 improvements and 10% shall be deposited into the Downstate
18 Mass Transportation Capital Improvement Fund to be used by
19 participants in the Downstate Public Transportation Fund,
20 other than the Northern Illinois Transit Authority, for
21 construction improvements. There shall be a transfer of
22 \$5,000,000 from the Downstate Transit Improvement Fund to an
23 airport operated under the University of Illinois Airport Act.
24 Beginning in Fiscal Year 2027, the Department shall issue a
25 semi-annual call for projects for this program.

26 It shall not be lawful to circumvent this limitation on

1 appropriations by governmental reorganization or other
2 methods.

3 No new program may be initiated in fiscal year 1991 and
4 thereafter that is not consistent with the limitations imposed
5 by this Section for fiscal year 1984 and thereafter, insofar
6 as appropriation of Road Fund monies is concerned.

7 Nothing in this Section prohibits transfers from the Road
8 Fund to the State Construction Account Fund under Section 5e
9 of this Act; nor to the General Revenue Fund, as authorized by
10 Public Act 93-25.

11 The additional amounts authorized for expenditure in this
12 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
13 shall be repaid to the Road Fund from the General Revenue Fund
14 in the next succeeding fiscal year that the General Revenue
15 Fund has a positive budgetary balance, as determined by
16 generally accepted accounting principles applicable to
17 government.

18 The additional amounts authorized for expenditure by the
19 Secretary of State and the Department of State Police in this
20 Section by Public Act 94-91 shall be repaid to the Road Fund
21 from the General Revenue Fund in the next succeeding fiscal
22 year that the General Revenue Fund has a positive budgetary
23 balance, as determined by generally accepted accounting
24 principles applicable to government.

25 (Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 1-1-24;
26 103-588, eff. 6-5-24; 103-605, eff. 7-1-24; 103-616, eff.

1 7-1-24; 104-2, eff. 6-16-25; 104-417, eff. 8-15-25; 104-457,
2 eff. 6-1-26; 104-458, eff. 6-1-26; revised 1-12-26.)

3 (30 ILCS 105/8g)

4 Sec. 8g. Fund transfers.

5 (a) (Blank).

6 (b) (Blank).

7 (c) In addition to any other transfers that may be
8 provided for by law, on August 30 of each fiscal year's license
9 period, the Illinois Liquor Control Commission shall direct
10 and the State Comptroller and State Treasurer shall transfer
11 from the General Revenue Fund to the Youth Alcoholism and
12 Substance Abuse Prevention Fund an amount equal to the number
13 of retail liquor licenses issued for that fiscal year
14 multiplied by \$50. This subsection (c) is inoperative from
15 July 1, 2025~~7~~ through June 30, 2026. This subsection (c) is
16 inoperative after June 30, 2026.

17 (d) The payments to programs required under subsection (d)
18 of Section 28.1 of the Illinois Horse Racing Act of 1975 shall
19 be made, pursuant to appropriation, from the special funds
20 referred to in the statutes cited in that subsection, rather
21 than directly from the General Revenue Fund.

22 Beginning January 1, 2000, on the first day of each month,
23 or as soon as may be practical thereafter, the State
24 Comptroller shall direct and the State Treasurer shall
25 transfer from the General Revenue Fund to each of the special

1 funds from which payments are to be made under subsection (d)
2 of Section 28.1 of the Illinois Horse Racing Act of 1975 an
3 amount equal to 1/12 of the annual amount required for those
4 payments from that special fund, which annual amount shall not
5 exceed the annual amount for those payments from that special
6 fund for the calendar year 1998. The special funds to which
7 transfers shall be made under this subsection (d) include, but
8 are not necessarily limited to, the Agricultural Premium Fund;
9 the Metropolitan Exposition, Auditorium and Office Building
10 Fund, but only through fiscal year 2021 and not thereafter;
11 the Fair and Exposition Fund; the Illinois Standardbred
12 Breeders Fund; the Illinois Thoroughbred Breeders Fund; and
13 the Illinois Veterans' Rehabilitation Fund, but only through
14 fiscal year 2026 and not thereafter. Except for transfers
15 attributable to prior fiscal years, during State fiscal year
16 2020 only, no transfers shall be made from the General Revenue
17 Fund to the Agricultural Premium Fund, the Fair and Exposition
18 Fund, the Illinois Standardbred Breeders Fund, or the Illinois
19 Thoroughbred Breeders Fund.

20 (Source: P.A. 104-2, Article 5, Section 5-30, eff. 6-16-25;
21 104-2, Article 30, Section 30-65, eff. 6-16-25; revised
22 7-21-25.)

23 (30 ILCS 105/8g-1)

24 Sec. 8g-1. Fund transfers.

25 ~~June 7, 2023 (Public Act 103-8) June 7, 2023 (Public Act~~

~~103-8) July 1, 2024 (Public Act 103-588)~~

In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Governor's Administrative Fund.

In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Grant Accountability and Transparency Fund.

In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$25,000,000 from the Violent Crime Witness Protection Program Fund to the General Revenue Fund.

In addition to any other transfers that may be provided for by law, beginning on the effective date of the changes made to this Section by this amendatory Act of the 104th General Assembly and until June 30, 2025, as directed by the Governor, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$370,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

In addition to any other transfers that may be provided

1 for by law, on July 1, 2025, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$500,000 from the General
4 Revenue Fund to the Governor's Administrative Fund.

5 In addition to any other transfers that may be provided
6 for by law, on July 1, 2025, or as soon thereafter as
7 practical, the State Comptroller shall direct and the State
8 Treasurer shall transfer the sum of \$100,000 from the General
9 Revenue Fund to the Grant Accountability and Transparency
10 Fund.

11 In addition to any other transfers that may be provided
12 for by law, on July 1, 2025, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$5,000,000 from the
15 General Revenue Fund to the DHS State Projects Fund.

16 In addition to any other transfers that may be provided
17 for by law, on July 1, 2025, or as soon thereafter as
18 practical, the State Comptroller shall direct and the State
19 Treasurer shall transfer the sum of \$4,000,000 from the
20 Capital Projects Fund to the Capital Development Board
21 Revolving Fund.

22 In addition to any other transfers that may be provided
23 for by law, on July 1, 2025, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$15,000,000 from the
26 Criminal Justice Information Projects Fund to the Department

1 of Human Services Community Services Fund.

2 In addition to any other transfers that may be provided
3 for by law, on July 1, 2025, or as soon thereafter as
4 practical, the State Comptroller shall direct and the State
5 Treasurer shall transfer the sum of \$5,000,000 from the
6 Underground Storage Tank Fund to the Brownfields Redevelopment
7 Fund.

8 In addition to any other transfers that may be provided
9 for by law, on July 1, 2025, or as soon thereafter as
10 practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$10,000,000 from the State
12 Police Services Fund to the State Police Operations Assistance
13 Fund.

14 In addition to any other transfers that may be provided
15 for by law, on the effective date of this amendatory Act of the
16 104th General Assembly or as soon thereafter as practical, but
17 no later than June 30, 2025, the State Comptroller shall
18 direct and the State Treasurer shall transfer \$200,000,000
19 from the General Revenue Fund to the Technology Management
20 Revolving Fund.

21 In addition to any other transfers that may be provided
22 for by law, on July 1, 2025, or as soon thereafter as
23 practical, the State Comptroller shall direct and the State
24 Treasurer shall transfer \$3,000,000 from the Compassionate Use
25 of Medical Cannabis Fund to the Department of Human Services
26 Community Services Fund.

1 In addition to any other transfers that may be provided
2 for by law, on July 1, 2025, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer \$75,000,000 from the General Revenue
5 Fund to the Tier 2 SSWB Reserve Fund.

6 In addition to any other transfers that may be provided
7 for by law, on July 1, 2025, or as soon thereafter as
8 practical, the State Comptroller shall direct and the State
9 Treasurer shall transfer \$6,000,000 from the Illinois
10 Agricultural Loan Guarantee Fund to the General Revenue Fund.

11 In addition to any other transfers that may be provided
12 for by law, on July 1, 2025, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer \$4,000,000 from the Illinois Farmer
15 and Agribusiness Loan Guarantee Fund to the General Revenue
16 Fund.

17 In addition to any other transfers that may be provided
18 for by law, on July 1, 2025, or as soon thereafter as
19 practical, the State Comptroller shall direct and the State
20 Treasurer shall transfer \$20,000,000 from the Insurance
21 Producer Administration Fund to the General Revenue Fund.

22 In addition to any other transfers that may be provided
23 for by law, on July 1, 2025, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$12,500,000 from the
26 Compassionate Use of Medical Cannabis Fund to the Statewide

1 9-8-8 Trust Fund. Beginning June 30, 2026, at the direction of
2 the Secretary of Human Services, the State Comptroller shall
3 direct and the State Treasurer shall transfer the sum of
4 \$12,500,000 from the Statewide 9-8-8 Trust Fund to the
5 Compassionate Use of Medical Cannabis Fund.

6 (Source: P.A. 103-8, eff. 6-7-23; 103-588, eff. 6-5-24; 104-2,
7 eff. 6-16-25; 104-417, eff. 8-15-25; revised 9-10-25.)

8 Section 210. The Illinois Sustainable Investing Act is
9 amended by changing Section 10 as follows:

10 (30 ILCS 238/10)

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

12 "Financial institution" means a bank, savings bank, or
13 credit union established under the laws of the State of
14 Illinois, another state, or the United States of America.

15 "Governmental unit" has the same meaning as in the Local
16 Government Debt Reform Act.

17 "Investment manager" means a fiduciary who:

18 (1) is ~~a fiduciary~~ selected by a public agency,
19 pension fund, retirement system, or governmental unit who
20 has the power to manage, acquire, or dispose of any asset
21 of a public agency, pension fund, retirement system or
22 governmental unit;

23 (2) has acknowledged in writing that he or she is a
24 fiduciary with respect to the public fund, retirement

1 system, or pension fund; and

2 (3) is at least one of the following: (i) registered
3 as an investment adviser under the federal Investment
4 Advisers Act of 1940; (ii) registered as an investment
5 adviser under the Illinois Securities Law of 1953; (iii) a
6 bank, as defined in the Investment Advisers Act of 1940;
7 or (iv) an insurance company authorized to transact
8 business in this State.

9 "Investment policy" means a written investment policy
10 adopted by a public agency or governmental unit which
11 addresses safety of principal, liquidity of funds, and return
12 on investment and which requires the investment portfolio be
13 structured in such a manner as to provide sufficient liquidity
14 to pay obligations as they come due.

15 "Public agency" means the State of Illinois, the various
16 counties, townships, cities, towns, villages, school
17 districts, educational service regions, special road
18 districts, public water supply districts, fire protection
19 districts, drainage districts, levee districts, sewer
20 districts, housing authorities, the Illinois Bank Examiners'
21 Education Foundation, the Chicago Park District, and all other
22 political corporations or subdivisions of the State of
23 Illinois, now or hereafter created, whether herein
24 specifically mentioned or not.

25 "Public funds" means current operating funds, special
26 funds, interest and sinking funds, and funds of any kind or

1 character belonging to or in the custody of any public agency.

2 "Sustainability factors" means factors that may have a
3 material and relevant financial impact on the safety or
4 performance of an investment and which are complementary to
5 financial factors and financial accounting.

6 (Source: P.A. 103-324, eff. 1-1-24; revised 7-1-25.)

7 Section 215. The Illinois Private Activity Bond Allocation
8 Act is amended by changing Section 3 as follows:

9 (30 ILCS 345/3) (from Ch. 17, par. 6853)

10 Sec. 3. Definitions. In this Act:

11 (a) "Code" means the United States Internal Revenue Code
12 of 1986, as now or hereafter amended.

13 (b) "Official action" means a resolution or ordinance
14 authorizing the issuance or taking similar official action
15 with respect to the issuance of private activity bonds.

16 (c) "Private activity bond" means (1) that term as defined
17 in Section 141(a) of the Code, as a bond, note or other
18 evidence of indebtedness, but only to the extent such bond,
19 note or other evidence of indebtedness is subject to the
20 volume cap described in Section 146 of the Code or (2) any
21 bond, note, or other evidence of indebtedness, but only to the
22 extent such bond, note or other evidence of indebtedness is
23 subject to the volume cap described in Section 146 of the Code.

24 (d) "State agency" means any State agency, commission,

1 board, authority, or body politic and corporate of the State
2 authorized by law to issue private activity bonds, other than
3 a unit of local government or a home rule unit.

4 (e) "Unit of local government" means a municipality or
5 county, other than a home rule unit.

6 (f) "Governor's office" shall mean any person or entity
7 the Governor shall designate as the person or entity charged
8 with the authority to allocate private activity bonds within
9 the State volume cap limits among all the political
10 subdivisions of the State.

11 (g) "Guidelines and Procedures" shall mean the written
12 procedures issued by the Governor's Office under this Act,
13 which shall govern and control the administration of the
14 allocation process in accordance with the provisions of this
15 Act.

16 (h) "Volume cap" means the total aggregate amount of
17 private activity bonds that the State and its State agencies,
18 units of local government and home rule units may issue in any
19 calendar year under Section 146 of the Code, excluding any
20 private activity bonds which may be issued pursuant to a valid
21 carry-forward election under Section 103 of the Internal
22 Revenue Code of 1954, as amended, or Section 146 of the Code.

23 (i) "State Agency Pool" shall be 50% of the volume cap as
24 reduced by the aggregate share of volume cap for all home rule
25 units as determined under Section 146 of the Code.

26 (j) "Local Government Pool" shall be 50% of the volume cap

1 as reduced by the aggregate share of volume cap for all home
2 rule units as determined under Section 146 of the Code.

3 (k) "Home rule unit" means a county or municipality which
4 is a home rule unit as provided in Section 6 of Article VII of
5 the Illinois Constitution of 1970.

6 (Source: P.A. 86-40; revised 7-1-25.)

7 Section 220. The Illinois Procurement Code is amended by
8 changing Section 1-10 as follows:

9 (30 ILCS 500/1-10)

10 (Text of Section before amendment by P.A. 104-458)

11 Sec. 1-10. Application.

12 (a) This Code applies only to procurements for which
13 bidders, offerors, potential contractors, or contractors were
14 first solicited on or after July 1, 1998. This Code shall not
15 be construed to affect or impair any contract, or any
16 provision of a contract, entered into based on a solicitation
17 prior to the implementation date of this Code as described in
18 Article 99, including, but not limited to, any covenant
19 entered into with respect to any revenue bonds or similar
20 instruments. All procurements for which contracts are
21 solicited between the effective date of Articles 50 and 99 and
22 July 1, 1998 shall be substantially in accordance with this
23 Code and its intent.

24 (b) This Code shall apply regardless of the source of the

1 funds with which the contracts are paid, including federal
2 assistance moneys. This Code shall not apply to:

3 (1) Contracts between the State and its political
4 subdivisions or other governments, or between State
5 governmental bodies, except as specifically provided in
6 this Code.

7 (2) Grants, except for the filing requirements of
8 Section 20-80.

9 (3) Purchase of care, except as provided in Section
10 5-30.6 of the Illinois Public Aid Code and this Section.

11 (4) Hiring of an individual as an employee and not as
12 an independent contractor, whether pursuant to an
13 employment code or policy or by contract directly with
14 that individual.

15 (5) Collective bargaining contracts.

16 (6) Purchase of real estate, except that notice of
17 this type of contract with a value of more than \$25,000
18 must be published in the Procurement Bulletin within 10
19 calendar days after the deed is recorded in the county of
20 jurisdiction. The notice shall identify the real estate
21 purchased, the names of all parties to the contract, the
22 value of the contract, and the effective date of the
23 contract.

24 (7) Contracts necessary to prepare for anticipated
25 litigation, enforcement actions, or investigations,
26 provided that the chief legal counsel to the Governor

1 shall give his or her prior approval when the procuring
2 agency is one subject to the jurisdiction of the Governor,
3 and provided that the chief legal counsel of any other
4 procuring entity subject to this Code shall give his or
5 her prior approval when the procuring entity is not one
6 subject to the jurisdiction of the Governor.

7 (8) (Blank).

8 (9) Procurement expenditures by the Illinois
9 Conservation Foundation when only private funds are used.

10 (10) (Blank).

11 (11) Public-private agreements entered into according
12 to the procurement requirements of Section 20 of the
13 Public-Private Partnerships for Transportation Act and
14 design-build agreements entered into according to the
15 procurement requirements of Section 25 of the
16 Public-Private Partnerships for Transportation Act.

17 (12) (A) Contracts for legal, financial, and other
18 professional and artistic services entered into by the
19 Illinois Finance Authority in which the State of Illinois
20 is not obligated. Such contracts shall be awarded through
21 a competitive process authorized by the members of the
22 Illinois Finance Authority and are subject to Sections
23 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
24 as well as the final approval by the members of the
25 Illinois Finance Authority of the terms of the contract.

26 (B) Contracts for legal and financial services entered

1 into by the Illinois Housing Development Authority in
2 connection with the issuance of bonds in which the State
3 of Illinois is not obligated. Such contracts shall be
4 awarded through a competitive process authorized by the
5 members of the Illinois Housing Development Authority and
6 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
7 and 50-37 of this Code, as well as the final approval by
8 the members of the Illinois Housing Development Authority
9 of the terms of the contract.

10 (13) Contracts for services, commodities, and
11 equipment to support the delivery of timely forensic
12 science services in consultation with and subject to the
13 approval of the Chief Procurement Officer as provided in
14 subsection (d) of Section 5-4-3a of the Unified Code of
15 Corrections, except for the requirements of Sections
16 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
17 Code; however, the Chief Procurement Officer may, in
18 writing with justification, waive any certification
19 required under Article 50 of this Code. For any contracts
20 for services which are currently provided by members of a
21 collective bargaining agreement, the applicable terms of
22 the collective bargaining agreement concerning
23 subcontracting shall be followed.

24 On and after January 1, 2019, this paragraph (13),
25 except for this sentence, is inoperative.

26 (14) Contracts for participation expenditures required

1 by a domestic or international trade show or exhibition of
2 an exhibitor, member, or sponsor.

3 (15) Contracts with a railroad or utility that
4 requires the State to reimburse the railroad or utilities
5 for the relocation of utilities for construction or other
6 public purpose. Contracts included within this paragraph
7 (15) shall include, but not be limited to, those
8 associated with: relocations, crossings, installations,
9 and maintenance. For the purposes of this paragraph (15),
10 "railroad" means any form of non-highway ground
11 transportation that runs on rails or electromagnetic
12 guideways and "utility" means: (1) public utilities as
13 defined in Section 3-105 of the Public Utilities Act, (2)
14 telecommunications carriers as defined in Section 13-202
15 of the Public Utilities Act, (3) electric cooperatives as
16 defined in Section 3.4 of the Electric Supplier Act, (4)
17 telephone or telecommunications cooperatives as defined in
18 Section 13-212 of the Public Utilities Act, (5) rural
19 water or wastewater ~~waste-water~~ systems with 10,000
20 connections or less, (6) a holder as defined in Section
21 21-201 of the Public Utilities Act, and (7) municipalities
22 owning or operating utility systems consisting of public
23 utilities as that term is defined in Section 11-117-2 of
24 the Illinois Municipal Code.

25 (16) Procurement expenditures necessary for the
26 Department of Public Health to provide the delivery of

1 timely newborn screening services in accordance with the
2 Newborn Metabolic Screening Act.

3 (17) Procurement expenditures necessary for the
4 Department of Agriculture, the Department of Financial and
5 Professional Regulation, the Department of Human Services,
6 and the Department of Public Health to implement the
7 Compassionate Use of Medical Cannabis Program and Opioid
8 Alternative Pilot Program requirements and ensure access
9 to medical cannabis for patients with debilitating medical
10 conditions in accordance with the Compassionate Use of
11 Medical Cannabis Program Act.

12 (18) This Code does not apply to any procurements
13 necessary for the Department of Agriculture, the
14 Department of Financial and Professional Regulation, the
15 Department of Human Services, the Department of Commerce
16 and Economic Opportunity, and the Department of Public
17 Health to implement the Cannabis Regulation and Tax Act if
18 the applicable agency has made a good faith determination
19 that it is necessary and appropriate for the expenditure
20 to fall within this exemption and if the process is
21 conducted in a manner substantially in accordance with the
22 requirements of Sections 20-160, 25-60, 30-22, 50-5,
23 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
24 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
25 Section 50-35, compliance applies only to contracts or
26 subcontracts over \$100,000. Notice of each contract

1 entered into under this paragraph (18) that is related to
2 the procurement of goods and services identified in
3 paragraph (1) through (9) of this subsection shall be
4 published in the Procurement Bulletin within 14 calendar
5 days after contract execution. The Chief Procurement
6 Officer shall prescribe the form and content of the
7 notice. Each agency shall provide the Chief Procurement
8 Officer, on a monthly basis, in the form and content
9 prescribed by the Chief Procurement Officer, a report of
10 contracts that are related to the procurement of goods and
11 services identified in this subsection. At a minimum, this
12 report shall include the name of the contractor, a
13 description of the supply or service provided, the total
14 amount of the contract, the term of the contract, and the
15 exception to this Code utilized. A copy of any or all of
16 these contracts shall be made available to the Chief
17 Procurement Officer immediately upon request. The Chief
18 Procurement Officer shall submit a report to the Governor
19 and General Assembly no later than November 1 of each year
20 that includes, at a minimum, an annual summary of the
21 monthly information reported to the Chief Procurement
22 Officer. This exemption becomes inoperative 5 years after
23 June 25, 2019 (the effective date of Public Act 101-27).

24 (19) Acquisition of modifications or adjustments,
25 limited to assistive technology devices and assistive
26 technology services, adaptive equipment, repairs, and

1 replacement parts to provide reasonable accommodations (i)
2 that enable a qualified applicant with a disability to
3 complete the job application process and be considered for
4 the position such qualified applicant desires, (ii) that
5 modify or adjust the work environment to enable a
6 qualified current employee with a disability to perform
7 the essential functions of the position held by that
8 employee, (iii) to enable a qualified current employee
9 with a disability to enjoy equal benefits and privileges
10 of employment as are enjoyed by other similarly situated
11 employees without disabilities, and (iv) that allow a
12 customer, client, claimant, or member of the public
13 seeking State services full use and enjoyment of and
14 access to its programs, services, or benefits.

15 For purposes of this paragraph (19):

16 "Assistive technology devices" means any item, piece
17 of equipment, or product system, whether acquired
18 commercially off the shelf, modified, or customized, that
19 is used to increase, maintain, or improve functional
20 capabilities of individuals with disabilities.

21 "Assistive technology services" means any service that
22 directly assists an individual with a disability in
23 selection, acquisition, or use of an assistive technology
24 device.

25 "Qualified" has the same meaning and use as provided
26 under the federal Americans with Disabilities Act when

1 describing an individual with a disability.

2 (20) Procurement expenditures necessary for the
3 Illinois Commerce Commission to hire third-party
4 facilitators pursuant to Sections 16-105.17 and 16-108.18
5 of the Public Utilities Act or an ombudsman pursuant to
6 Section 16-107.5 of the Public Utilities Act, a
7 facilitator pursuant to Section 16-105.17 of the Public
8 Utilities Act, or a grid auditor pursuant to Section
9 16-105.10 of the Public Utilities Act.

10 (21) Procurement expenditures for the purchase,
11 renewal, and expansion of software, software licenses, or
12 software maintenance agreements that support the efforts
13 of the Illinois State Police to enforce, regulate, and
14 administer the Firearm Owners Identification Card Act, the
15 Firearm Concealed Carry Act, the Firearms Restraining
16 Order Act, the Firearm Dealer License Certification Act,
17 the Law Enforcement Agencies Data System (LEADS), the
18 Uniform Crime Reporting Act, the Criminal Identification
19 Act, the Illinois Uniform Conviction Information Act, and
20 the Gun Trafficking Information Act, or establish or
21 maintain record management systems necessary to conduct
22 human trafficking investigations or gun trafficking or
23 other stolen firearm investigations. This paragraph (21)
24 applies to contracts entered into on or after January 10,
25 2023 (the effective date of Public Act 102-1116) and the
26 renewal of contracts that are in effect on January 10,

2023 (the effective date of Public Act 102-1116).

(22) Contracts for project management services and system integration services required for the completion of the State's enterprise resource planning project. This exemption becomes inoperative 5 years after June 7, 2023 (the effective date of the changes made to this Section by Public Act 103-8). This paragraph (22) applies to contracts entered into on or after June 7, 2023 (the effective date of the changes made to this Section by Public Act 103-8) and the renewal of contracts that are in effect on June 7, 2023 (the effective date of the changes made to this Section by Public Act 103-8).

(23) Procurements necessary for the Department of Insurance to implement the Illinois Health Benefits Exchange Law if the Department of Insurance has made a good faith determination that it is necessary and appropriate for the expenditure to fall within this exemption. The procurement process shall be conducted in a manner substantially in accordance with the requirements of Sections 20-160 and 25-60 and Article 50 of this Code. A copy of these contracts shall be made available to the Chief Procurement Officer immediately upon request. This paragraph is inoperative 5 years after June 27, 2023 (the effective date of Public Act 103-103).

(24) Contracts for public education programming, noncommercial sustaining announcements, public service

1 announcements, and public awareness and education
2 messaging with the nonprofit trade associations of the
3 providers of those services that inform the public on
4 immediate and ongoing health and safety risks and hazards.

5 (25) Procurements necessary for the Department of
6 Early Childhood to implement the Department of Early
7 Childhood Act if the Department has made a good faith
8 determination that it is necessary and appropriate for the
9 expenditure to fall within this exemption. This exemption
10 shall only be used for products and services procured
11 solely for use by the Department of Early Childhood. The
12 procurements may include those necessary to design and
13 build integrated, operational systems of programs and
14 services. The procurements may include, but are not
15 limited to, those necessary to align and update program
16 standards, integrate funding systems, design and establish
17 data and reporting systems, align and update models for
18 technical assistance and professional development, design
19 systems to manage grants and ensure compliance, design and
20 implement management and operational structures, and
21 establish new means of engaging with families, educators,
22 providers, and stakeholders. The procurement processes
23 shall be conducted in a manner substantially in accordance
24 with the requirements of Article 50 (ethics) and Sections
25 5-5 (Procurement Policy Board), 5-7 (Commission on Equity
26 and Inclusion), 20-80 (contract files), 20-120

1 (subcontractors), 20-155 (paperwork), 20-160
2 (ethics/campaign contribution prohibitions), 25-60
3 (prevailing wage), and 25-90 (prohibited and authorized
4 cybersecurity) of this Code. Beginning January 1, 2025,
5 the Department of Early Childhood shall provide a
6 quarterly report to the General Assembly detailing a list
7 of expenditures and contracts for which the Department
8 uses this exemption. This paragraph is inoperative on and
9 after July 1, 2027.

10 (26) Procurements that are necessary for increasing
11 the recruitment and retention of State employees,
12 particularly minority candidates for employment,
13 including:

14 (A) procurements related to registration fees for
15 job fairs and other outreach and recruitment events;

16 (B) production of recruitment materials; and

17 (C) other services related to recruitment and
18 retention of State employees.

19 The exemption under this paragraph (26) applies only
20 if the State agency has made a good faith determination
21 that it is necessary and appropriate for the expenditure
22 to fall within this paragraph (26). The procurement
23 process under this paragraph (26) shall be conducted in a
24 manner substantially in accordance with the requirements
25 of Sections 20-160 and 25-60 and Article 50 of this Code. A
26 copy of these contracts shall be made available to the

1 Chief Procurement Officer immediately upon request.
2 Nothing in this paragraph (26) authorizes the replacement
3 or diminishment of State responsibilities in hiring or the
4 positions that effectuate that hiring. This paragraph (26)
5 is inoperative on and after June 30, 2029.

6 (27) Procurements necessary for the Department of
7 Healthcare and Family Services to implement changes to the
8 State's Integrated Eligibility System to ensure the
9 system's compliance with federal implementation mandates
10 and deadlines, if the Department of Healthcare and Family
11 Services has made a good faith determination that it is
12 necessary and appropriate for the procurement to fall
13 within this exemption.

14 Notwithstanding any other provision of law, for contracts
15 with an annual value of more than \$100,000 entered into on or
16 after October 1, 2017 under an exemption provided in any
17 paragraph of this subsection (b), except paragraph (1), (2),
18 or (5), each State agency shall post to the appropriate
19 procurement bulletin the name of the contractor, a description
20 of the supply or service provided, the total amount of the
21 contract, the term of the contract, and the exception to the
22 Code utilized. The chief procurement officer shall submit a
23 report to the Governor and General Assembly no later than
24 November 1 of each year that shall include, at a minimum, an
25 annual summary of the monthly information reported to the
26 chief procurement officer.

1 (c) This Code does not apply to the electric power
2 procurement process provided for under Section 1-75 of the
3 Illinois Power Agency Act and Section 16-111.5 of the Public
4 Utilities Act. This Code does not apply to the procurement of
5 technical and policy experts pursuant to Section 1-129 of the
6 Illinois Power Agency Act.

7 (d) Except for Section 20-160 and Article 50 of this Code,
8 and as expressly required by Section 9.1 of the Illinois
9 Lottery Law, the provisions of this Code do not apply to the
10 procurement process provided for under Section 9.1 of the
11 Illinois Lottery Law.

12 (e) This Code does not apply to the process used by the
13 Capital Development Board to retain a person or entity to
14 assist the Capital Development Board with its duties related
15 to the determination of costs of a clean coal SNG brownfield
16 facility, as defined by Section 1-10 of the Illinois Power
17 Agency Act, as required in subsection (h-3) of Section 9-220
18 of the Public Utilities Act, including calculating the range
19 of capital costs, the range of operating and maintenance
20 costs, or the sequestration costs or monitoring the
21 construction of clean coal SNG brownfield facility for the
22 full duration of construction.

23 (f) (Blank).

24 (g) (Blank).

25 (h) This Code does not apply to the process to procure or
26 contracts entered into in accordance with Sections 11-5.2 and

1 11-5.3 of the Illinois Public Aid Code.

2 (i) Each chief procurement officer may access records
3 necessary to review whether a contract, purchase, or other
4 expenditure is or is not subject to the provisions of this
5 Code, unless such records would be subject to attorney-client
6 privilege.

7 (j) This Code does not apply to the process used by the
8 Capital Development Board to retain an artist or work or works
9 of art as required in Section 14 of the Capital Development
10 Board Act.

11 (k) This Code does not apply to the process to procure
12 contracts, or contracts entered into, by the State Board of
13 Elections or the State Electoral Board for hearing officers
14 appointed pursuant to the Election Code.

15 (l) This Code does not apply to the processes used by the
16 Illinois Student Assistance Commission to procure supplies and
17 services paid for from the private funds of the Illinois
18 Prepaid Tuition Fund. As used in this subsection (l), "private
19 funds" means funds derived from deposits paid into the
20 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

21 (m) This Code shall apply regardless of the source of
22 funds with which contracts are paid, including federal
23 assistance moneys. Except as specifically provided in this
24 Code, this Code shall not apply to procurement expenditures
25 necessary for the Department of Public Health to conduct the
26 Healthy Illinois Survey in accordance with Section 2310-431 of

1 the Department of Public Health Powers and Duties Law of the
2 Civil Administrative Code of Illinois.

3 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;
4 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.
5 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,
6 eff. 6-16-25; 104-417, eff. 8-15-25)

7 (Text of Section after amendment by P.A. 104-458)

8 Sec. 1-10. Application.

9 (a) This Code applies only to procurements for which
10 bidders, offerors, potential contractors, or contractors were
11 first solicited on or after July 1, 1998. This Code shall not
12 be construed to affect or impair any contract, or any
13 provision of a contract, entered into based on a solicitation
14 prior to the implementation date of this Code as described in
15 Article 99, including, but not limited to, any covenant
16 entered into with respect to any revenue bonds or similar
17 instruments. All procurements for which contracts are
18 solicited between the effective date of Articles 50 and 99 and
19 July 1, 1998 shall be substantially in accordance with this
20 Code and its intent.

21 (b) This Code shall apply regardless of the source of the
22 funds with which the contracts are paid, including federal
23 assistance moneys. This Code shall not apply to:

24 (1) Contracts between the State and its political
25 subdivisions or other governments, or between State

1 governmental bodies, except as specifically provided in
2 this Code.

3 (2) Grants, except for the filing requirements of
4 Section 20-80.

5 (3) Purchase of care, except as provided in Section
6 5-30.6 of the Illinois Public Aid Code and this Section.

7 (4) Hiring of an individual as an employee and not as
8 an independent contractor, whether pursuant to an
9 employment code or policy or by contract directly with
10 that individual.

11 (5) Collective bargaining contracts.

12 (6) Purchase of real estate, except that notice of
13 this type of contract with a value of more than \$25,000
14 must be published in the Procurement Bulletin within 10
15 calendar days after the deed is recorded in the county of
16 jurisdiction. The notice shall identify the real estate
17 purchased, the names of all parties to the contract, the
18 value of the contract, and the effective date of the
19 contract.

20 (7) Contracts necessary to prepare for anticipated
21 litigation, enforcement actions, or investigations,
22 provided that the chief legal counsel to the Governor
23 shall give his or her prior approval when the procuring
24 agency is one subject to the jurisdiction of the Governor,
25 and provided that the chief legal counsel of any other
26 procuring entity subject to this Code shall give his or

1 her prior approval when the procuring entity is not one
2 subject to the jurisdiction of the Governor.

3 (8) (Blank).

4 (9) Procurement expenditures by the Illinois
5 Conservation Foundation when only private funds are used.

6 (10) (Blank).

7 (11) Public-private agreements entered into according
8 to the procurement requirements of Section 20 of the
9 Public-Private Partnerships for Transportation Act and
10 design-build agreements entered into according to the
11 procurement requirements of Section 25 of the
12 Public-Private Partnerships for Transportation Act.

13 (12) (A) Contracts for legal, financial, and other
14 professional and artistic services entered into by the
15 Illinois Finance Authority in which the State of Illinois
16 is not obligated. Such contracts shall be awarded through
17 a competitive process authorized by the members of the
18 Illinois Finance Authority and are subject to Sections
19 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
20 as well as the final approval by the members of the
21 Illinois Finance Authority of the terms of the contract.

22 (B) Contracts for legal and financial services entered
23 into by the Illinois Housing Development Authority in
24 connection with the issuance of bonds in which the State
25 of Illinois is not obligated. Such contracts shall be
26 awarded through a competitive process authorized by the

1 members of the Illinois Housing Development Authority and
2 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
3 and 50-37 of this Code, as well as the final approval by
4 the members of the Illinois Housing Development Authority
5 of the terms of the contract.

6 (13) Contracts for services, commodities, and
7 equipment to support the delivery of timely forensic
8 science services in consultation with and subject to the
9 approval of the Chief Procurement Officer as provided in
10 subsection (d) of Section 5-4-3a of the Unified Code of
11 Corrections, except for the requirements of Sections
12 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
13 Code; however, the Chief Procurement Officer may, in
14 writing with justification, waive any certification
15 required under Article 50 of this Code. For any contracts
16 for services which are currently provided by members of a
17 collective bargaining agreement, the applicable terms of
18 the collective bargaining agreement concerning
19 subcontracting shall be followed.

20 On and after January 1, 2019, this paragraph (13),
21 except for this sentence, is inoperative.

22 (14) Contracts for participation expenditures required
23 by a domestic or international trade show or exhibition of
24 an exhibitor, member, or sponsor.

25 (15) Contracts with a railroad or utility that
26 requires the State to reimburse the railroad or utilities

1 for the relocation of utilities for construction or other
2 public purpose. Contracts included within this paragraph
3 (15) shall include, but not be limited to, those
4 associated with: relocations, crossings, installations,
5 and maintenance. For the purposes of this paragraph (15),
6 "railroad" means any form of non-highway ground
7 transportation that runs on rails or electromagnetic
8 guideways and "utility" means: (1) public utilities as
9 defined in Section 3-105 of the Public Utilities Act, (2)
10 telecommunications carriers as defined in Section 13-202
11 of the Public Utilities Act, (3) electric cooperatives as
12 defined in Section 3.4 of the Electric Supplier Act, (4)
13 telephone or telecommunications cooperatives as defined in
14 Section 13-212 of the Public Utilities Act, (5) rural
15 water or wastewater ~~waste-water~~ systems with 10,000
16 connections or less, (6) a holder as defined in Section
17 21-201 of the Public Utilities Act, and (7) municipalities
18 owning or operating utility systems consisting of public
19 utilities as that term is defined in Section 11-117-2 of
20 the Illinois Municipal Code.

21 (16) Procurement expenditures necessary for the
22 Department of Public Health to provide the delivery of
23 timely newborn screening services in accordance with the
24 Newborn Metabolic Screening Act.

25 (17) Procurement expenditures necessary for the
26 Department of Agriculture, the Department of Financial and

1 Professional Regulation, the Department of Human Services,
2 and the Department of Public Health to implement the
3 Compassionate Use of Medical Cannabis Program and Opioid
4 Alternative Pilot Program requirements and ensure access
5 to medical cannabis for patients with debilitating medical
6 conditions in accordance with the Compassionate Use of
7 Medical Cannabis Program Act.

8 (18) This Code does not apply to any procurements
9 necessary for the Department of Agriculture, the
10 Department of Financial and Professional Regulation, the
11 Department of Human Services, the Department of Commerce
12 and Economic Opportunity, and the Department of Public
13 Health to implement the Cannabis Regulation and Tax Act if
14 the applicable agency has made a good faith determination
15 that it is necessary and appropriate for the expenditure
16 to fall within this exemption and if the process is
17 conducted in a manner substantially in accordance with the
18 requirements of Sections 20-160, 25-60, 30-22, 50-5,
19 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
20 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
21 Section 50-35, compliance applies only to contracts or
22 subcontracts over \$100,000. Notice of each contract
23 entered into under this paragraph (18) that is related to
24 the procurement of goods and services identified in
25 paragraph (1) through (9) of this subsection shall be
26 published in the Procurement Bulletin within 14 calendar

1 days after contract execution. The Chief Procurement
2 Officer shall prescribe the form and content of the
3 notice. Each agency shall provide the Chief Procurement
4 Officer, on a monthly basis, in the form and content
5 prescribed by the Chief Procurement Officer, a report of
6 contracts that are related to the procurement of goods and
7 services identified in this subsection. At a minimum, this
8 report shall include the name of the contractor, a
9 description of the supply or service provided, the total
10 amount of the contract, the term of the contract, and the
11 exception to this Code utilized. A copy of any or all of
12 these contracts shall be made available to the Chief
13 Procurement Officer immediately upon request. The Chief
14 Procurement Officer shall submit a report to the Governor
15 and General Assembly no later than November 1 of each year
16 that includes, at a minimum, an annual summary of the
17 monthly information reported to the Chief Procurement
18 Officer. This exemption becomes inoperative 5 years after
19 June 25, 2019 (the effective date of Public Act 101-27).

20 (19) Acquisition of modifications or adjustments,
21 limited to assistive technology devices and assistive
22 technology services, adaptive equipment, repairs, and
23 replacement parts to provide reasonable accommodations (i)
24 that enable a qualified applicant with a disability to
25 complete the job application process and be considered for
26 the position such qualified applicant desires, (ii) that

1 modify or adjust the work environment to enable a
2 qualified current employee with a disability to perform
3 the essential functions of the position held by that
4 employee, (iii) to enable a qualified current employee
5 with a disability to enjoy equal benefits and privileges
6 of employment as are enjoyed by other similarly situated
7 employees without disabilities, and (iv) that allow a
8 customer, client, claimant, or member of the public
9 seeking State services full use and enjoyment of and
10 access to its programs, services, or benefits.

11 For purposes of this paragraph (19):

12 "Assistive technology devices" means any item, piece
13 of equipment, or product system, whether acquired
14 commercially off the shelf, modified, or customized, that
15 is used to increase, maintain, or improve functional
16 capabilities of individuals with disabilities.

17 "Assistive technology services" means any service that
18 directly assists an individual with a disability in
19 selection, acquisition, or use of an assistive technology
20 device.

21 "Qualified" has the same meaning and use as provided
22 under the federal Americans with Disabilities Act when
23 describing an individual with a disability.

24 (20) Procurement expenditures necessary for the
25 Illinois Commerce Commission to hire third-party
26 facilitators pursuant to Sections 16-105.17 and 16-108.18

1 of the Public Utilities Act or an ombudsman pursuant to
2 Section 16-107.5 of the Public Utilities Act, a
3 facilitator pursuant to Section 16-105.17 of the Public
4 Utilities Act, a grid auditor pursuant to Section
5 16-105.10 of the Public Utilities Act, a facilitator,
6 expert, or consultant pursuant to Sections 16-126.2 and
7 16-202 of the Public Utilities Act, a procurement monitor
8 pursuant to Section 16-111.5 of the Public Utilities Act,
9 an ombudsperson pursuant to Section 20-145 of the Public
10 Utilities Act, or consultants and experts pursuant to
11 Section 5-15 of the Utility Data Access Act.

12 (21) Procurement expenditures for the purchase,
13 renewal, and expansion of software, software licenses, or
14 software maintenance agreements that support the efforts
15 of the Illinois State Police to enforce, regulate, and
16 administer the Firearm Owners Identification Card Act, the
17 Firearm Concealed Carry Act, the Firearms Restraining
18 Order Act, the Firearm Dealer License Certification Act,
19 the Law Enforcement Agencies Data System (LEADS), the
20 Uniform Crime Reporting Act, the Criminal Identification
21 Act, the Illinois Uniform Conviction Information Act, and
22 the Gun Trafficking Information Act, or establish or
23 maintain record management systems necessary to conduct
24 human trafficking investigations or gun trafficking or
25 other stolen firearm investigations. This paragraph (21)
26 applies to contracts entered into on or after January 10,

1 2023 (the effective date of Public Act 102-1116) and the
2 renewal of contracts that are in effect on January 10,
3 2023 (the effective date of Public Act 102-1116).

4 (22) Contracts for project management services and
5 system integration services required for the completion of
6 the State's enterprise resource planning project. This
7 exemption becomes inoperative 5 years after June 7, 2023
8 (the effective date of the changes made to this Section by
9 Public Act 103-8). This paragraph (22) applies to
10 contracts entered into on or after June 7, 2023 (the
11 effective date of the changes made to this Section by
12 Public Act 103-8) and the renewal of contracts that are in
13 effect on June 7, 2023 (the effective date of the changes
14 made to this Section by Public Act 103-8).

15 (23) Procurements necessary for the Department of
16 Insurance to implement the Illinois Health Benefits
17 Exchange Law if the Department of Insurance has made a
18 good faith determination that it is necessary and
19 appropriate for the expenditure to fall within this
20 exemption. The procurement process shall be conducted in a
21 manner substantially in accordance with the requirements
22 of Sections 20-160 and 25-60 and Article 50 of this Code. A
23 copy of these contracts shall be made available to the
24 Chief Procurement Officer immediately upon request. This
25 paragraph is inoperative 5 years after June 27, 2023 (the
26 effective date of Public Act 103-103).

1 (24) Contracts for public education programming,
2 noncommercial sustaining announcements, public service
3 announcements, and public awareness and education
4 messaging with the nonprofit trade associations of the
5 providers of those services that inform the public on
6 immediate and ongoing health and safety risks and hazards.

7 (25) Procurements necessary for the Department of
8 Early Childhood to implement the Department of Early
9 Childhood Act if the Department has made a good faith
10 determination that it is necessary and appropriate for the
11 expenditure to fall within this exemption. This exemption
12 shall only be used for products and services procured
13 solely for use by the Department of Early Childhood. The
14 procurements may include those necessary to design and
15 build integrated, operational systems of programs and
16 services. The procurements may include, but are not
17 limited to, those necessary to align and update program
18 standards, integrate funding systems, design and establish
19 data and reporting systems, align and update models for
20 technical assistance and professional development, design
21 systems to manage grants and ensure compliance, design and
22 implement management and operational structures, and
23 establish new means of engaging with families, educators,
24 providers, and stakeholders. The procurement processes
25 shall be conducted in a manner substantially in accordance
26 with the requirements of Article 50 (ethics) and Sections

1 5-5 (Procurement Policy Board), 5-7 (Commission on Equity
2 and Inclusion), 20-80 (contract files), 20-120
3 (subcontractors), 20-155 (paperwork), 20-160
4 (ethics/campaign contribution prohibitions), 25-60
5 (prevailing wage), and 25-90 (prohibited and authorized
6 cybersecurity) of this Code. Beginning January 1, 2025,
7 the Department of Early Childhood shall provide a
8 quarterly report to the General Assembly detailing a list
9 of expenditures and contracts for which the Department
10 uses this exemption. This paragraph is inoperative on and
11 after July 1, 2027.

12 (26) Procurements that are necessary for increasing
13 the recruitment and retention of State employees,
14 particularly minority candidates for employment,
15 including:

16 (A) procurements related to registration fees for
17 job fairs and other outreach and recruitment events;

18 (B) production of recruitment materials; and

19 (C) other services related to recruitment and
20 retention of State employees.

21 The exemption under this paragraph (26) applies only
22 if the State agency has made a good faith determination
23 that it is necessary and appropriate for the expenditure
24 to fall within this paragraph (26). The procurement
25 process under this paragraph (26) shall be conducted in a
26 manner substantially in accordance with the requirements

1 of Sections 20-160 and 25-60 and Article 50 of this Code. A
2 copy of these contracts shall be made available to the
3 Chief Procurement Officer immediately upon request.
4 Nothing in this paragraph (26) authorizes the replacement
5 or diminishment of State responsibilities in hiring or the
6 positions that effectuate that hiring. This paragraph (26)
7 is inoperative on and after June 30, 2029.

8 (27) Procurements necessary for the Department of
9 Healthcare and Family Services to implement changes to the
10 State's Integrated Eligibility System to ensure the
11 system's compliance with federal implementation mandates
12 and deadlines, if the Department of Healthcare and Family
13 Services has made a good faith determination that it is
14 necessary and appropriate for the procurement to fall
15 within this exemption.

16 Notwithstanding any other provision of law, for contracts
17 with an annual value of more than \$100,000 entered into on or
18 after October 1, 2017 under an exemption provided in any
19 paragraph of this subsection (b), except paragraph (1), (2),
20 or (5), each State agency shall post to the appropriate
21 procurement bulletin the name of the contractor, a description
22 of the supply or service provided, the total amount of the
23 contract, the term of the contract, and the exception to the
24 Code utilized. The chief procurement officer shall submit a
25 report to the Governor and General Assembly no later than
26 November 1 of each year that shall include, at a minimum, an

1 annual summary of the monthly information reported to the
2 chief procurement officer.

3 (c) This Code does not apply to the electric power
4 procurement process provided for under Section 1-75 of the
5 Illinois Power Agency Act and Section 16-111.5 of the Public
6 Utilities Act. This Code does not apply to the procurement of
7 technical and policy experts pursuant to Section 1-129 of the
8 Illinois Power Agency Act.

9 (d) Except for Section 20-160 and Article 50 of this Code,
10 and as expressly required by Section 9.1 of the Illinois
11 Lottery Law, the provisions of this Code do not apply to the
12 procurement process provided for under Section 9.1 of the
13 Illinois Lottery Law.

14 (e) This Code does not apply to the process used by the
15 Capital Development Board to retain a person or entity to
16 assist the Capital Development Board with its duties related
17 to the determination of costs of a clean coal SNG brownfield
18 facility, as defined by Section 1-10 of the Illinois Power
19 Agency Act, as required in subsection (h-3) of Section 9-220
20 of the Public Utilities Act, including calculating the range
21 of capital costs, the range of operating and maintenance
22 costs, or the sequestration costs or monitoring the
23 construction of clean coal SNG brownfield facility for the
24 full duration of construction.

25 (f) (Blank).

26 (g) (Blank).

1 (h) This Code does not apply to the process to procure or
2 contracts entered into in accordance with Sections 11-5.2 and
3 11-5.3 of the Illinois Public Aid Code.

4 (i) Each chief procurement officer may access records
5 necessary to review whether a contract, purchase, or other
6 expenditure is or is not subject to the provisions of this
7 Code, unless such records would be subject to attorney-client
8 privilege.

9 (j) This Code does not apply to the process used by the
10 Capital Development Board to retain an artist or work or works
11 of art as required in Section 14 of the Capital Development
12 Board Act.

13 (k) This Code does not apply to the process to procure
14 contracts, or contracts entered into, by the State Board of
15 Elections or the State Electoral Board for hearing officers
16 appointed pursuant to the Election Code.

17 (l) This Code does not apply to the processes used by the
18 Illinois Student Assistance Commission to procure supplies and
19 services paid for from the private funds of the Illinois
20 Prepaid Tuition Fund. As used in this subsection (l), "private
21 funds" means funds derived from deposits paid into the
22 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

23 (m) This Code shall apply regardless of the source of
24 funds with which contracts are paid, including federal
25 assistance moneys. Except as specifically provided in this
26 Code, this Code shall not apply to procurement expenditures

1 necessary for the Department of Public Health to conduct the
2 Healthy Illinois Survey in accordance with Section 2310-431 of
3 the Department of Public Health Powers and Duties Law of the
4 Civil Administrative Code of Illinois.

5 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;
6 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.
7 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,
8 eff. 6-16-25; 104-417, eff. 8-15-25; 104-458, eff. 6-1-26;
9 revised 1-12-26.)

10 Section 225. The Business Enterprise for Minorities,
11 Women, and Persons with Disabilities Act is amended by
12 changing Section 2 as follows:

13 (30 ILCS 575/2)

14 (Section scheduled to be repealed on June 30, 2029)

15 Sec. 2. Definitions.

16 (A) For the purpose of this Act, the following terms shall
17 have the following definitions:

18 (1) "Minority person" shall mean a person who is a
19 citizen or lawful permanent resident of the United States
20 and who is any of the following:

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

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

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

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

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

15 (2) "Woman" shall mean a person who is a citizen or
16 lawful permanent resident of the United States and who is
17 of the female gender.

18 (2.05) "Person with a disability" means a person who
19 is a citizen or lawful resident of the United States and is
20 a person qualifying as a person with a disability under
21 subdivision (2.1) of this subsection (A).

22 (2.1) "Person with a disability" means a person with a
23 severe physical or mental disability that:

24 (a) results from:

25 amputation,

26 arthritis,

1 autism,
2 blindness,
3 burn injury,
4 cancer,
5 cerebral palsy,
6 Crohn's disease,
7 cystic fibrosis,
8 deafness,
9 head injury,
10 heart disease,
11 hemiplegia,
12 hemophilia,
13 respiratory or pulmonary dysfunction,
14 an intellectual disability,
15 mental illness,
16 multiple sclerosis,
17 muscular dystrophy,
18 musculoskeletal disorders,
19 neurological disorders, including stroke and
20 epilepsy,
21 paraplegia,
22 quadriplegia and other spinal cord conditions,
23 sickle cell anemia,
24 ulcerative colitis,
25 specific learning disabilities, or
26 end stage renal failure disease; and

1 (b) substantially limits one or more of the
2 person's major life activities.

3 Another disability or combination of disabilities may
4 also be considered as a severe disability for the purposes
5 of item (a) of this subdivision (2.1) if it is determined
6 by an evaluation of rehabilitation potential to cause a
7 comparable degree of substantial functional limitation
8 similar to the specific list of disabilities listed in
9 item (a) of this subdivision (2.1).

10 (3) "Minority-owned business" means a business which
11 is at least 51% owned by one or more minority persons, or
12 in the case of a corporation, at least 51% of the stock in
13 which is owned by one or more minority persons; and the
14 management and daily business operations of which are
15 controlled by one or more of the minority individuals who
16 own it.

17 (4) "Women-owned business" means a business which is
18 at least 51% owned by one or more women, or, in the case of
19 a corporation, at least 51% of the stock in which is owned
20 by one or more women; and the management and daily
21 business operations of which are controlled by one or more
22 of the women who own it.

23 (4.1) "Business owned by a person with a disability"
24 means a business that is at least 51% owned by one or more
25 persons with a disability and the management and daily
26 business operations of which are controlled by one or more

1 of the persons with disabilities who own it.

2 (4.2) "Council" means the Business Enterprise Council
3 for Minorities, Women, and Persons with Disabilities
4 created under Section 5 of this Act.

5 (4.3) "Commission" means, unless the context clearly
6 indicates otherwise, the Commission on Equity and
7 Inclusion created under the Commission on Equity and
8 Inclusion Act.

9 (4.4) "Certified vendor" means a minority-owned
10 business, women-owned business, or business owned by a
11 person with a disability that is certified by the Business
12 Enterprise Program.

13 (4.5) "Subcontractor" means a person or entity that
14 enters into a contractual agreement with a prime vendor to
15 provide, on behalf of the prime vendor, goods, services,
16 real property, or remuneration or other monetary
17 consideration that is the subject of the primary State
18 contract. "Subcontractor" includes a sublessee under a
19 State contract.

20 (4.6) "Prime vendor" means any person or entity having
21 a contract that is subject to this Act with a State agency
22 or public institution of higher education.

23 (5) "State contracts" means all contracts entered into
24 by the State, any agency or department thereof, or any
25 public institution of higher education, including
26 community college districts, regardless of the source of

1 the funds with which the contracts are paid, which are not
2 subject to federal reimbursement. "State contracts" does
3 not include contracts awarded by a retirement system,
4 pension fund, or investment board subject to Section
5 1-109.1 of the Illinois Pension Code. This definition
6 shall control over any existing definition under this Act
7 or applicable administrative rule.

8 "State construction contracts" means all State
9 contracts entered into by a State agency or public
10 institution of higher education for the repair,
11 remodeling, renovation or construction of a building or
12 structure, or for the construction or maintenance of a
13 highway defined in Article 2 of the Illinois Highway Code.

14 (6) "State agencies" shall mean all departments,
15 officers, boards, commissions, institutions and bodies
16 politic and corporate of the State, but does not include
17 the Board of Trustees of the University of Illinois, the
18 Board of Trustees of Southern Illinois University, the
19 Board of Trustees of Chicago State University, the Board
20 of Trustees of Eastern Illinois University, the Board of
21 Trustees of Governors State University, the Board of
22 Trustees of Illinois State University, the Board of
23 Trustees of Northeastern Illinois University, the Board of
24 Trustees of Northern Illinois University, the Board of
25 Trustees of Western Illinois University, municipalities or
26 other local governmental units, or other State

1 constitutional officers.

2 (7) "Public institutions of higher education" means
3 the University of Illinois, Southern Illinois University,
4 Chicago State University, Eastern Illinois University,
5 Governors State University, Illinois State University,
6 Northeastern Illinois University, Northern Illinois
7 University, Western Illinois University, the public
8 community colleges of the State, and any other public
9 universities, colleges, and community colleges now or
10 hereafter established or authorized by the General
11 Assembly.

12 (8) "Certification" means a determination made by the
13 Council or by one delegated authority from the Council to
14 make certifications, or by a State agency with statutory
15 authority to make such a certification, that a business
16 entity is a business owned by a minority, woman, or person
17 with a disability for whatever purpose. A business owned
18 and controlled by women shall be certified as a
19 "woman-owned business". A business owned and controlled by
20 women who are also minorities shall be certified as both a
21 "women-owned business" and a "minority-owned business".

22 (9) "Control" means the exclusive or ultimate and sole
23 control of the business including, but not limited to,
24 capital investment and all other financial matters,
25 property, acquisitions, contract negotiations, legal
26 matters, officer-director-employee selection and

1 comprehensive hiring, operating responsibilities,
2 cost-control matters, income and dividend matters,
3 financial transactions and rights of other shareholders or
4 joint partners. Control shall be real, substantial and
5 continuing, not pro forma. Control shall include the power
6 to direct or cause the direction of the management and
7 policies of the business and to make the day-to-day as
8 well as major decisions in matters of policy, management
9 and operations. Control shall be exemplified by possessing
10 the requisite knowledge and expertise to run the
11 particular business and control shall not include simple
12 majority or absentee ownership.

13 (10) "Business" means a business that has annual gross
14 sales of less than \$150,000,000 as evidenced by the
15 federal income tax return of the business. A certified
16 vendor with gross sales in excess of this cap may apply to
17 the Council for certification for a particular contract if
18 the vendor can demonstrate that the contract would have
19 significant impact on businesses owned by minorities,
20 women, or persons with disabilities as suppliers or
21 subcontractors or in employment of minorities, women, or
22 persons with disabilities. Firms with gross sales in
23 excess of this cap that are granted certification by the
24 Council shall be granted certification for the life of the
25 contract, including available renewals.

26 (11) "Utilization plan" means an attachment that is

1 made to all bids or proposals and that demonstrates the
2 bidder's or offeror's efforts to meet the
3 contract-specific Business Enterprise Program goal. The
4 utilization plan shall indicate whether the prime vendor
5 intends to meet the Business Enterprise Program goal
6 through its own performance, if it is a certified vendor,
7 or through the use of subcontractors that are certified
8 vendors. The utilization plan shall demonstrate that the
9 Vendor has either: (1) met the entire contract goal or (2)
10 requested a full or partial waiver of the contract goal.
11 If the prime vendor intends to use a subcontractor that is
12 a certified vendor to fulfill the contract goal, a
13 participation agreement executed between the prime vendor
14 and the certified subcontractor must be included with the
15 utilization plan.

16 (12) "Business Enterprise Program" means the Business
17 Enterprise Program of the Commission on Equity and
18 Inclusion.

19 (13) "Good faith effort" means actions undertaken by a
20 vendor to achieve a contract specific Business Enterprise
21 Program goal that, by scope, intensity, and
22 appropriateness to the objective, can reasonably be
23 expected to fulfill the program's requirements.

24 (14) "Goal" means the participation levels of
25 certified vendors on State contracts.

26 (B) When a business is owned at least 51% by any

1 combination of minority persons, women, or persons with
2 disabilities, even though none of the 3 classes alone holds at
3 least a 51% interest, the ownership requirement for purposes
4 of this Act is considered to be met. The certification
5 category for the business is that of the class holding the
6 largest ownership interest in the business. If 2 or more
7 classes have equal ownership interests, the certification
8 category shall be determined by the business.

9 (Source: P.A. 102-29, eff. 6-25-21; 102-1119, eff. 1-23-23;
10 103-570, eff. 1-1-24; 103-865, eff. 1-1-25; 103-1060, eff.
11 1-21-25; revised 3-5-25.)

12 Section 230. The Rural Economic Development Act is amended
13 by changing Sections 3-4 and 3-9 as follows:

14 (30 ILCS 710/3-4) (from Ch. 5, par. 2203-4)

15 Sec. 3-4. Two or more contiguous counties, having an
16 aggregate population of 30,000 or more persons or comprising
17 all the counties within a region designated pursuant to
18 Division 5-14 of the Counties Code ~~"An Act to provide for~~
19 ~~regional planning and for the creation, organization and~~
20 ~~powers of regional planning commissions", approved June 25,~~
21 ~~1929, as amended,~~ situated within the same region designated
22 pursuant to that Division ~~Act~~, may qualify for a grant as
23 provided in Section 3-3 by the enactment of appropriate
24 resolutions creating and establishing a regional correctional

1 facilities advisory board, designating the officer or agency
2 to be responsible for administering grant funds, and providing
3 a comprehensive plan for the construction and operation of a
4 correctional ~~corrections~~ facility described in Section 3-3,
5 and providing for centralized administration and control of
6 such correctional ~~correction~~ facility described in Section
7 3-3.

8 (Source: P.A. 84-1452; revised 7-16-25.)

9 (30 ILCS 710/3-9) (from Ch. 5, par. 2203-9)

10 Sec. 3-9. The Department shall make grants to assist
11 counties in the construction of regional correctional
12 ~~corrections~~ facilities pursuant to Section 3-15-2 of the
13 Unified Code of Corrections.

14 (Source: P.A. 84-1452; revised 7-14-25.)

15 Section 235. The Comprehensive Solar Energy Act of 1977 is
16 amended by changing Section 1.2 as follows:

17 (30 ILCS 725/1.2) (from Ch. 96 1/2, par. 7303)

18 Sec. 1.2. Definitions. As used in this Act:

19 (a) "Solar energy" means radiant energy received from the
20 sun at wave lengths suitable for heat transfer, photosynthetic
21 use, or photovoltaic use.

22 (b) "Solar collector" means:

23 (1) an assembly, structure, or design, including

1 passive elements, used for gathering, concentrating, or
2 absorbing direct or indirect solar energy, specially
3 designed for holding a substantial amount of useful
4 thermal energy and to transfer that energy to a gas,
5 solid, or liquid or to use that energy directly; or

6 (2) a mechanism that absorbs solar energy and converts
7 it into electricity; or

8 (3) a mechanism or process used for gathering solar
9 energy through wind or thermal gradients; or

10 (4) a component used to transfer thermal energy to a
11 gas, solid, or liquid, or to convert it into electricity.

12 (c) "Solar storage mechanism" means equipment or elements
13 (such as piping and transfer mechanisms, containers, heat
14 exchangers, or controls thereof, and gases, solids, liquids,
15 or combinations thereof) that are utilized for storing solar
16 energy, gathered by a solar collector, for subsequent use.

17 (d) "Solar energy system" means:

18 (1) ~~(a)~~ a complete assembly, structure, or design of a
19 solar collector, or a solar storage mechanism, which uses
20 solar energy for generating electricity or for heating or
21 cooling gases, solids, liquids, or other materials;

22 (2) ~~(b)~~ the design, materials, or elements of a system
23 and its maintenance, operation, and labor components, and
24 the necessary components, if any, of supplemental
25 conventional energy systems designed or constructed to
26 interface with a solar energy system; and

1 (3) ~~(e)~~ any legal, financial, or institutional orders,
2 certificates, or mechanisms, including easements, leases,
3 and agreements, required to ensure continued access to
4 solar energy, its source, or its use in a solar energy
5 system, and including monitoring and educational elements
6 of a demonstration project.

7 ~~(2)~~ "Solar energy system" does not include:

8 (1) ~~(a)~~ distribution equipment that is equally usable
9 in a conventional energy system except for such components
10 of such equipment as are necessary for meeting the
11 requirements of efficient solar energy utilization; and

12 (2) ~~(b)~~ components of a solar energy system that serve
13 structural, insulating, protective, shading, aesthetic, or
14 other non-solar energy utilization purposes, as defined in
15 the regulations of the Department; and

16 (3) ~~(e)~~ any facilities of a public utility used to
17 transmit or distribute gas or electricity.

18 (e) "Solar skyspace" means:

19 (1) The maximum 3-dimensional ~~three dimensional~~ space
20 extending from a solar energy collector to all positions
21 of the sun necessary for efficient use of the collector.

22 (2) Where a solar energy system is used for heating
23 purposes only, "solar skyspace" means the maximum
24 3-dimensional ~~three dimensional~~ space extending from a
25 solar energy collector to all positions of the sun between
26 9 a.m. and 3 p.m. Local Apparent Time from September 22

1 through March 22 of each year.

2 (3) Where a solar energy system is used for cooling
3 purposes only, "solar skyspace" means the maximum
4 3-dimensional ~~three-dimensional~~ space extending from a
5 solar energy collector to all positions of the sun between
6 8 a.m. and 4 p.m. Local Apparent Time from March 23 through
7 September 21.

8 (f) "Solar skyspace easement" means:

9 (1) a right, whether or not stated in the form of a
10 restriction, easement, covenant, or condition, in any
11 deed, will, or other instrument executed by or on behalf
12 of any owner of land or solar skyspace or in any order of
13 taking, appropriate to protect the solar skyspace of a
14 solar collector at a particularly described location to
15 forbid or limit any or all of the following where
16 detrimental to access to solar energy.

17 (a) structures on or above ground;

18 (b) vegetation on or above the ground; or

19 (c) other activity;

20 (2) and which shall specifically describe a solar
21 skyspace in three dimensional terms in which the activity,
22 structures, or vegetation are forbidden or limited or in
23 which such an easement shall set performance criteria for
24 adequate collection of solar energy at a particular
25 location.

26 (g) "Conventional energy system" means ~~shall mean~~ an

1 energy system utilizing fossil fuel, nuclear or hydroelectric
2 energy and the components of such system, including
3 transmission lines, burners, furnaces, tanks, boilers, related
4 controls, distribution systems, room or area units and other
5 components.

6 (h) "Supplemental conventional energy system" means ~~shall~~
7 ~~mean~~ a conventional energy system utilized for providing
8 energy in conjunction with a solar energy system that provides
9 not less than 10% ~~ten percent~~ of the energy for the particular
10 end use. "Supplemental conventional energy system" does not
11 include any facilities of a public utility used to produce,
12 transmit, distribute or store gas or electricity.

13 (i) "Joint solar energy system" means ~~shall mean~~ a solar
14 energy system that supplies energy for structures or processes
15 on more than one lot or in more than one condominium unit or
16 leasehold, but not to the general public and involving at
17 least 2 ~~two~~ owners or users.

18 (j) "Unit of local government" means ~~a shall mean~~ county,
19 a municipality, a township, a special district ~~districts~~,
20 including a school district ~~districts~~, or a unit ~~and units~~
21 designated as a unit ~~units~~ of local government by law, which
22 exercises ~~exercise~~ limited governmental powers.

23 (k) "Department" means the Illinois Department of Commerce
24 and Economic Opportunity or its successor agency.

25 (l) "Public energy supplier" means: ~~shall mean~~

26 (1) A public utility as defined in the Public

1 Utilities Act ~~an Act concerning Public Utilities, approved~~
2 ~~June 29, 1921, as amended; or~~

3 (2) A public utility that is owned or operated by any
4 political subdivision or municipal corporation of this
5 State, or owned by such political subdivision or municipal
6 corporation and operated by any of its lessees or
7 operating agents; or

8 (3) An electric cooperative as defined in Section
9 3-119 of the Public Utilities Act ~~10.19 of An Act~~
10 ~~concerning Public Utilities, approved June 29, 1921, as~~
11 ~~amended.~~

12 (m) "Energy use sites" means ~~shall mean~~ sites where energy
13 is or may be used or consumed for generating electricity or for
14 heating or cooling gases, solids, liquids, or other materials
15 and where solar energy may be used cost effectively, as
16 defined in the regulations of the Department, consistent with
17 the purposes of this Act.

18 (Source: P.A. 94-793, eff. 5-19-06; revised 7-8-25.)

19 Section 240. The Build Illinois Act is amended by changing
20 Section 9-4.3 as follows:

21 (30 ILCS 750/9-4.3) (from Ch. 127, par. 2709-4.3)

22 Sec. 9-4.3. Minority, veteran, female, and disability
23 loans.

24 (a) In the making of loans for minority, veteran, female, and

1 or disability small businesses, as defined below, the
2 Department is authorized to employ different criteria in lieu
3 of the general provisions of subsections (b), (d), (e), (f),
4 (h), and (i) of Section 9-4.

5 Minority, veteran, female, or disability small businesses,
6 for the purpose of this Section, shall be defined as small
7 businesses that are, in the Department's judgment, at least
8 51% owned and managed by one or more persons who are minority
9 or female or who have a disability or who are veterans.

10 (b) Loans made pursuant to this Section:

11 (1) Shall not exceed \$2,000,000 or 50% of the business
12 project costs unless the Director of the Department
13 determines that a waiver of these limits is required to
14 meet the purposes of this Act.

15 (2) Shall only be made if, in the Department's
16 judgment, the number of jobs to be created or retained is
17 reasonable in relation to the loan funds requested.

18 (3) Shall be protected by security. Financial
19 assistance may be secured by first, second, or subordinate
20 mortgage positions on real or personal property, by
21 royalty payments, by personal notes or guarantees, or by
22 any other security satisfactory to the Department to
23 secure repayment. Security valuation requirements, as
24 determined by the Department, for the purposes of this
25 Section, may be less than required for similar loans not
26 covered by this Section, provided the applicants

1 demonstrate adequate business experience, entrepreneurial
2 training, or a combination thereof, as determined by the
3 Department.

4 (4) Shall be in such principal amount and form and
5 contain such terms and provisions with respect to
6 security, insurance, reporting, delinquency charges,
7 default remedies, and other matters as the Department
8 shall determine appropriate to protect the public interest
9 and consistent with the purposes of this Section. The
10 terms and provisions may be less than required for similar
11 loans not covered by this Section.

12 ~~(5)~~ Notwithstanding anything in this Act to the contrary,
13 eligible projects include, but are not limited to, refinancing
14 current debt if the loan will refinance a loan previously made
15 by a lender that is unaffiliated with the financial
16 intermediary making the new loan and if the proceeds of the
17 refinance transaction are not used to finance an extraordinary
18 dividend or other distribution.

19 (Source: P.A. 103-1051, eff. 1-1-25; revised 7-8-25.)

20 Section 245. The Eliminate the Digital Divide Law is
21 amended by changing Section 5-30 as follows:

22 (30 ILCS 780/5-30)

23 Sec. 5-30. Community Technology Center Grant Program.

24 (a) Subject to appropriation, the Department shall

1 administer the Community Technology Center Grant Program under
2 which the Department shall make grants in accordance with this
3 Article for planning, establishment, administration, and
4 expansion of Community Technology Centers and for assisting
5 public hospitals, libraries, and park districts in eliminating
6 the digital divide. The purposes of the grants shall include,
7 but not be limited to, volunteer recruitment and management,
8 training and instruction, infrastructure, and related goods
9 and services, including case management, administration,
10 personal information management, and outcome-tracking tools
11 and software for the purposes of reporting to the Department
12 and for enabling participation in digital government and
13 consumer services programs, for Community Technology Centers
14 and public hospitals, libraries, and park districts. No
15 Community Technology Center may receive a grant of more than
16 \$75,000 under this Section in a particular fiscal year.

17 (b) Public hospitals, libraries, park districts, and State
18 educational agencies, local educational agencies, institutions
19 of higher education, senior citizen homes, and other public
20 and private nonprofit or for-profit agencies and organizations
21 are eligible to receive grants under this Program, provided
22 that a local educational agency or public or private
23 educational agency or organization must, in order to be
24 eligible to receive grants under this Program, provide
25 computer access and educational services using information
26 technology to the public at one or more of its educational

1 buildings or facilities at least 12 hours each week. A group of
2 eligible entities is also eligible to receive a grant if the
3 group follows the procedures for group applications in 34 CFR
4 75.127-129 of the Education Department General Administrative
5 Regulations.

6 To be eligible to apply for a grant, a Community
7 Technology Center must serve a covered population or a
8 community in which not less than 40% of the students are
9 eligible for a free or reduced price lunch under the national
10 school lunch program or in which not less than 30% of the
11 students are eligible for a free lunch under the national
12 school lunch program; however, if funding is insufficient to
13 approve all grant applications for a particular fiscal year,
14 the Department may impose a higher minimum percentage
15 threshold for that fiscal year. Determinations of communities
16 and determinations of the percentage of students in a
17 community who are eligible for a free or reduced price lunch
18 under the national school lunch program shall be in accordance
19 with rules adopted by the Department.

20 Any entities that have received a Community Technology
21 Center grant under the federal Community Technology Centers
22 Program are also eligible to apply for grants under this
23 Program.

24 The Department shall provide assistance to Community
25 Technology Centers in making those determinations for purposes
26 of applying for grants.

1 The Department shall encourage Community Technology
2 Centers to participate in public and private computer hardware
3 equipment recycling initiatives that provide computers at
4 reduced or no cost to low-income families, including programs
5 authorized by the State Property Control Act. On an annual
6 basis, the Department must provide the Director of Central
7 Management Services with a list of Community Technology
8 Centers that have applied to the Department for funding as
9 potential recipients of surplus State-owned computer hardware
10 equipment under programs authorized by the State Property
11 Control Act.

12 (c) Grant applications shall be submitted to the
13 Department on a schedule of one or more deadlines established
14 by the Department by rule.

15 (d) The Department shall adopt rules setting forth the
16 required form and contents of grant applications.

17 (e) (Blank).

18 (f) (Blank).

19 (g) (Blank).

20 (Source: P.A. 104-283, eff. 8-15-25; 104-435, eff. 11-21-25;
21 revised 12-9-25.)

22 Section 250. The State Mandates Act is amended by changing
23 Section 8.49 as follows:

24 (30 ILCS 805/8.49)

1 Sec. 8.49. Exempt mandate. Notwithstanding Sections 6 and
2 8 of this Act, no reimbursement by the State is required for
3 the implementation of any mandate created by Public Act 104-65
4 or 104-284 ~~this amendatory Act of the 104th General Assembly.~~
5 (Source: P.A. 104-65, eff. 8-1-25; 104-284, eff. 8-15-25;
6 revised 10-21-25.)

7 Section 255. The Illinois Income Tax Act is amended by
8 changing Sections 211, 304, and 901 as follows:

9 (35 ILCS 5/211)

10 Sec. 211. Economic Development for a Growing Economy Tax
11 Credit. For tax years beginning on or after January 1, 1999, a
12 Taxpayer who has entered into an Agreement (including a New
13 Construction EDGE Agreement) under the Economic Development
14 for a Growing Economy Tax Credit Act is entitled to a credit
15 against the taxes imposed under subsections (a) and (b) of
16 Section 201 of this Act in an amount to be determined in the
17 Agreement. If the Taxpayer is a partnership or Subchapter S
18 corporation, the credit shall be allowed to the partners or
19 shareholders in accordance with the determination of income
20 and distributive share of income under Sections 702 and 704
21 and subchapter S of the Internal Revenue Code. The Department,
22 in cooperation with the Department of Commerce and Economic
23 Opportunity, shall prescribe rules to enforce and administer
24 the provisions of this Section. This Section is exempt from

1 the provisions of Section 250 of this Act.

2 The credit shall be subject to the conditions set forth in
3 the Agreement and the following limitations:

4 (1) The tax credit shall not exceed the Incremental
5 Income Tax (as defined in Section 5-5 of the Economic
6 Development for a Growing Economy Tax Credit Act) with
7 respect to the project; additionally, the New Construction
8 EDGE Credit shall not exceed the New Construction EDGE
9 Incremental Income Tax (as defined in Section 5-5 of the
10 Economic Development for a Growing Economy Tax Credit
11 Act).

12 (2) The amount of the credit allowed during the tax
13 year plus the sum of all amounts allowed in prior years
14 shall not exceed 100% of the aggregate amount expended by
15 the Taxpayer during all prior tax years on approved costs
16 defined by Agreement.

17 (3) The amount of the credit shall be determined on an
18 annual basis. Except as applied in a carryover year
19 pursuant to Section 211(4) of this Act, the credit may not
20 be applied against any State income tax liability in more
21 than 10 taxable years; provided, however, that (i) an
22 eligible business certified by the Department of Commerce
23 and Economic Opportunity under the Corporate Headquarters
24 Relocation Act may not apply the credit against any of its
25 State income tax liability in more than 15 taxable years
26 and (ii) credits allowed to that eligible business are

1 subject to the conditions and requirements set forth in
2 Sections 5-35 and 5-45 of the Economic Development for a
3 Growing Economy Tax Credit Act and Section 5-51 as
4 applicable to New Construction EDGE Credits.

5 (4) The credit may not exceed the amount of taxes
6 imposed pursuant to subsections (a) and (b) of Section 201
7 of this Act. Any credit that is unused in the year the
8 credit is computed may be carried forward and applied to
9 the tax liability of the 5 taxable years following the
10 excess credit year, except as otherwise provided under
11 paragraph (4.5) of this Section. The credit shall be
12 applied to the earliest year for which there is a tax
13 liability. If there are credits from more than one tax
14 year that are available to offset a liability, the earlier
15 credit shall be applied first.

16 (4.5) The Department of Commerce and Economic
17 Opportunity, in consultation with the Department of
18 Revenue, shall adopt rules to extend the sunset of any
19 earned, existing, or unused credit as provided for in
20 Section 605-1070 ~~605-1055~~ of the Department of Commerce
21 and Economic Opportunity Law of the Civil Administrative
22 Code of Illinois.

23 (5) No credit shall be allowed with respect to any
24 Agreement for any taxable year ending after the
25 Noncompliance Date. Upon receiving notification by the
26 Department of Commerce and Economic Opportunity of the

1 noncompliance of a Taxpayer with an Agreement, the
2 Department shall notify the Taxpayer that no credit is
3 allowed with respect to that Agreement for any taxable
4 year ending after the Noncompliance Date, as stated in
5 such notification. If any credit has been allowed with
6 respect to an Agreement for a taxable year ending after
7 the Noncompliance Date for that Agreement, any refund paid
8 to the Taxpayer for that taxable year shall, to the extent
9 of that credit allowed, be an erroneous refund within the
10 meaning of Section 912 of this Act.

11 If, during any taxable year, a taxpayer ceases
12 operations at a project location that is the subject of
13 that Agreement with the intent to terminate operations in
14 the State, the tax imposed under subsections (a) and (b)
15 of Section 201 of this Act for such taxable year shall be
16 increased by the amount of any credit allowed under the
17 Agreement for that project location prior to the date the
18 taxpayer ceases operations.

19 (6) For purposes of this Section, the terms
20 "Agreement", "Incremental Income Tax", "New Construction
21 EDGE Agreement", "New Construction EDGE Credit", "New
22 Construction EDGE Incremental Income Tax", and
23 "Noncompliance Date" have the same meaning as when used in
24 the Economic Development for a Growing Economy Tax Credit
25 Act.

26 (Source: P.A. 101-9, eff. 6-5-19; 102-16, eff. 6-17-21;

1 102-40, eff. 6-25-21; 102-687, eff. 12-17-21; revised 7-8-25.)

2 (35 ILCS 5/304) (from Ch. 120, par. 3-304)

3 Sec. 304. Business income of persons other than residents.

4 (a) In general. The business income of a person other than
5 a resident shall be allocated to this State if such person's
6 business income is derived solely from this State. If a person
7 other than a resident derives business income from this State
8 and one or more other states, then, for tax years ending on or
9 before December 30, 1998, and except as otherwise provided by
10 this Section, such person's business income shall be
11 apportioned to this State by multiplying the income by a
12 fraction, the numerator of which is the sum of the property
13 factor (if any), the payroll factor (if any) and 200% of the
14 sales factor (if any), and the denominator of which is 4
15 reduced by the number of factors other than the sales factor
16 which have a denominator of zero and by an additional 2 if the
17 sales factor has a denominator of zero. For tax years ending on
18 or after December 31, 1998, and except as otherwise provided
19 by this Section, persons other than residents who derive
20 business income from this State and one or more other states
21 shall compute their apportionment factor by weighting their
22 property, payroll, and sales factors as provided in subsection
23 (h) of this Section.

24 (1) Property factor.

25 (A) The property factor is a fraction, the numerator

1 of which is the average value of the person's real and
2 tangible personal property owned or rented and used in the
3 trade or business in this State during the taxable year
4 and the denominator of which is the average value of all
5 the person's real and tangible personal property owned or
6 rented and used in the trade or business during the
7 taxable year.

8 (B) Property owned by the person is valued at its
9 original cost. Property rented by the person is valued at
10 8 times the net annual rental rate. Net annual rental rate
11 is the annual rental rate paid by the person less any
12 annual rental rate received by the person from
13 sub-rentals.

14 (C) The average value of property shall be determined
15 by averaging the values at the beginning and ending of the
16 taxable year, but the Director may require the averaging
17 of monthly values during the taxable year if reasonably
18 required to reflect properly the average value of the
19 person's property.

20 (2) Payroll factor.

21 (A) The payroll factor is a fraction, the numerator of
22 which is the total amount paid in this State during the
23 taxable year by the person for compensation, and the
24 denominator of which is the total compensation paid
25 everywhere during the taxable year.

26 (B) Compensation is paid in this State if:

1 (i) The individual's service is performed entirely
2 within this State;

3 (ii) The individual's service is performed both
4 within and without this State, but the service
5 performed without this State is incidental to the
6 individual's service performed within this State; or

7 (iii) For tax years ending prior to December 31,
8 2020, some of the service is performed within this
9 State and either the base of operations, or if there is
10 no base of operations, the place from which the
11 service is directed or controlled is within this
12 State, or the base of operations or the place from
13 which the service is directed or controlled is not in
14 any state in which some part of the service is
15 performed, but the individual's residence is in this
16 State. For tax years ending on or after December 31,
17 2020, compensation is paid in this State if some of the
18 individual's service is performed within this State,
19 the individual's service performed within this State
20 is nonincidental to the individual's service performed
21 without this State, and the individual's service is
22 performed within this State for more than 30 working
23 days during the tax year. The amount of compensation
24 paid in this State shall include the portion of the
25 individual's total compensation for services performed
26 on behalf of his or her employer during the tax year

1 which the number of working days spent within this
2 State during the tax year bears to the total number of
3 working days spent both within and without this State
4 during the tax year. For purposes of this paragraph:

5 (a) The term "working day" means all days
6 during the tax year in which the individual
7 performs duties on behalf of his or her employer.
8 All days in which the individual performs no
9 duties on behalf of his or her employer (e.g.,
10 weekends, vacation days, sick days, and holidays)
11 are not working days.

12 (b) A working day is spent within this State
13 if:

14 (1) the individual performs service on
15 behalf of the employer and a greater amount of
16 time on that day is spent by the individual
17 performing duties on behalf of the employer
18 within this State, without regard to time
19 spent traveling, than is spent performing
20 duties on behalf of the employer without this
21 State; or

22 (2) the only service the individual
23 performs on behalf of the employer on that day
24 is traveling to a destination within this
25 State, and the individual arrives on that day.

26 (c) Working days spent within this State do

1 not include any day in which the employee is
2 performing services in this State during a
3 disaster period solely in response to a request
4 made to his or her employer by the government of
5 this State, by any political subdivision of this
6 State, or by a person conducting business in this
7 State to perform disaster or emergency-related
8 services in this State. For purposes of this item
9 (c):

10 "Declared State disaster or emergency"
11 means a disaster or emergency event (i) for
12 which a Governor's proclamation of a state of
13 emergency has been issued or (ii) for which a
14 Presidential declaration of a federal major
15 disaster or emergency has been issued.

16 "Disaster period" means a period that
17 begins 10 days prior to the date of the
18 Governor's proclamation or the President's
19 declaration (whichever is earlier) and extends
20 for a period of 60 calendar days after the end
21 of the declared disaster or emergency period.

22 "Disaster or emergency-related services"
23 means repairing, renovating, installing,
24 building, or rendering services or conducting
25 other business activities that relate to
26 infrastructure that has been damaged,

1 impaired, or destroyed by the declared State
2 disaster or emergency.

3 "Infrastructure" means property and
4 equipment owned or used by a public utility,
5 communications network, broadband and Internet
6 service provider, cable and video service
7 provider, electric or gas distribution system,
8 or water pipeline that provides service to
9 more than one customer or person, including
10 related support facilities. "Infrastructure"
11 includes, but is not limited to, real and
12 personal property such as buildings, offices,
13 power lines, cable lines, poles,
14 communications lines, pipes, structures, and
15 equipment.

16 (iv) Compensation paid to nonresident professional
17 athletes.

18 (a) General. The Illinois source income of a
19 nonresident individual who is a member of a
20 professional athletic team includes the portion of the
21 individual's total compensation for services performed
22 as a member of a professional athletic team during the
23 taxable year which the number of duty days spent
24 within this State performing services for the team in
25 any manner during the taxable year bears to the total
26 number of duty days spent both within and without this

1 State during the taxable year.

2 (b) Travel days. Travel days that do not involve
3 either a game, practice, team meeting, or other
4 similar team event are not considered duty days spent
5 in this State. However, such travel days are
6 considered in the total duty days spent both within
7 and without this State.

8 (c) Definitions. For purposes of this subpart
9 (iv):

10 (1) The term "professional athletic team"
11 includes, but is not limited to, any professional
12 baseball, basketball, football, soccer, or hockey
13 team.

14 (2) The term "member of a professional
15 athletic team" includes those employees who are
16 active players, players on the disabled list, and
17 any other persons required to travel and who
18 travel with and perform services on behalf of a
19 professional athletic team on a regular basis.
20 This includes, but is not limited to, coaches,
21 managers, and trainers.

22 (3) Except as provided in items (C) and (D) of
23 this subpart (3), the term "duty days" means all
24 days during the taxable year from the beginning of
25 the professional athletic team's official
26 pre-season training period through the last game

1 in which the team competes or is scheduled to
2 compete. Duty days shall be counted for the year
3 in which they occur, including where a team's
4 official pre-season training period through the
5 last game in which the team competes or is
6 scheduled to compete, occurs during more than one
7 tax year.

8 (A) Duty days shall also include days on
9 which a member of a professional athletic team
10 performs service for a team on a date that
11 does not fall within the foregoing period
12 (e.g., participation in instructional leagues,
13 the "All Star Game", or promotional
14 "caravans"). Performing a service for a
15 professional athletic team includes conducting
16 training and rehabilitation activities, when
17 such activities are conducted at team
18 facilities.

19 (B) Also included in duty days are game
20 days, practice days, days spent at team
21 meetings, promotional caravans, preseason
22 training camps, and days served with the team
23 through all post-season games in which the
24 team competes or is scheduled to compete.

25 (C) Duty days for any person who joins a
26 team during the period from the beginning of

1 the professional athletic team's official
2 pre-season training period through the last
3 game in which the team competes, or is
4 scheduled to compete, shall begin on the day
5 that person joins the team. Conversely, duty
6 days for any person who leaves a team during
7 this period shall end on the day that person
8 leaves the team. Where a person switches teams
9 during a taxable year, a separate duty-day
10 calculation shall be made for the period the
11 person was with each team.

12 (D) Days for which a member of a
13 professional athletic team is not compensated
14 and is not performing services for the team in
15 any manner, including days when such member of
16 a professional athletic team has been
17 suspended without pay and prohibited from
18 performing any services for the team, shall
19 not be treated as duty days.

20 (E) Days for which a member of a
21 professional athletic team is on the disabled
22 list and does not conduct rehabilitation
23 activities at facilities of the team, and is
24 not otherwise performing services for the team
25 in Illinois, shall not be considered duty days
26 spent in this State. All days on the disabled

1 list, however, are considered to be included
2 in total duty days spent both within and
3 without this State.

4 (4) The term "total compensation for services
5 performed as a member of a professional athletic
6 team" means the total compensation received during
7 the taxable year for services performed:

8 (A) from the beginning of the official
9 pre-season training period through the last
10 game in which the team competes or is
11 scheduled to compete during that taxable year;
12 and

13 (B) during the taxable year on a date
14 which does not fall within the foregoing
15 period (e.g., participation in instructional
16 leagues, the "All Star Game", or promotional
17 caravans).

18 This compensation shall include, but is not
19 limited to, salaries, wages, bonuses as described
20 in this subpart, and any other type of
21 compensation paid during the taxable year to a
22 member of a professional athletic team for
23 services performed in that year. This compensation
24 does not include strike benefits, severance pay,
25 termination pay, contract or option year buy-out
26 payments, expansion or relocation payments, or any

1 other payments not related to services performed
2 for the team.

3 For purposes of this subparagraph, "bonuses"
4 included in "total compensation for services
5 performed as a member of a professional athletic
6 team" subject to the allocation described in
7 Section 302(c)(1) are: bonuses earned as a result
8 of play (i.e., performance bonuses) during the
9 season, including bonuses paid for championship,
10 playoff or "bowl" games played by a team, or for
11 selection to all-star league or other honorary
12 positions; and bonuses paid for signing a
13 contract, unless the payment of the signing bonus
14 is not conditional upon the signee playing any
15 games for the team or performing any subsequent
16 services for the team or even making the team, the
17 signing bonus is payable separately from the
18 salary and any other compensation, and the signing
19 bonus is nonrefundable.

20 (3) Sales factor.

21 (A) The sales factor is a fraction, the numerator of
22 which is the total sales of the person in this State during
23 the taxable year, and the denominator of which is the
24 total sales of the person everywhere during the taxable
25 year.

26 (B) Sales of tangible personal property are in this

1 State if:

2 (i) The property is delivered or shipped to a
3 purchaser, other than the United States government,
4 within this State regardless of the f. o. b. point or
5 other conditions of the sale; or

6 (ii) The property is shipped from an office,
7 store, warehouse, factory or other place of storage in
8 this State and either the purchaser is the United
9 States government or the person is not taxable in the
10 state of the purchaser; provided, however, that
11 premises owned or leased by a person who has
12 independently contracted with the seller for the
13 printing of newspapers, periodicals or books shall not
14 be deemed to be an office, store, warehouse, factory
15 or other place of storage for purposes of this
16 Section. Sales of tangible personal property are not
17 in this State if the seller and purchaser would be
18 members of the same unitary business group but for the
19 fact that either the seller or purchaser is a person
20 with 80% or more of total business activity outside of
21 the United States and the property is purchased for
22 resale.

23 (B-1) Patents, copyrights, trademarks, and similar
24 items of intangible personal property.

25 (i) Gross receipts from the licensing, sale, or
26 other disposition of a patent, copyright, trademark,

1 or similar item of intangible personal property, other
2 than gross receipts governed by paragraph (B-7) of
3 this item (3), are in this State to the extent the item
4 is utilized in this State during the year the gross
5 receipts are included in gross income.

6 (ii) Place of utilization.

7 (I) A patent is utilized in a state to the
8 extent that it is employed in production,
9 fabrication, manufacturing, or other processing in
10 the state or to the extent that a patented product
11 is produced in the state. If a patent is utilized
12 in more than one state, the extent to which it is
13 utilized in any one state shall be a fraction
14 equal to the gross receipts of the licensee or
15 purchaser from sales or leases of items produced,
16 fabricated, manufactured, or processed within that
17 state using the patent and of patented items
18 produced within that state, divided by the total
19 of such gross receipts for all states in which the
20 patent is utilized.

21 (II) A copyright is utilized in a state to the
22 extent that printing or other publication
23 originates in the state. If a copyright is
24 utilized in more than one state, the extent to
25 which it is utilized in any one state shall be a
26 fraction equal to the gross receipts from sales or

1 licenses of materials printed or published in that
2 state divided by the total of such gross receipts
3 for all states in which the copyright is utilized.

4 (III) Trademarks and other items of intangible
5 personal property governed by this paragraph (B-1)
6 are utilized in the state in which the commercial
7 domicile of the licensee or purchaser is located.

8 (iii) If the state of utilization of an item of
9 property governed by this paragraph (B-1) cannot be
10 determined from the taxpayer's books and records or
11 from the books and records of any person related to the
12 taxpayer within the meaning of Section 267(b) of the
13 Internal Revenue Code, 26 U.S.C. 267, the gross
14 receipts attributable to that item shall be excluded
15 from both the numerator and the denominator of the
16 sales factor.

17 (B-2) Gross receipts from the license, sale, or other
18 disposition of patents, copyrights, trademarks, and
19 similar items of intangible personal property, other than
20 gross receipts governed by paragraph (B-7) of this item
21 (3), may be included in the numerator or denominator of
22 the sales factor only if gross receipts from licenses,
23 sales, or other disposition of such items comprise more
24 than 50% of the taxpayer's total gross receipts included
25 in gross income during the tax year and during each of the
26 2 immediately preceding tax years; provided that, when a

1 taxpayer is a member of a unitary business group, such
2 determination shall be made on the basis of the gross
3 receipts of the entire unitary business group.

4 (B-5) For taxable years ending on or after December
5 31, 2008, except as provided in subsections (ii) through
6 (vii), receipts from the sale of telecommunications
7 service or mobile telecommunications service are in this
8 State if the customer's service address is in this State.

9 (i) For purposes of this subparagraph (B-5), the
10 following terms have the following meanings:

11 "Ancillary services" means services that are
12 associated with or incidental to the provision of
13 "telecommunications services", including, but not
14 limited to, "detailed telecommunications billing",
15 "directory assistance", "vertical service", and "voice
16 mail services".

17 "Air-to-Ground Radiotelephone service" means a
18 radio service, as that term is defined in 47 CFR 22.99,
19 in which common carriers are authorized to offer and
20 provide radio telecommunications service for hire to
21 subscribers in aircraft.

22 "Call-by-call Basis" means any method of charging
23 for telecommunications services where the price is
24 measured by individual calls.

25 "Communications Channel" means a physical or
26 virtual path of communications over which signals are

1 transmitted between or among customer channel
2 termination points.

3 "Conference bridging service" means an "ancillary
4 service" that links two or more participants of an
5 audio or video conference call and may include the
6 provision of a telephone number. "Conference bridging
7 service" does not include the "telecommunications
8 services" used to reach the conference bridge.

9 "Customer Channel Termination Point" means the
10 location where the customer either inputs or receives
11 the communications.

12 "Detailed telecommunications billing service"
13 means an "ancillary service" of separately stating
14 information pertaining to individual calls on a
15 customer's billing statement.

16 "Directory assistance" means an "ancillary
17 service" of providing telephone number information,
18 and/or address information.

19 "Home service provider" means the facilities based
20 carrier or reseller with which the customer contracts
21 for the provision of mobile telecommunications
22 services.

23 "Mobile telecommunications service" means
24 commercial mobile radio service, as defined in Section
25 20.3 of Title 47 of the Code of Federal Regulations as
26 in effect on June 1, 1999.

1 "Place of primary use" means the street address
2 representative of where the customer's use of the
3 telecommunications service primarily occurs, which
4 must be the residential street address or the primary
5 business street address of the customer. In the case
6 of mobile telecommunications services, "place of
7 primary use" must be within the licensed service area
8 of the home service provider.

9 "Post-paid telecommunication service" means the
10 telecommunications service obtained by making a
11 payment on a call-by-call basis either through the use
12 of a credit card or payment mechanism such as a bank
13 card, travel card, credit card, or debit card, or by
14 charge made to a telephone number which is not
15 associated with the origination or termination of the
16 telecommunications service. A post-paid calling
17 service includes telecommunications service, except a
18 prepaid wireless calling service, that would be a
19 prepaid calling service except it is not exclusively a
20 telecommunication service.

21 "Prepaid telecommunication service" means the
22 right to access exclusively telecommunications
23 services, which must be paid for in advance and which
24 enables the origination of calls using an access
25 number or authorization code, whether manually or
26 electronically dialed, and that is sold in

1 predetermined units or dollars of which the number
2 declines with use in a known amount.

3 "Prepaid Mobile telecommunication service" means a
4 telecommunications service that provides the right to
5 utilize mobile wireless service as well as other
6 non-telecommunication services, including, but not
7 limited to, ancillary services, which must be paid for
8 in advance that is sold in predetermined units or
9 dollars of which the number declines with use in a
10 known amount.

11 "Private communication service" means a
12 telecommunication service that entitles the customer
13 to exclusive or priority use of a communications
14 channel or group of channels between or among
15 termination points, regardless of the manner in which
16 such channel or channels are connected, and includes
17 switching capacity, extension lines, stations, and any
18 other associated services that are provided in
19 connection with the use of such channel or channels.

20 "Service address" means:

21 (a) The location of the telecommunications
22 equipment to which a customer's call is charged
23 and from which the call originates or terminates,
24 regardless of where the call is billed or paid;

25 (b) If the location in line (a) is not known,
26 service address means the origination point of the

1 signal of the telecommunications services first
2 identified by either the seller's
3 telecommunications system or in information
4 received by the seller from its service provider
5 where the system used to transport such signals is
6 not that of the seller; and

7 (c) If the locations in line (a) and line (b)
8 are not known, the service address means the
9 location of the customer's place of primary use.

10 "Telecommunications service" means the electronic
11 transmission, conveyance, or routing of voice, data,
12 audio, video, or any other information or signals to a
13 point, or between or among points. The term
14 "telecommunications service" includes such
15 transmission, conveyance, or routing in which computer
16 processing applications are used to act on the form,
17 code or protocol of the content for purposes of
18 transmission, conveyance or routing without regard to
19 whether such service is referred to as voice over
20 Internet protocol services or is classified by the
21 Federal Communications Commission as enhanced or value
22 added. "Telecommunications service" does not include:

23 (a) Data processing and information services
24 that allow data to be generated, acquired, stored,
25 processed, or retrieved and delivered by an
26 electronic transmission to a purchaser when such

1 purchaser's primary purpose for the underlying
2 transaction is the processed data or information;

3 (b) Installation or maintenance of wiring or
4 equipment on a customer's premises;

5 (c) Tangible personal property;

6 (d) Advertising, including, but not limited
7 to, directory advertising;

8 (e) Billing and collection services provided
9 to third parties;

10 (f) Internet access service;

11 (g) Radio and television audio and video
12 programming services, regardless of the medium,
13 including the furnishing of transmission,
14 conveyance and routing of such services by the
15 programming service provider. Radio and television
16 audio and video programming services shall
17 include, but not be limited to, cable service as
18 defined in 47 USC 522(6) and audio and video
19 programming services delivered by commercial
20 mobile radio service providers, as defined in 47
21 CFR 20.3;

22 (h) "Ancillary services"; or

23 (i) Digital products "delivered
24 electronically", including, but not limited to,
25 software, music, video, reading materials or
26 ringtones.

1 "Vertical service" means an "ancillary service"
2 that is offered in connection with one or more
3 "telecommunications services", which offers advanced
4 calling features that allow customers to identify
5 callers and to manage multiple calls and call
6 connections, including "conference bridging services".

7 "Voice mail service" means an "ancillary service"
8 that enables the customer to store, send or receive
9 recorded messages. "Voice mail service" does not
10 include any "vertical services" that the customer may
11 be required to have in order to utilize the "voice mail
12 service".

13 (ii) Receipts from the sale of telecommunications
14 service sold on an individual call-by-call basis are
15 in this State if either of the following applies:

16 (a) The call both originates and terminates in
17 this State.

18 (b) The call either originates or terminates
19 in this State and the service address is located
20 in this State.

21 (iii) Receipts from the sale of postpaid
22 telecommunications service at retail are in this State
23 if the origination point of the telecommunication
24 signal, as first identified by the service provider's
25 telecommunication system or as identified by
26 information received by the seller from its service

1 provider if the system used to transport
2 telecommunication signals is not the seller's, is
3 located in this State.

4 (iv) Receipts from the sale of prepaid
5 telecommunications service or prepaid mobile
6 telecommunications service at retail are in this State
7 if the purchaser obtains the prepaid card or similar
8 means of conveyance at a location in this State.
9 Receipts from recharging a prepaid telecommunications
10 service or mobile telecommunications service is in
11 this State if the purchaser's billing information
12 indicates a location in this State.

13 (v) Receipts from the sale of private
14 communication services are in this State as follows:

15 (a) 100% of receipts from charges imposed at
16 each channel termination point in this State.

17 (b) 100% of receipts from charges for the
18 total channel mileage between each channel
19 termination point in this State.

20 (c) 50% of the total receipts from charges for
21 service segments when those segments are between 2
22 customer channel termination points, 1 of which is
23 located in this State and the other is located
24 outside of this State, which segments are
25 separately charged.

26 (d) The receipts from charges for service

1 segments with a channel termination point located
2 in this State and in two or more other states, and
3 which segments are not separately billed, are in
4 this State based on a percentage determined by
5 dividing the number of customer channel
6 termination points in this State by the total
7 number of customer channel termination points.

8 (vi) Receipts from charges for ancillary services
9 for telecommunications service sold to customers at
10 retail are in this State if the customer's primary
11 place of use of telecommunications services associated
12 with those ancillary services is in this State. If the
13 seller of those ancillary services cannot determine
14 where the associated telecommunications are located,
15 then the ancillary services shall be based on the
16 location of the purchaser.

17 (vii) Receipts to access a carrier's network or
18 from the sale of telecommunication services or
19 ancillary services for resale are in this State as
20 follows:

21 (a) 100% of the receipts from access fees
22 attributable to intrastate telecommunications
23 service that both originates and terminates in
24 this State.

25 (b) 50% of the receipts from access fees
26 attributable to interstate telecommunications

1 service if the interstate call either originates
2 or terminates in this State.

3 (c) 100% of the receipts from interstate end
4 user access line charges, if the customer's
5 service address is in this State. As used in this
6 subdivision, "interstate end user access line
7 charges" includes, but is not limited to, the
8 surcharge approved by the federal communications
9 commission and levied pursuant to 47 CFR 69.

10 (d) Gross receipts from sales of
11 telecommunication services or from ancillary
12 services for telecommunications services sold to
13 other telecommunication service providers for
14 resale shall be sourced to this State using the
15 apportionment concepts used for non-resale
16 receipts of telecommunications services if the
17 information is readily available to make that
18 determination. If the information is not readily
19 available, then the taxpayer may use any other
20 reasonable and consistent method.

21 (B-7) For taxable years ending on or after December
22 31, 2008, receipts from the sale of broadcasting services
23 are in this State if the broadcasting services are
24 received in this State. For purposes of this paragraph
25 (B-7), the following terms have the following meanings:

26 "Advertising revenue" means consideration received

1 by the taxpayer in exchange for broadcasting services
2 or allowing the broadcasting of commercials or
3 announcements in connection with the broadcasting of
4 film or radio programming, from sponsorships of the
5 programming, or from product placements in the
6 programming.

7 "Audience factor" means the ratio that the
8 audience or subscribers located in this State of a
9 station, a network, or a cable system bears to the
10 total audience or total subscribers for that station,
11 network, or cable system. The audience factor for film
12 or radio programming shall be determined by reference
13 to the books and records of the taxpayer or by
14 reference to published rating statistics provided the
15 method used by the taxpayer is consistently used from
16 year to year for this purpose and fairly represents
17 the taxpayer's activity in this State.

18 "Broadcast" or "broadcasting" or "broadcasting
19 services" means the transmission or provision of film
20 or radio programming, whether through the public
21 airwaves, by cable, by direct or indirect satellite
22 transmission, or by any other means of communication,
23 either through a station, a network, or a cable
24 system.

25 "Film" or "film programming" means the broadcast
26 on television of any and all performances, events, or

1 productions, including, but not limited to, news,
2 sporting events, plays, stories, or other literary,
3 commercial, educational, or artistic works, either
4 live or through the use of video tape, disc, or any
5 other type of format or medium. Each episode of a
6 series of films produced for television shall
7 constitute a separate "film" notwithstanding that the
8 series relates to the same principal subject and is
9 produced during one or more tax periods.

10 "Radio" or "radio programming" means the broadcast
11 on radio of any and all performances, events, or
12 productions, including, but not limited to, news,
13 sporting events, plays, stories, or other literary,
14 commercial, educational, or artistic works, either
15 live or through the use of an audio tape, disc, or any
16 other format or medium. Each episode in a series of
17 radio programming produced for radio broadcast shall
18 constitute a separate "radio programming"
19 notwithstanding that the series relates to the same
20 principal subject and is produced during one or more
21 tax periods.

22 (i) In the case of advertising revenue from
23 broadcasting, the customer is the advertiser and
24 the service is received in this State if the
25 commercial domicile of the advertiser is in this
26 State.

1 (ii) In the case where film or radio
2 programming is broadcast by a station, a network,
3 or a cable system for a fee or other remuneration
4 received from the recipient of the broadcast, the
5 portion of the service that is received in this
6 State is measured by the portion of the recipients
7 of the broadcast located in this State.
8 Accordingly, the fee or other remuneration for
9 such service that is included in the Illinois
10 numerator of the sales factor is the total of
11 those fees or other remuneration received from
12 recipients in Illinois. For purposes of this
13 paragraph, a taxpayer may determine the location
14 of the recipients of its broadcast using the
15 address of the recipient shown in its contracts
16 with the recipient or using the billing address of
17 the recipient in the taxpayer's records.

18 (iii) In the case where film or radio
19 programming is broadcast by a station, a network,
20 or a cable system for a fee or other remuneration
21 from the person providing the programming, the
22 portion of the broadcast service that is received
23 by such station, network, or cable system in this
24 State is measured by the portion of recipients of
25 the broadcast located in this State. Accordingly,
26 the amount of revenue related to such an

1 arrangement that is included in the Illinois
2 numerator of the sales factor is the total fee or
3 other total remuneration from the person providing
4 the programming related to that broadcast
5 multiplied by the Illinois audience factor for
6 that broadcast.

7 (iv) In the case where film or radio
8 programming is provided by a taxpayer that is a
9 network or station to a customer for broadcast in
10 exchange for a fee or other remuneration from that
11 customer the broadcasting service is received at
12 the location of the office of the customer from
13 which the services were ordered in the regular
14 course of the customer's trade or business.
15 Accordingly, in such a case the revenue derived by
16 the taxpayer that is included in the taxpayer's
17 Illinois numerator of the sales factor is the
18 revenue from such customers who receive the
19 broadcasting service in Illinois.

20 (v) In the case where film or radio
21 programming is provided by a taxpayer that is not
22 a network or station to another person for
23 broadcasting in exchange for a fee or other
24 remuneration from that person, the broadcasting
25 service is received at the location of the office
26 of the customer from which the services were

1 ordered in the regular course of the customer's
2 trade or business. Accordingly, in such a case the
3 revenue derived by the taxpayer that is included
4 in the taxpayer's Illinois numerator of the sales
5 factor is the revenue from such customers who
6 receive the broadcasting service in Illinois.

7 (B-8) Gross receipts from winnings under the Illinois
8 Lottery Law from the assignment of a prize under Section
9 13.1 of the Illinois Lottery Law are received in this
10 State. This paragraph (B-8) applies only to taxable years
11 ending on or after December 31, 2013.

12 (B-9) For taxable years ending on or after December
13 31, 2019, gross receipts from winnings from pari-mutuel
14 wagering conducted at a wagering facility licensed under
15 the Illinois Horse Racing Act of 1975 or from winnings
16 from gambling games conducted on a riverboat or in a
17 casino or organization gaming facility licensed under the
18 Illinois Gambling Act are in this State.

19 (B-10) For taxable years ending on or after December
20 31, 2021, gross receipts from winnings from sports
21 wagering conducted in accordance with the Sports Wagering
22 Act are in this State.

23 (C) For taxable years ending before December 31, 2008,
24 sales, other than sales governed by paragraphs (B), (B-1),
25 (B-2), and (B-8) are in this State if:

26 (i) The income-producing activity is performed in

1 this State; or

2 (ii) The income-producing activity is performed
3 both within and without this State and a greater
4 proportion of the income-producing activity is
5 performed within this State than without this State,
6 based on performance costs.

7 (C-5) For taxable years ending on or after December
8 31, 2008, sales, other than sales governed by paragraphs
9 (B), (B-1), (B-2), (B-5), and (B-7), are in this State if
10 any of the following criteria are met:

11 (i) Sales from the sale or lease of real property
12 are in this State if the property is located in this
13 State.

14 (ii) Sales from the lease or rental of tangible
15 personal property are in this State if the property is
16 located in this State during the rental period. Sales
17 from the lease or rental of tangible personal property
18 that is characteristically moving property, including,
19 but not limited to, motor vehicles, rolling stock,
20 aircraft, vessels, or mobile equipment are in this
21 State to the extent that the property is used in this
22 State.

23 (iii) In the case of interest, net gains (but not
24 less than zero) and other items of income from
25 intangible personal property, the sale is in this
26 State if:

1 (a) in the case of a taxpayer who is a dealer
2 in the item of intangible personal property within
3 the meaning of Section 475 of the Internal Revenue
4 Code, the income or gain is received from a
5 customer in this State. For purposes of this
6 subparagraph, a customer is in this State if the
7 customer is an individual, trust or estate who is
8 a resident of this State and, for all other
9 customers, if the customer's commercial domicile
10 is in this State. Unless the dealer has actual
11 knowledge of the residence or commercial domicile
12 of a customer during a taxable year, the customer
13 shall be deemed to be a customer in this State if
14 the billing address of the customer, as shown in
15 the records of the dealer, is in this State;

16 (a-5) in the case of the sale or exchange of
17 shares in a Subchapter S corporation or an
18 interest in a partnership, other than an
19 investment partnership as defined in paragraph
20 (11.5) of subsection (a) of Section 1501, the
21 Subchapter S corporation or partnership was
22 taxable in this State; for purposes of this
23 subparagraph, the amount attributable to this
24 State shall be determined in proportion to the
25 average of the pass-through entity's Illinois
26 apportionment factor computed under this Section

1 in the year of the sale or exchange and the 2 tax
2 years immediately preceding the year of the sale
3 or exchange; if the pass-through entity was not in
4 existence during both of the preceding 2 years,
5 then only the years in which the pass-through
6 entity was in existence shall be considered when
7 computing the average; or

8 (b) in all other cases, if the
9 income-producing activity of the taxpayer is
10 performed in this State or, if the
11 income-producing activity of the taxpayer is
12 performed both within and without this State, if a
13 greater proportion of the income-producing
14 activity of the taxpayer is performed within this
15 State than in any other state, based on
16 performance costs.

17 (iv) Sales of services are in this State if the
18 services are received in this State. For the purposes
19 of this section, gross receipts from the performance
20 of services provided to a corporation, partnership, or
21 trust may only be attributed to a state where that
22 corporation, partnership, or trust has a fixed place
23 of business. If the state where the services are
24 received is not readily determinable or is a state
25 where the corporation, partnership, or trust receiving
26 the service does not have a fixed place of business,

1 the services shall be deemed to be received at the
2 location of the office of the customer from which the
3 services were ordered in the regular course of the
4 customer's trade or business. If the ordering office
5 cannot be determined, the services shall be deemed to
6 be received at the office of the customer to which the
7 services are billed. If the taxpayer is not taxable in
8 the state in which the services are received, the sale
9 must be excluded from both the numerator and the
10 denominator of the sales factor. The Department shall
11 adopt rules prescribing where specific types of
12 service are received, including, but not limited to,
13 publishing, and utility service.

14 (D) For taxable years ending on or after December 31,
15 1995, the following items of income shall not be included
16 in the numerator or denominator of the sales factor:
17 dividends; amounts included under Section 78 of the
18 Internal Revenue Code; and Subpart F income as defined in
19 Section 952 of the Internal Revenue Code. No inference
20 shall be drawn from the enactment of this paragraph (D) in
21 construing this Section for taxable years ending before
22 December 31, 1995.

23 (E) Paragraphs (B-1) and (B-2) shall apply to tax
24 years ending on or after December 31, 1999, provided that
25 a taxpayer may elect to apply the provisions of these
26 paragraphs to prior tax years. Such election shall be made

1 in the form and manner prescribed by the Department, shall
2 be irrevocable, and shall apply to all tax years; provided
3 that, if a taxpayer's Illinois income tax liability for
4 any tax year, as assessed under Section 903 prior to
5 January 1, 1999, was computed in a manner contrary to the
6 provisions of paragraphs (B-1) or (B-2), no refund shall
7 be payable to the taxpayer for that tax year to the extent
8 such refund is the result of applying the provisions of
9 paragraph (B-1) or (B-2) retroactively. In the case of a
10 unitary business group, such election shall apply to all
11 members of such group for every tax year such group is in
12 existence, but shall not apply to any taxpayer for any
13 period during which that taxpayer is not a member of such
14 group.

15 (b) Insurance companies.

16 (1) In general. Except as otherwise provided by
17 paragraph (2), business income of an insurance company for
18 a taxable year shall be apportioned to this State by
19 multiplying such income by a fraction, the numerator of
20 which is the direct premiums written for insurance upon
21 property or risk in this State, and the denominator of
22 which is the direct premiums written for insurance upon
23 property or risk everywhere. For purposes of this
24 subsection, the term "direct premiums written" means the
25 total amount of direct premiums written, assessments and
26 annuity considerations as reported for the taxable year on

1 the annual statement filed by the company with the
2 Illinois Director of Insurance in the form approved by the
3 National Convention of Insurance Commissioners or such
4 other form as may be prescribed in lieu thereof.

5 (2) Reinsurance. If the principal source of premiums
6 written by an insurance company consists of premiums for
7 reinsurance accepted by it, the business income of such
8 company shall be apportioned to this State by multiplying
9 such income by a fraction, the numerator of which is the
10 sum of (i) direct premiums written for insurance upon
11 property or risk in this State, plus (ii) premiums written
12 for reinsurance accepted in respect of property or risk in
13 this State, and the denominator of which is the sum of
14 (iii) direct premiums written for insurance upon property
15 or risk everywhere, plus (iv) premiums written for
16 reinsurance accepted in respect of property or risk
17 everywhere. For purposes of this paragraph, premiums
18 written for reinsurance accepted in respect of property or
19 risk in this State, whether or not otherwise determinable,
20 may, at the election of the company, be determined on the
21 basis of the proportion which premiums written for
22 reinsurance accepted from companies commercially domiciled
23 in Illinois bears to premiums written for reinsurance
24 accepted from all sources, or, alternatively, in the
25 proportion which the sum of the direct premiums written
26 for insurance upon property or risk in this State by each

ceding company from which reinsurance is accepted bears to the sum of the total direct premiums written by each such ceding company for the taxable year. The election made by a company under this paragraph for its first taxable year ending on or after December 31, 2011, shall be binding for that company for that taxable year and for all subsequent taxable years, and may be altered only with the written permission of the Department, which shall not be unreasonably withheld.

(c) Financial organizations.

(1) In general. For taxable years ending before December 31, 2008, business income of a financial organization shall be apportioned to this State by multiplying such income by a fraction, the numerator of which is its business income from sources within this State, and the denominator of which is its business income from all sources. For the purposes of this subsection, the business income of a financial organization from sources within this State is the sum of the amounts referred to in subparagraphs (A) through (E) following, but excluding the adjusted income of an international banking facility as determined in paragraph (2):

(A) Fees, commissions or other compensation for financial services rendered within this State;

(B) Gross profits from trading in stocks, bonds or other securities managed within this State;

1 (C) Dividends, and interest from Illinois
2 customers, which are received within this State;

3 (D) Interest charged to customers at places of
4 business maintained within this State for carrying
5 debit balances of margin accounts, without deduction
6 of any costs incurred in carrying such accounts; and

7 (E) Any other gross income resulting from the
8 operation as a financial organization within this
9 State.

10 In computing the amounts referred to in paragraphs (A)
11 through (E) of this subsection, any amount received by a
12 member of an affiliated group (determined under Section
13 1504(a) of the Internal Revenue Code but without reference
14 to whether any such corporation is an "includible
15 corporation" under Section 1504(b) of the Internal Revenue
16 Code) from another member of such group shall be included
17 only to the extent such amount exceeds expenses of the
18 recipient directly related thereto.

19 (2) International Banking Facility. For taxable years
20 ending before December 31, 2008:

21 (A) Adjusted Income. The adjusted income of an
22 international banking facility is its income reduced
23 by the amount of the floor amount.

24 (B) Floor Amount. The floor amount shall be the
25 amount, if any, determined by multiplying the income
26 of the international banking facility by a fraction,

1 not greater than one, which is determined as follows:

2 (i) The numerator shall be:

3 The average aggregate, determined on a
4 quarterly basis, of the financial organization's
5 loans to banks in foreign countries, to foreign
6 domiciled borrowers (except where secured
7 primarily by real estate) and to foreign
8 governments and other foreign official
9 institutions, as reported for its branches,
10 agencies and offices within the state on its
11 "Consolidated Report of Condition", Schedule A,
12 Lines 2.c., 5.b., and 7.a., which was filed with
13 the Federal Deposit Insurance Corporation and
14 other regulatory authorities, for the year 1980,
15 minus

16 The average aggregate, determined on a
17 quarterly basis, of such loans (other than loans
18 of an international banking facility), as reported
19 by the financial institution for its branches,
20 agencies and offices within the state, on the
21 corresponding Schedule and lines of the
22 Consolidated Report of Condition for the current
23 taxable year, provided, however, that in no case
24 shall the amount determined in this clause (the
25 subtrahend) exceed the amount determined in the
26 preceding clause (the minuend); and

1 (ii) the denominator shall be the average
2 aggregate, determined on a quarterly basis, of the
3 international banking facility's loans to banks in
4 foreign countries, to foreign domiciled borrowers
5 (except where secured primarily by real estate)
6 and to foreign governments and other foreign
7 official institutions, which were recorded in its
8 financial accounts for the current taxable year.

9 (C) Change to Consolidated Report of Condition and
10 in Qualification. In the event the Consolidated Report
11 of Condition which is filed with the Federal Deposit
12 Insurance Corporation and other regulatory authorities
13 is altered so that the information required for
14 determining the floor amount is not found on Schedule
15 A, lines 2.c., 5.b. and 7.a., the financial
16 institution shall notify the Department and the
17 Department may, by regulations or otherwise, prescribe
18 or authorize the use of an alternative source for such
19 information. The financial institution shall also
20 notify the Department should its international banking
21 facility fail to qualify as such, in whole or in part,
22 or should there be any amendment or change to the
23 Consolidated Report of Condition, as originally filed,
24 to the extent such amendment or change alters the
25 information used in determining the floor amount.

26 (3) For taxable years ending on or after December 31,

1 2008, the business income of a financial organization
2 shall be apportioned to this State by multiplying such
3 income by a fraction, the numerator of which is its gross
4 receipts from sources in this State or otherwise
5 attributable to this State's marketplace and the
6 denominator of which is its gross receipts everywhere
7 during the taxable year. "Gross receipts" for purposes of
8 this subparagraph (3) means gross income, including net
9 taxable gain on disposition of assets, including
10 securities and money market instruments, when derived from
11 transactions and activities in the regular course of the
12 financial organization's trade or business. The following
13 examples are illustrative:

14 (i) Receipts from the lease or rental of real or
15 tangible personal property are in this State if the
16 property is located in this State during the rental
17 period. Receipts from the lease or rental of tangible
18 personal property that is characteristically moving
19 property, including, but not limited to, motor
20 vehicles, rolling stock, aircraft, vessels, or mobile
21 equipment are from sources in this State to the extent
22 that the property is used in this State.

23 (ii) Interest income, commissions, fees, gains on
24 disposition, and other receipts from assets in the
25 nature of loans that are secured primarily by real
26 estate or tangible personal property are from sources

1 in this State if the security is located in this State.

2 (iii) Interest income, commissions, fees, gains on
3 disposition, and other receipts from consumer loans
4 that are not secured by real or tangible personal
5 property are from sources in this State if the debtor
6 is a resident of this State.

7 (iv) Interest income, commissions, fees, gains on
8 disposition, and other receipts from commercial loans
9 and installment obligations that are not secured by
10 real or tangible personal property are from sources in
11 this State if the proceeds of the loan are to be
12 applied in this State. If it cannot be determined
13 where the funds are to be applied, the income and
14 receipts are from sources in this State if the office
15 of the borrower from which the loan was negotiated in
16 the regular course of business is located in this
17 State. If the location of this office cannot be
18 determined, the income and receipts shall be excluded
19 from the numerator and denominator of the sales
20 factor.

21 (v) Interest income, fees, gains on disposition,
22 service charges, merchant discount income, and other
23 receipts from credit card receivables are from sources
24 in this State if the card charges are regularly billed
25 to a customer in this State.

26 (vi) Receipts from the performance of services,

1 including, but not limited to, fiduciary, advisory,
2 and brokerage services, are in this State if the
3 services are received in this State within the meaning
4 of subparagraph (a) (3) (C-5) (iv) of this Section.

5 (vii) Receipts from the issuance of travelers
6 checks and money orders are from sources in this State
7 if the checks and money orders are issued from a
8 location within this State.

9 (viii) For tax years ending before December 31,
10 2024, receipts from investment assets and activities
11 and trading assets and activities are included in the
12 receipts factor as follows:

13 (1) Interest, dividends, net gains (but not
14 less than zero) and other income from investment
15 assets and activities from trading assets and
16 activities shall be included in the receipts
17 factor. Investment assets and activities and
18 trading assets and activities include, but are not
19 limited to: investment securities; trading account
20 assets; federal funds; securities purchased and
21 sold under agreements to resell or repurchase;
22 options; futures contracts; forward contracts;
23 notional principal contracts such as swaps;
24 equities; and foreign currency transactions. With
25 respect to the investment and trading assets and
26 activities described in subparagraphs (A) and (B)

1 of this paragraph, the receipts factor shall
2 include the amounts described in such
3 subparagraphs.

4 (A) The receipts factor shall include the
5 amount by which interest from federal funds
6 sold and securities purchased under resale
7 agreements exceeds interest expense on federal
8 funds purchased and securities sold under
9 repurchase agreements.

10 (B) The receipts factor shall include the
11 amount by which interest, dividends, gains and
12 other income from trading assets and
13 activities, including, but not limited to,
14 assets and activities in the matched book, in
15 the arbitrage book, and foreign currency
16 transactions, exceed amounts paid in lieu of
17 interest, amounts paid in lieu of dividends,
18 and losses from such assets and activities.

19 (2) The numerator of the receipts factor
20 includes interest, dividends, net gains (but not
21 less than zero), and other income from investment
22 assets and activities and from trading assets and
23 activities described in paragraph (1) of this
24 subsection that are attributable to this State.

25 (A) The amount of interest, dividends, net
26 gains (but not less than zero), and other

1 income from investment assets and activities
2 in the investment account to be attributed to
3 this State and included in the numerator is
4 determined by multiplying all such income from
5 such assets and activities by a fraction, the
6 numerator of which is the gross income from
7 such assets and activities which are properly
8 assigned to a fixed place of business of the
9 taxpayer within this State and the denominator
10 of which is the gross income from all such
11 assets and activities.

12 (B) The amount of interest from federal
13 funds sold and purchased and from securities
14 purchased under resale agreements and
15 securities sold under repurchase agreements
16 attributable to this State and included in the
17 numerator is determined by multiplying the
18 amount described in subparagraph (A) of
19 paragraph (1) of this subsection from such
20 funds and such securities by a fraction, the
21 numerator of which is the gross income from
22 such funds and such securities which are
23 properly assigned to a fixed place of business
24 of the taxpayer within this State and the
25 denominator of which is the gross income from
26 all such funds and such securities.

1 (C) The amount of interest, dividends,
2 gains, and other income from trading assets
3 and activities, including, but not limited to,
4 assets and activities in the matched book, in
5 the arbitrage book and foreign currency
6 transactions (but excluding amounts described
7 in subparagraphs (A) or (B) of this
8 paragraph), attributable to this State and
9 included in the numerator is determined by
10 multiplying the amount described in
11 subparagraph (B) of paragraph (1) of this
12 subsection by a fraction, the numerator of
13 which is the gross income from such trading
14 assets and activities which are properly
15 assigned to a fixed place of business of the
16 taxpayer within this State and the denominator
17 of which is the gross income from all such
18 assets and activities.

19 (D) Properly assigned, for purposes of
20 this paragraph (2) of this subsection, means
21 the investment or trading asset or activity is
22 assigned to the fixed place of business with
23 which it has a preponderance of substantive
24 contacts. An investment or trading asset or
25 activity assigned by the taxpayer to a fixed
26 place of business without the State shall be

1 presumed to have been properly assigned if:

2 (i) the taxpayer has assigned, in the
3 regular course of its business, such asset
4 or activity on its records to a fixed
5 place of business consistent with federal
6 or state regulatory requirements;

7 (ii) such assignment on its records is
8 based upon substantive contacts of the
9 asset or activity to such fixed place of
10 business; and

11 (iii) the taxpayer uses such records
12 reflecting assignment of such assets or
13 activities for the filing of all state and
14 local tax returns for which an assignment
15 of such assets or activities to a fixed
16 place of business is required.

17 (E) The presumption of proper assignment
18 of an investment or trading asset or activity
19 provided in subparagraph (D) of paragraph (2)
20 of this subsection may be rebutted upon a
21 showing by the Department, supported by a
22 preponderance of the evidence, that the
23 preponderance of substantive contacts
24 regarding such asset or activity did not occur
25 at the fixed place of business to which it was
26 assigned on the taxpayer's records. If the

1 fixed place of business that has a
2 preponderance of substantive contacts cannot
3 be determined for an investment or trading
4 asset or activity to which the presumption in
5 subparagraph (D) of paragraph (2) of this
6 subsection does not apply or with respect to
7 which that presumption has been rebutted, that
8 asset or activity is properly assigned to the
9 state in which the taxpayer's commercial
10 domicile is located. For purposes of this
11 subparagraph (E), it shall be presumed,
12 subject to rebuttal, that taxpayer's
13 commercial domicile is in the state of the
14 United States or the District of Columbia to
15 which the greatest number of employees are
16 regularly connected with the management of the
17 investment or trading income or out of which
18 they are working, irrespective of where the
19 services of such employees are performed, as
20 of the last day of the taxable year.

21 (ix) For tax years ending on or after December 31,
22 2024, receipts from investment assets and activities
23 and trading assets and activities are included in the
24 receipts factor as follows:

25 (1) Interest, dividends, net gains (but not
26 less than zero), and other income from investment

1 assets and activities from trading assets and
2 activities shall be included in the receipts
3 factor. Investment assets and activities and
4 trading assets and activities include, but are not
5 limited to the following: investment securities;
6 trading account assets; federal funds; securities
7 purchased and sold under agreements to resell or
8 repurchase; options; futures contracts; forward
9 contracts; notional principal contracts, such as
10 swaps; equities; and foreign currency
11 transactions. With respect to the investment and
12 trading assets and activities described in
13 subparagraphs (A) and (B) of this paragraph, the
14 receipts factor shall include the amounts
15 described in those subparagraphs.

16 (A) The receipts factor shall include the
17 amount by which interest from federal funds
18 sold and securities purchased under resale
19 agreements exceeds interest expense on federal
20 funds purchased and securities sold under
21 repurchase agreements.

22 (B) The receipts factor shall include the
23 amount by which interest, dividends, gains and
24 other income from trading assets and
25 activities, including, but not limited to,
26 assets and activities in the matched book, in

1 the arbitrage book, and foreign currency
2 transactions, exceed amounts paid in lieu of
3 interest, amounts paid in lieu of dividends,
4 and losses from such assets and activities.

5 (2) The numerator of the receipts factor
6 includes interest, dividends, net gains (but not
7 less than zero), and other income from investment
8 assets and activities and from trading assets and
9 activities described in paragraph (1) of this
10 subsection that are attributable to this State.

11 (A) The amount of interest, dividends, net
12 gains (but not less than zero), and other
13 income from investment assets and activities
14 in the investment account to be attributed to
15 this State and included in the numerator is
16 determined by multiplying all of the income
17 from those assets and activities by a
18 fraction, the numerator of which is the total
19 receipts included in the numerator pursuant to
20 items (i) through (vii) of this subparagraph
21 (3) and the denominator of which is all total
22 receipts included in the denominator, other
23 than interest, dividends, net gains (but not
24 less than zero), and other income from
25 investment assets and activities and trading
26 assets and activities.

1 (B) The amount of interest from federal
2 funds sold and purchased and from securities
3 purchased under resale agreements and
4 securities sold under repurchase agreements
5 attributable to this State and included in the
6 numerator is determined by multiplying the
7 amount described in subparagraph (A) of
8 paragraph (1) of this subsection from such
9 funds and such securities by a fraction, the
10 numerator of which is the total receipts
11 included in the numerator pursuant to items
12 (i) through (vii) of this subparagraph (3) and
13 the denominator of which is all total receipts
14 included in the denominator, other than
15 interest, dividends, net gains (but not less
16 than zero), and other income from investment
17 assets and activities and trading assets and
18 activities.

19 (C) The amount of interest, dividends,
20 gains, and other income from trading assets
21 and activities, including, but not limited to,
22 assets and activities in the matched book, in
23 the arbitrage book and foreign currency
24 transactions (but excluding amounts described
25 in subparagraphs (A) or (B) of this
26 paragraph), attributable to this State and

1 included in the numerator is determined by
2 multiplying the amount described in
3 subparagraph (B) of paragraph (1) of this
4 subsection by a fraction, the numerator of
5 which is the total receipts included in the
6 numerator pursuant to items (i) through (vii)
7 of this subparagraph (3) and the denominator
8 of which is all total receipts included in the
9 denominator, other than interest, dividends,
10 net gains (but not less than zero), and other
11 income from investment assets and activities
12 and trading assets and activities.

13 (4) (Blank).

14 (5) (Blank).

15 (c-1) Federally regulated exchanges. For taxable years
16 ending on or after December 31, 2012, business income of a
17 federally regulated exchange shall, at the option of the
18 federally regulated exchange, be apportioned to this State by
19 multiplying such income by a fraction, the numerator of which
20 is its business income from sources within this State, and the
21 denominator of which is its business income from all sources.
22 For purposes of this subsection, the business income within
23 this State of a federally regulated exchange is the sum of the
24 following:

25 (1) Receipts attributable to transactions executed on
26 a physical trading floor if that physical trading floor is

1 located in this State.

2 (2) Receipts attributable to all other matching,
3 execution, or clearing transactions, including without
4 limitation receipts from the provision of matching,
5 execution, or clearing services to another entity,
6 multiplied by (i) for taxable years ending on or after
7 December 31, 2012 but before December 31, 2013, 63.77%;
8 and (ii) for taxable years ending on or after December 31,
9 2013, 27.54%.

10 (3) All other receipts not governed by subparagraphs
11 (1) or (2) of this subsection (c-1), to the extent the
12 receipts would be characterized as "sales in this State"
13 under item (3) of subsection (a) of this Section.

14 "Federally regulated exchange" means (i) a "registered
15 entity" within the meaning of 7 U.S.C. Section 1a(40) (A), (B),
16 or (C), (ii) an "exchange" or "clearing agency" within the
17 meaning of 15 U.S.C. Section 78c (a) (1) or (23), (iii) any such
18 entities regulated under any successor regulatory structure to
19 the foregoing, and (iv) all taxpayers who are members of the
20 same unitary business group as a federally regulated exchange,
21 determined without regard to the prohibition in Section
22 1501(a) (27) of this Act against including in a unitary
23 business group taxpayers who are ordinarily required to
24 apportion business income under different subsections of this
25 Section; provided that this subparagraph (iv) shall apply only
26 if 50% or more of the business receipts of the unitary business

1 group determined by application of this subparagraph (iv) for
2 the taxable year are attributable to the matching, execution,
3 or clearing of transactions conducted by an entity described
4 in subparagraph (i), (ii), or (iii) of this paragraph.

5 In no event shall the Illinois apportionment percentage
6 computed in accordance with this subsection (c-1) for any
7 taxpayer for any tax year be less than the Illinois
8 apportionment percentage computed under this subsection (c-1)
9 for that taxpayer for the first full tax year ending on or
10 after December 31, 2013 for which this subsection (c-1)
11 applied to the taxpayer.

12 (d) Transportation services. For taxable years ending
13 before December 31, 2008, business income derived from
14 furnishing transportation services shall be apportioned to
15 this State in accordance with paragraphs (1) and (2):

16 (1) Such business income (other than that derived from
17 transportation by pipeline) shall be apportioned to this
18 State by multiplying such income by a fraction, the
19 numerator of which is the revenue miles of the person in
20 this State, and the denominator of which is the revenue
21 miles of the person everywhere. For purposes of this
22 paragraph, a revenue mile is the transportation of 1
23 passenger or 1 net ton of freight the distance of 1 mile
24 for a consideration. Where a person is engaged in the
25 transportation of both passengers and freight, the
26 fraction above referred to shall be determined by means of

1 an average of the passenger revenue mile fraction and the
2 freight revenue mile fraction, weighted to reflect the
3 person's

4 (A) relative railway operating income from total
5 passenger and total freight service, as reported to
6 the Interstate Commerce Commission, in the case of
7 transportation by railroad, and

8 (B) relative gross receipts from passenger and
9 freight transportation, in case of transportation
10 other than by railroad.

11 (2) Such business income derived from transportation
12 by pipeline shall be apportioned to this State by
13 multiplying such income by a fraction, the numerator of
14 which is the revenue miles of the person in this State, and
15 the denominator of which is the revenue miles of the
16 person everywhere. For the purposes of this paragraph, a
17 revenue mile is the transportation by pipeline of 1 barrel
18 of oil, 1,000 cubic feet of gas, or of any specified
19 quantity of any other substance, the distance of 1 mile
20 for a consideration.

21 (3) For taxable years ending on or after December 31,
22 2008, business income derived from providing
23 transportation services other than airline services shall
24 be apportioned to this State by using a fraction, (a) the
25 numerator of which shall be (i) all receipts from any
26 movement or shipment of people, goods, mail, oil, gas, or

1 any other substance (other than by airline) that both
2 originates and terminates in this State, plus (ii) that
3 portion of the person's gross receipts from movements or
4 shipments of people, goods, mail, oil, gas, or any other
5 substance (other than by airline) that originates in one
6 state or jurisdiction and terminates in another state or
7 jurisdiction, that is determined by the ratio that the
8 miles traveled in this State bears to total miles
9 everywhere and (b) the denominator of which shall be all
10 revenue derived from the movement or shipment of people,
11 goods, mail, oil, gas, or any other substance (other than
12 by airline). Where a taxpayer is engaged in the
13 transportation of both passengers and freight, the
14 fraction above referred to shall first be determined
15 separately for passenger miles and freight miles. Then an
16 average of the passenger miles fraction and the freight
17 miles fraction shall be weighted to reflect the
18 taxpayer's:

19 (A) relative railway operating income from total
20 passenger and total freight service, as reported to
21 the Surface Transportation Board, in the case of
22 transportation by railroad; and

23 (B) relative gross receipts from passenger and
24 freight transportation, in case of transportation
25 other than by railroad.

26 (4) For taxable years ending on or after December 31,

1 2008, business income derived from furnishing airline
2 transportation services shall be apportioned to this State
3 by multiplying such income by a fraction, the numerator of
4 which is the revenue miles of the person in this State, and
5 the denominator of which is the revenue miles of the
6 person everywhere. For purposes of this paragraph, a
7 revenue mile is the transportation of one passenger or one
8 net ton of freight the distance of one mile for a
9 consideration. If a person is engaged in the
10 transportation of both passengers and freight, the
11 fraction above referred to shall be determined by means of
12 an average of the passenger revenue mile fraction and the
13 freight revenue mile fraction, weighted to reflect the
14 person's relative gross receipts from passenger and
15 freight airline transportation.

16 (e) Combined apportionment. Where 2 or more persons are
17 engaged in a unitary business as described in subsection
18 (a)(27) of Section 1501, a part of which is conducted in this
19 State by one or more members of the group, the business income
20 attributable to this State by any such member or members shall
21 be apportioned by means of the combined apportionment method.
22 For purposes of applying this Section, for tax years ending on
23 or after December 31, 2025, sales of each member of the unitary
24 business group, as defined in paragraph (27) of subsection (a)
25 of Section 1501, who is not a taxpayer, as defined in paragraph
26 (24) of subsection (a) Section 1501, shall be determined based

1 upon the apportionment rules applicable to the member and
2 shall be aggregated. Each taxpayer member of the unitary
3 business group shall include in its sales factor numerator a
4 portion of the aggregate Illinois sales of non-taxpayer
5 members based on a ratio, the numerator of which is that
6 taxpayer member's Illinois sales taking into account its
7 applicable sales factor provisions, and the denominator of
8 which is the aggregate Illinois sales of all the taxpayer
9 members of the group taking into account their respective
10 sales factor provisions. In addition, if inclusion of sales in
11 the sales factor or numerator of the sales factor depends on
12 whether a taxpayer is considered taxable in another state
13 within the meaning of subsection (f) of Section 303, that
14 taxpayer shall be considered taxable in any state in which any
15 member of its unitary business group is considered taxable
16 under subsection (f) of Section 303.

17 (f) Alternative allocation. If the allocation and
18 apportionment provisions of subsections (a) through (e) and of
19 subsection (h) do not, for taxable years ending before
20 December 31, 2008, fairly represent the extent of a person's
21 business activity in this State, or, for taxable years ending
22 on or after December 31, 2008, fairly represent the market for
23 the person's goods, services, or other sources of business
24 income, the person may petition for, or the Director may,
25 without a petition, permit or require, in respect of all or any
26 part of the person's business activity, if reasonable:

1 (1) Separate accounting;

2 (2) The exclusion of any one or more factors;

3 (3) The inclusion of one or more additional factors
4 which will fairly represent the person's business
5 activities or market in this State; or

6 (4) The employment of any other method to effectuate
7 an equitable allocation and apportionment of the person's
8 business income.

9 (g) Cross-reference. For allocation of business income by
10 residents, see Section 301(a).

11 (h) For tax years ending on or after December 31, 1998, the
12 apportionment factor of persons who apportion their business
13 income to this State under subsection (a) shall be equal to:

14 (1) for tax years ending on or after December 31, 1998
15 and before December 31, 1999, $16 \frac{2}{3}\%$ of the property
16 factor plus $16 \frac{2}{3}\%$ of the payroll factor plus $66 \frac{2}{3}\%$ of
17 the sales factor;

18 (2) for tax years ending on or after December 31, 1999
19 and before December 31, 2000, $8 \frac{1}{3}\%$ of the property
20 factor plus $8 \frac{1}{3}\%$ of the payroll factor plus $83 \frac{1}{3}\%$ of
21 the sales factor;

22 (3) for tax years ending on or after December 31,
23 2000, the sales factor.

24 If, in any tax year ending on or after December 31, 1998 and
25 before December 31, 2000, the denominator of the payroll,
26 property, or sales factor is zero, the apportionment factor

1 computed in paragraph (1) or (2) of this subsection for that
2 year shall be divided by an amount equal to 100% minus the
3 percentage weight given to each factor whose denominator is
4 equal to zero.

5 (Source: P.A. 103-592, eff. 6-7-24; 104-6, Article 30, Section
6 30-5, eff. 6-16-25; 104-6, Article 35, Section 35-15, eff.
7 6-16-25; 104-417, eff. 8-15-25; revised 9-10-25.)

8 (35 ILCS 5/901)

9 Sec. 901. Collection authority.

10 (a) In general. The Department shall collect the taxes
11 imposed by this Act. The Department shall collect certified
12 past due child support amounts under Section 2505-650 of the
13 Department of Revenue Law of the Civil Administrative Code of
14 Illinois. Except as provided in subsections (b), (c), (e),
15 (f), (g), and (h) of this Section, money collected pursuant to
16 subsections (a) and (b) of Section 201 of this Act shall be
17 paid into the General Revenue Fund in the State treasury;
18 money collected pursuant to subsections (c) and (d) of Section
19 201 of this Act shall be paid into the Personal Property Tax
20 Replacement Fund, a special fund in the State treasury
21 ~~Treasury~~; and money collected under Section 2505-650 of the
22 Department of Revenue Law of the Civil Administrative Code of
23 Illinois shall be paid into the Child Support Enforcement
24 Trust Fund, a special fund outside the State treasury
25 ~~Treasury~~, or to the State Disbursement Unit established under

1 Section 10-26 of the Illinois Public Aid Code, as directed by
2 the Department of Healthcare and Family Services.

3 (b) Local Government Distributive Fund. Beginning August
4 1, 2017 and continuing through July 31, 2022, the Treasurer
5 shall transfer each month from the General Revenue Fund to the
6 Local Government Distributive Fund an amount equal to the sum
7 of: (i) 6.06% (10% of the ratio of the 3% individual income tax
8 rate prior to 2011 to the 4.95% individual income tax rate
9 after July 1, 2017) of the net revenue realized from the tax
10 imposed by subsections (a) and (b) of Section 201 of this Act
11 upon individuals, trusts, and estates during the preceding
12 month; (ii) 6.85% (10% of the ratio of the 4.8% corporate
13 income tax rate prior to 2011 to the 7% corporate income tax
14 rate after July 1, 2017) of the net revenue realized from the
15 tax imposed by subsections (a) and (b) of Section 201 of this
16 Act upon corporations during the preceding month; and (iii)
17 beginning February 1, 2022, 6.06% of the net revenue realized
18 from the tax imposed by subsection (p) of Section 201 of this
19 Act upon electing pass-through entities. Beginning August 1,
20 2022 and continuing through July 31, 2023, the Treasurer shall
21 transfer each month from the General Revenue Fund to the Local
22 Government Distributive Fund an amount equal to the sum of:
23 (i) 6.16% of the net revenue realized from the tax imposed by
24 subsections (a) and (b) of Section 201 of this Act upon
25 individuals, trusts, and estates during the preceding month;
26 (ii) 6.85% of the net revenue realized from the tax imposed by

1 subsections (a) and (b) of Section 201 of this Act upon
2 corporations during the preceding month; and (iii) 6.16% of
3 the net revenue realized from the tax imposed by subsection
4 (p) of Section 201 of this Act upon electing pass-through
5 entities. Beginning August 1, 2023, the Treasurer shall
6 transfer each month from the General Revenue Fund to the Local
7 Government Distributive Fund an amount equal to the sum of:
8 (i) 6.47% of the net revenue realized from the tax imposed by
9 subsections (a) and (b) of Section 201 of this Act upon
10 individuals, trusts, and estates during the preceding month;
11 (ii) 6.85% of the net revenue realized from the tax imposed by
12 subsections (a) and (b) of Section 201 of this Act upon
13 corporations during the preceding month; and (iii) 6.47% of
14 the net revenue realized from the tax imposed by subsection
15 (p) of Section 201 of this Act upon electing pass-through
16 entities. Net revenue realized for a month shall be defined as
17 the revenue from the tax imposed by subsections (a) and (b) of
18 Section 201 of this Act which is deposited into the General
19 Revenue Fund, the Education Assistance Fund, the Income Tax
20 Surcharge Local Government Distributive Fund, the Fund for the
21 Advancement of Education, and the Commitment to Human Services
22 Fund during the month minus the amount paid out of the General
23 Revenue Fund in State warrants during that same month as
24 refunds to taxpayers for overpayment of liability under the
25 tax imposed by subsections (a) and (b) of Section 201 of this
26 Act.

1 Notwithstanding any provision of law to the contrary,
2 beginning on July 6, 2017 (the effective date of Public Act
3 100-23), those amounts required under this subsection (b) to
4 be transferred by the Treasurer into the Local Government
5 Distributive Fund from the General Revenue Fund shall be
6 directly deposited into the Local Government Distributive Fund
7 as the revenue is realized from the tax imposed by subsections
8 (a) and (b) of Section 201 of this Act.

9 (c) Deposits Into Income Tax Refund Fund.

10 (1) Beginning on January 1, 1989 and thereafter, the
11 Department shall deposit a percentage of the amounts
12 collected pursuant to subsections (a) and (b)(1), (2), and
13 (3) of Section 201 of this Act into a fund in the State
14 treasury known as the Income Tax Refund Fund. Beginning
15 with State fiscal year 1990 and for each fiscal year
16 thereafter, the percentage deposited into the Income Tax
17 Refund Fund during a fiscal year shall be the Annual
18 Percentage. For fiscal year 2011, the Annual Percentage
19 shall be 8.75%. For fiscal year 2012, the Annual
20 Percentage shall be 8.75%. For fiscal year 2013, the
21 Annual Percentage shall be 9.75%. For fiscal year 2014,
22 the Annual Percentage shall be 9.5%. For fiscal year 2015,
23 the Annual Percentage shall be 10%. For fiscal year 2018,
24 the Annual Percentage shall be 9.8%. For fiscal year 2019,
25 the Annual Percentage shall be 9.7%. For fiscal year 2020,
26 the Annual Percentage shall be 9.5%. For fiscal year 2021,

1 the Annual Percentage shall be 9%. For fiscal year 2022,
2 the Annual Percentage shall be 9.25%. For fiscal year
3 2023, the Annual Percentage shall be 9.25%. For fiscal
4 year 2024, the Annual Percentage shall be 9.15%. For
5 fiscal year 2025, the Annual Percentage shall be 9.15%.
6 For fiscal year 2026, the Annual Percentage shall be
7 9.15%. For all other fiscal years, the Annual Percentage
8 shall be calculated as a fraction, the numerator of which
9 shall be the amount of refunds approved for payment by the
10 Department during the preceding fiscal year as a result of
11 overpayment of tax liability under subsections (a) and
12 (b)(1), (2), and (3) of Section 201 of this Act plus the
13 amount of such refunds remaining approved but unpaid at
14 the end of the preceding fiscal year, minus the amounts
15 transferred into the Income Tax Refund Fund from the
16 Tobacco Settlement Recovery Fund, and the denominator of
17 which shall be the amounts which will be collected
18 pursuant to subsections (a) and (b)(1), (2), and (3) of
19 Section 201 of this Act during the preceding fiscal year;
20 except that in State fiscal year 2002, the Annual
21 Percentage shall in no event exceed 7.6%. The Director of
22 Revenue shall certify the Annual Percentage to the
23 Comptroller on the last business day of the fiscal year
24 immediately preceding the fiscal year for which it is to
25 be effective.

26 (2) Beginning on January 1, 1989 and thereafter, the

1 Department shall deposit a percentage of the amounts
2 collected pursuant to subsections (a) and (b) (6), (7), and
3 (8), (c) and (d) of Section 201 of this Act into a fund in
4 the State treasury known as the Income Tax Refund Fund.
5 Beginning with State fiscal year 1990 and for each fiscal
6 year thereafter, the percentage deposited into the Income
7 Tax Refund Fund during a fiscal year shall be the Annual
8 Percentage. For fiscal year 2011, the Annual Percentage
9 shall be 17.5%. For fiscal year 2012, the Annual
10 Percentage shall be 17.5%. For fiscal year 2013, the
11 Annual Percentage shall be 14%. For fiscal year 2014, the
12 Annual Percentage shall be 13.4%. For fiscal year 2015,
13 the Annual Percentage shall be 14%. For fiscal year 2018,
14 the Annual Percentage shall be 17.5%. For fiscal year
15 2019, the Annual Percentage shall be 15.5%. For fiscal
16 year 2020, the Annual Percentage shall be 14.25%. For
17 fiscal year 2021, the Annual Percentage shall be 14%. For
18 fiscal year 2022, the Annual Percentage shall be 15%. For
19 fiscal year 2023, the Annual Percentage shall be 14.5%.
20 For fiscal year 2024, the Annual Percentage shall be 14%.
21 For fiscal year 2025, the Annual Percentage shall be 14%.
22 For fiscal year 2026, the Annual Percentage shall be 14%.
23 For all other fiscal years, the Annual Percentage shall be
24 calculated as a fraction, the numerator of which shall be
25 the amount of refunds approved for payment by the
26 Department during the preceding fiscal year as a result of

1 overpayment of tax liability under subsections (a) and
2 (b)(6), (7), and (8), (c) and (d) of Section 201 of this
3 Act plus the amount of such refunds remaining approved but
4 unpaid at the end of the preceding fiscal year, and the
5 denominator of which shall be the amounts which will be
6 collected pursuant to subsections (a) and (b)(6), (7), and
7 (8), (c) and (d) of Section 201 of this Act during the
8 preceding fiscal year; except that in State fiscal year
9 2002, the Annual Percentage shall in no event exceed 23%.
10 The Director of Revenue shall certify the Annual
11 Percentage to the Comptroller on the last business day of
12 the fiscal year immediately preceding the fiscal year for
13 which it is to be effective.

14 (3) The Comptroller shall order transferred and the
15 Treasurer shall transfer from the Tobacco Settlement
16 Recovery Fund to the Income Tax Refund Fund (i)
17 \$35,000,000 in January, 2001, (ii) \$35,000,000 in January,
18 2002, and (iii) \$35,000,000 in January, 2003.

19 (d) Expenditures from Income Tax Refund Fund.

20 (1) Beginning January 1, 1989, money in the Income Tax
21 Refund Fund shall be expended exclusively for the purpose
22 of paying refunds resulting from overpayment of tax
23 liability under Section 201 of this Act and for making
24 transfers pursuant to this subsection (d), except that in
25 State fiscal years 2022 and 2023, moneys in the Income Tax
26 Refund Fund shall also be used to pay one-time rebate

1 payments as provided under Sections 208.5 and 212.1.

2 (2) The Director shall order payment of refunds
3 resulting from overpayment of tax liability under Section
4 201 of this Act from the Income Tax Refund Fund only to the
5 extent that amounts collected pursuant to Section 201 of
6 this Act and transfers pursuant to this subsection (d) and
7 item (3) of subsection (c) have been deposited and
8 retained in the Fund.

9 (3) As soon as possible after the end of each fiscal
10 year, the Director shall order transferred and the State
11 Treasurer and State Comptroller shall transfer from the
12 Income Tax Refund Fund to the Personal Property Tax
13 Replacement Fund an amount, certified by the Director to
14 the Comptroller, equal to the excess of the amount
15 collected pursuant to subsections (c) and (d) of Section
16 201 of this Act deposited into the Income Tax Refund Fund
17 during the fiscal year over the amount of refunds
18 resulting from overpayment of tax liability under
19 subsections (c) and (d) of Section 201 of this Act paid
20 from the Income Tax Refund Fund during the fiscal year.

21 (4) As soon as possible after the end of each fiscal
22 year, the Director shall order transferred and the State
23 Treasurer and State Comptroller shall transfer from the
24 Personal Property Tax Replacement Fund to the Income Tax
25 Refund Fund an amount, certified by the Director to the
26 Comptroller, equal to the excess of the amount of refunds

1 resulting from overpayment of tax liability under
2 subsections (c) and (d) of Section 201 of this Act paid
3 from the Income Tax Refund Fund during the fiscal year
4 over the amount collected pursuant to subsections (c) and
5 (d) of Section 201 of this Act deposited into the Income
6 Tax Refund Fund during the fiscal year.

7 (4.5) As soon as possible after the end of fiscal year
8 1999 and of each fiscal year thereafter, the Director
9 shall order transferred and the State Treasurer and State
10 Comptroller shall transfer from the Income Tax Refund Fund
11 to the General Revenue Fund any surplus remaining in the
12 Income Tax Refund Fund as of the end of such fiscal year;
13 excluding for fiscal years 2000, 2001, and 2002 amounts
14 attributable to transfers under item (3) of subsection (c)
15 less refunds resulting from the earned income tax credit,
16 and excluding for fiscal year 2022 amounts attributable to
17 transfers from the General Revenue Fund authorized by
18 Public Act 102-700. For purposes of this item (4.5),
19 "surplus" means the cash balance in the Income Tax Refund
20 Fund at the end of such fiscal year, less amounts
21 attributable to transfers under item (3) of this
22 subsection (d).

23 (5) This Act shall constitute an irrevocable and
24 continuing appropriation from the Income Tax Refund Fund
25 for the purposes of (i) paying refunds upon the order of
26 the Director in accordance with the provisions of this

1 Section and (ii) paying one-time rebate payments under
2 Sections 208.5 and 212.1.

3 (e) Deposits into the Education Assistance Fund and the
4 Income Tax Surcharge Local Government Distributive Fund. On
5 July 1, 1991, and thereafter, of the amounts collected
6 pursuant to subsections (a) and (b) of Section 201 of this Act,
7 minus deposits into the Income Tax Refund Fund, the Department
8 shall deposit 7.3% into the Education Assistance Fund in the
9 State treasury ~~Treasury~~. Beginning July 1, 1991, and
10 continuing through January 31, 1993, of the amounts collected
11 pursuant to subsections (a) and (b) of Section 201 of the
12 Illinois Income Tax Act, minus deposits into the Income Tax
13 Refund Fund, the Department shall deposit 3.0% into the Income
14 Tax Surcharge Local Government Distributive Fund in the State
15 treasury ~~Treasury~~. Beginning February 1, 1993 and continuing
16 through June 30, 1993, of the amounts collected pursuant to
17 subsections (a) and (b) of Section 201 of the Illinois Income
18 Tax Act, minus deposits into the Income Tax Refund Fund, the
19 Department shall deposit 4.4% into the Income Tax Surcharge
20 Local Government Distributive Fund in the State treasury
21 ~~Treasury~~. Beginning July 1, 1993, and continuing through June
22 30, 1994, of the amounts collected under subsections (a) and
23 (b) of Section 201 of this Act, minus deposits into the Income
24 Tax Refund Fund, the Department shall deposit 1.475% into the
25 Income Tax Surcharge Local Government Distributive Fund in the
26 State treasury ~~Treasury~~.

1 (f) Deposits into the Fund for the Advancement of
2 Education. Beginning February 1, 2015, the Department shall
3 deposit the following portions of the revenue realized from
4 the tax imposed upon individuals, trusts, and estates by
5 subsections (a) and (b) of Section 201 of this Act, minus
6 deposits into the Income Tax Refund Fund, into the Fund for the
7 Advancement of Education:

8 (1) beginning February 1, 2015, and prior to February
9 1, 2025, 1/30; and

10 (2) beginning February 1, 2025, 1/26.

11 If the rate of tax imposed by subsection (a) and (b) of
12 Section 201 is reduced pursuant to Section 201.5 of this Act,
13 the Department shall not make the deposits required by this
14 subsection (f) on or after the effective date of the
15 reduction.

16 (g) Deposits into the Commitment to Human Services Fund.
17 Beginning February 1, 2015, the Department shall deposit the
18 following portions of the revenue realized from the tax
19 imposed upon individuals, trusts, and estates by subsections
20 (a) and (b) of Section 201 of this Act, minus deposits into the
21 Income Tax Refund Fund, into the Commitment to Human Services
22 Fund:

23 (1) beginning February 1, 2015, and prior to February
24 1, 2025, 1/30; and

25 (2) beginning February 1, 2025, 1/26.

26 If the rate of tax imposed by subsection (a) and (b) of

1 Section 201 is reduced pursuant to Section 201.5 of this Act,
2 the Department shall not make the deposits required by this
3 subsection (g) on or after the effective date of the
4 reduction.

5 (h) Deposits into the Tax Compliance and Administration
6 Fund. Beginning on the first day of the first calendar month to
7 occur on or after August 26, 2014 (the effective date of Public
8 Act 98-1098), each month the Department shall pay into the Tax
9 Compliance and Administration Fund, to be used, subject to
10 appropriation, to fund additional auditors and compliance
11 personnel at the Department, an amount equal to 1/12 of 5% of
12 the cash receipts collected during the preceding fiscal year
13 by the Audit Bureau of the Department from the tax imposed by
14 subsections (a), (b), (c), and (d) of Section 201 of this Act,
15 net of deposits into the Income Tax Refund Fund made from those
16 cash receipts.

17 (Source: P.A. 103-8, eff. 6-7-23; 103-154, eff. 6-30-23;
18 103-588, eff. 6-5-24; 104-2, eff. 6-16-25; 104-6, eff.
19 6-16-25; revised 9-10-25.)

20 Section 260. The Economic Development for a Growing
21 Economy Tax Credit Act is amended by changing Section 5-5 as
22 follows:

23 (35 ILCS 10/5-5)

24 Sec. 5-5. Definitions. As used in this Act:

1 "Agreement" means the Agreement between a Taxpayer and the
2 Department under the provisions of Section 5-50 of this Act.

3 "Applicant" means a Taxpayer that is operating a business
4 located or that the Taxpayer plans to locate within the State
5 of Illinois and that is engaged in interstate or intrastate
6 commerce for the purpose of manufacturing, processing,
7 assembling, warehousing, or distributing products, conducting
8 research and development, providing tourism services, or
9 providing services in interstate commerce, office industries,
10 or agricultural processing, but excluding retail, retail food,
11 health, professional services, and services delivered to
12 business customer sites. "Applicant" does not include a
13 Taxpayer who closes or substantially reduces an operation at
14 one location in the State and relocates substantially the same
15 operation to another location in the State. This does not
16 prohibit a Taxpayer from expanding its operations at another
17 location in the State, provided that existing operations of a
18 similar nature located within the State are not closed or
19 substantially reduced. This also does not prohibit a Taxpayer
20 from moving its operations from one location in the State to
21 another location in the State for the purpose of expanding the
22 operation provided that the Department determines that
23 expansion cannot reasonably be accommodated within the
24 municipality in which the business is located, or in the case
25 of a business located in an incorporated area of the county,
26 within the county in which the business is located, after

1 conferring with the chief elected official of the municipality
2 or county and taking into consideration any evidence offered
3 by the municipality or county regarding the ability to
4 accommodate expansion within the municipality or county.

5 "Credit" means the amount agreed to between the Department
6 and Applicant under this Act, but not to exceed the lesser of:
7 (1) the sum of (i) 50% of the Incremental Income Tax
8 attributable to New Employees at the Applicant's project and
9 (ii) 10% of the training costs of New Employees; or (2) 100% of
10 the Incremental Income Tax attributable to New Employees at
11 the Applicant's project. However, if the project is located in
12 an underserved area, then the amount of the Credit may not
13 exceed the lesser of: (1) the sum of (i) 75% of the Incremental
14 Income Tax attributable to New Employees at the Applicant's
15 project and (ii) 10% of the training costs of New Employees; or
16 (2) 100% of the Incremental Income Tax attributable to New
17 Employees at the Applicant's project. If the project is not
18 located in an underserved area and the Applicant agrees to
19 hire the required number of New Employees, then the maximum
20 amount of the Credit for that Applicant may be increased by an
21 amount not to exceed 25% of the Incremental Income Tax
22 attributable to retained employees at the Applicant's project.
23 If the project is located in an underserved area and the
24 Applicant agrees to hire the required number of New Employees,
25 then the maximum amount of the credit for that Applicant may be
26 increased by an amount not to exceed 50% of the Incremental

1 Income Tax attributable to retained employees at the
2 Applicant's project.

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

5 "Director" means the Director of Commerce and Economic
6 Opportunity.

7 "Full-time Employee" means an individual who is employed
8 for consideration for at least 35 hours each week or who
9 renders any other standard of service generally accepted by
10 industry custom or practice as full-time employment. An
11 individual for whom a W-2 is issued by a Professional Employer
12 Organization (PEO) is a full-time employee if employed in the
13 service of the Applicant for consideration for at least 35
14 hours each week or who renders any other standard of service
15 generally accepted by industry custom or practice as full-time
16 employment to Applicant. The employee need not be physically
17 present at the EDGE project location during the entire
18 full-time workweek; however, the agreement shall set forth a
19 minimum number of hours during which the employee is scheduled
20 to be present at the EDGE project location.

21 "Incremental Income Tax" means the total amount withheld
22 during the taxable year from the compensation of New Employees
23 and, if applicable, retained employees under Article 7 of the
24 Illinois Income Tax Act arising from employment at a project
25 that is the subject of an Agreement.

26 "New Construction EDGE Agreement" means the Agreement

1 between a Taxpayer and the Department under the provisions of
2 Section 5-51 of this Act.

3 "New Construction EDGE Credit" means an amount agreed to
4 between the Department and the Applicant under this Act as
5 part of a New Construction EDGE Agreement that does not exceed
6 50% of the Incremental Income Tax attributable to New
7 Construction EDGE Employees at the Applicant's project;
8 however, if the New Construction EDGE Project is located in an
9 underserved area, then the amount of the New Construction EDGE
10 Credit may not exceed 75% of the Incremental Income Tax
11 attributable to New Construction EDGE Employees at the
12 Applicant's New Construction EDGE Project.

13 "New Construction EDGE Employee" means a laborer or worker
14 who is employed by a contractor or subcontractor in the actual
15 construction work on the site of a New Construction EDGE
16 Project, pursuant to a New Construction EDGE Agreement.

17 "New Construction EDGE Incremental Income Tax" means the
18 total amount withheld during the taxable year from the
19 compensation of New Construction EDGE Employees.

20 "New Construction EDGE Project" means the building of a
21 Taxpayer's structure or building, or making improvements of
22 any kind to real property. "New Construction EDGE Project"
23 does not include the routine operation, routine repair, or
24 routine maintenance of existing structures, buildings, or real
25 property.

26 "New Employee" means:

1 (a) A Full-time Employee first employed by a Taxpayer
2 at the project, or assigned to the project as their
3 primary work location, that is the subject of an Agreement
4 and who is hired after the Taxpayer enters into the tax
5 credit Agreement.

6 (b) The term "New Employee" does not include:

7 (1) an employee of the Taxpayer who performs a job
8 that was previously performed by another employee, if
9 that job existed for at least 6 months before hiring
10 the employee;

11 (2) an employee of the Taxpayer who was previously
12 employed in Illinois by a Related Member of the
13 Taxpayer and whose employment was shifted to the
14 Taxpayer after the Taxpayer entered into the tax
15 credit Agreement; or

16 (3) a child, grandchild, parent, or spouse, other
17 than a spouse who is legally separated from the
18 individual, of any individual who has a direct or an
19 indirect ownership interest of at least 5% in the
20 profits, capital, or value of the Taxpayer.

21 (c) Notwithstanding paragraph (1) of subsection (b),
22 an employee may be considered a New Employee under the
23 Agreement if the employee performs a job that was
24 previously performed by an employee who was:

25 (1) treated under the Agreement as a New Employee;

26 and

1 (2) promoted by the Taxpayer to another job.

2 (d) Notwithstanding subsection (a), the Department may
3 award a Credit to an Applicant with respect to an employee
4 hired prior to the date of the Agreement if:

5 (1) the Applicant is in receipt of a letter from
6 the Department stating an intent to enter into a
7 credit Agreement;

8 (2) the letter described in paragraph (1) is
9 issued by the Department not later than 15 days after
10 the effective date of this Act; and

11 (3) the employee was hired after the date the
12 letter described in paragraph (1) was issued.

13 "Noncompliance Date" means, in the case of a Taxpayer that
14 is not complying with the requirements of the Agreement or the
15 provisions of this Act, the day following the last date upon
16 which the Taxpayer was in compliance with the requirements of
17 the Agreement and the provisions of this Act, as determined by
18 the Director, pursuant to Section 5-65.

19 "Pass Through Entity" means an entity that is exempt from
20 the tax under subsection (b) or (c) of Section 205 of the
21 Illinois Income Tax Act.

22 "Professional Employer Organization" or "PEO" ~~(PEO)~~ means
23 an employee leasing company, as defined in Section 206.1(A) (2)
24 of the ~~Illinois~~ Unemployment Insurance Act.

25 "Related Member" means a person that, with respect to the
26 Taxpayer during any portion of the taxable year, is any one of

1 the following:

2 (1) An individual stockholder, if the stockholder and
3 the members of the stockholder's family (as defined in
4 Section 318 of the Internal Revenue Code) own directly,
5 indirectly, beneficially, or constructively, in the
6 aggregate, at least 50% of the value of the Taxpayer's
7 outstanding stock.

8 (2) A partnership, estate, or trust and any partner or
9 beneficiary, if the partnership, estate, or trust, and its
10 partners or beneficiaries own directly, indirectly,
11 beneficially, or constructively, in the aggregate, at
12 least 50% of the profits, capital, stock, or value of the
13 Taxpayer.

14 (3) A corporation, and any party related to the
15 corporation in a manner that would require an attribution
16 of stock from the corporation to the party or from the
17 party to the corporation under the attribution rules of
18 Section 318 of the Internal Revenue Code, if the Taxpayer
19 owns directly, indirectly, beneficially, or constructively
20 at least 50% of the value of the corporation's outstanding
21 stock.

22 (4) A corporation and any party related to that
23 corporation in a manner that would require an attribution
24 of stock from the corporation to the party or from the
25 party to the corporation under the attribution rules of
26 Section 318 of the Internal Revenue Code, if the

1 corporation and all such related parties own in the
2 aggregate at least 50% of the profits, capital, stock, or
3 value of the Taxpayer.

4 (5) A person to or from whom there is attribution of
5 stock ownership in accordance with Section 1563(e) of the
6 Internal Revenue Code, except, for purposes of determining
7 whether a person is a Related Member under this paragraph,
8 20% shall be substituted for 5% wherever 5% appears in
9 Section 1563(e) of the Internal Revenue Code.

10 "Startup taxpayer" means, for Agreements that are executed
11 before June 7, 2023 (the effective date of the changes made to
12 this Section by Public Act 103-9) ~~this amendatory Act of the~~
13 ~~103rd General Assembly~~, a corporation, partnership, or other
14 entity incorporated or organized no more than 5 years before
15 the filing of an application for an Agreement that has never
16 had any Illinois income tax liability, excluding any Illinois
17 income tax liability of a Related Member which shall not be
18 attributed to the startup taxpayer. "Startup taxpayer" means,
19 for Agreements that are executed on or after June 7, 2023 (the
20 effective date of Public Act 103-9) ~~this amendatory Act of the~~
21 ~~103rd General Assembly~~, a corporation, partnership, or other
22 entity that is incorporated or organized no more than 10 years
23 before the filing of an application for an Agreement and that
24 has never had any Illinois income tax liability. For the
25 purpose of determining whether the taxpayer has had any
26 Illinois income tax liability, the Illinois income tax

1 liability of a Related Member shall not be attributed to the
2 startup taxpayer.

3 "Taxpayer" means an individual, corporation, partnership,
4 or other entity that has any Illinois Income Tax liability.

5 Until July 1, 2022, "underserved area" means a geographic
6 area that meets one or more of the following conditions:

7 (1) the area has a poverty rate of at least 20%
8 according to the latest federal decennial census;

9 (2) 75% or more of the children in the area
10 participate in the federal free lunch program according to
11 reported statistics from the State Board of Education;

12 (3) at least 20% of the households in the area receive
13 assistance under the Supplemental Nutrition Assistance
14 Program (SNAP); or

15 (4) the area has an average unemployment rate, as
16 determined by the Illinois Department of Employment
17 Security, that is more than 120% of the national
18 unemployment average, as determined by the U.S. Department
19 of Labor, for a period of at least 2 consecutive calendar
20 years preceding the date of the application.

21 On and after July 1, 2022, "underserved area" means a
22 geographic area that meets one or more of the following
23 conditions:

24 (1) the area has a poverty rate of at least 20%
25 according to the latest American Community Survey;

26 (2) 35% or more of the families with children in the

1 area are living below 130% of the poverty line, according
2 to the latest American Community Survey;

3 (3) at least 20% of the households in the area receive
4 assistance under the Supplemental Nutrition Assistance
5 Program (SNAP); or

6 (4) the area has an average unemployment rate, as
7 determined by the Illinois Department of Employment
8 Security, that is more than 120% of the national
9 unemployment average, as determined by the U.S. Department
10 of Labor, for a period of at least 2 consecutive calendar
11 years preceding the date of the application.

12 (Source: P.A. 102-330, eff. 1-1-22; 102-700, eff. 4-19-22;
13 102-1125, eff. 2-3-23; 103-9, eff. 6-7-23; 103-595, eff.
14 6-26-24; revised 7-14-25.)

15 Section 265. The Manufacturing Illinois Chips for Real
16 Opportunity (MICRO) Act is amended by changing Sections
17 110-50, 110-80, and 110-105 as follows:

18 (35 ILCS 45/110-50)

19 Sec. 110-50. Diversity report on the taxpayer's workforce,
20 board of directors, and vendors.

21 (a) Each taxpayer with a workforce of 100 or more
22 employees and with an agreement for a credit under this Act
23 shall, starting on April 15, 2026, and every year thereafter
24 prior to April 15, for which the taxpayer has an agreement

1 under this Act, submit to the Department an annual report
2 detailing the diversity of the taxpayer's own workforce,
3 including full-time and part-time employees, contractors, and
4 board of directors' membership. Any taxpayer seeking to claim
5 a credit under this Act that fails to timely submit the
6 required report shall not receive a credit for that taxable
7 year unless and until such report is finalized and submitted
8 to the Department. The report should also address the
9 taxpayer's best efforts to meet or exceed the recruitment and
10 hiring plan outlined in the application referenced in Section
11 110-20. Those reports shall be submitted in the form and
12 manner required by the Department.

13 (b) Vendor diversity and annual report. Each taxpayer with
14 a workforce of 100 or more full-time employees shall, starting
15 on April 15, 2025 and every year thereafter for which the
16 taxpayer has an agreement under this Act, report on the
17 diversity of the vendors that it utilizes, for publication on
18 the Department's website, and include the following
19 information:

20 (1) a point of contact for potential vendors to
21 register with the taxpayer's project;

22 (2) certifications that the taxpayer accepts or
23 recognizes for minority-owned businesses ~~minority~~ and
24 women-owned businesses as entities;

25 (3) the taxpayer's goals to contract with diverse
26 vendors, if any, for the next fiscal year for the entire

1 budget of the taxpayer's project;

2 (4) for the last fiscal year, the actual contractual
3 spending for the entire budget of the project and the
4 actual spending for minority-owned businesses and
5 women-owned businesses, expressed as a percentage of the
6 total budget for actual spending for the project;

7 (5) a narrative explaining the results of the report
8 and the taxpayer's plan to address the voluntary goals for
9 the next fiscal year; and

10 (6) a copy of the taxpayer's submission of vendor
11 diversity information to the federal government,
12 including, but not limited to, vendor diversity goals and
13 actual contractual spending for minority-owned businesses
14 ~~minority~~ and women-owned businesses, if the taxpayer is a
15 federal contractor and is required by the federal
16 government to submit such information.

17 (Source: P.A. 102-700, eff. 4-19-22; revised 7-28-25.)

18 (35 ILCS 45/110-80)

19 Sec. 110-80. Evaluation of tax credit program. The
20 Department shall evaluate the tax credit program every 3 ~~three~~
21 years and issue a report. The evaluation shall include an
22 assessment of the effectiveness of the program in creating new
23 jobs in Illinois and of the revenue impact of the program and
24 may include a review of the practices and experiences of other
25 states with similar programs. The Director shall submit a

1 report on the evaluation to the Governor and the General
2 Assembly by April 19, 2025 (3 ~~three~~ years after the effective
3 date ~~Effective Date of this~~ the Act) and every 3 ~~three~~ years
4 thereafter.

5 (Source: P.A. 102-700, eff. 4-19-22; revised 7-17-25.)

6 (35 ILCS 45/110-105)

7 Sec. 110-105. Building materials exemptions for project
8 sites.

9 (a) The Department may certify a taxpayer with a project
10 that meets the qualifications under paragraph ~~paragraphs~~ (1),
11 (2), or (4) of subsection (c) of Section 110-20, subject to an
12 agreement under this Act, for an exemption from any State or
13 local use tax or retailers' occupation tax on building
14 materials for the construction of its project facilities. The
15 taxpayer must meet any criteria for certification set by the
16 Department under this Act.

17 The Department shall determine the period during which the
18 exemption from State and local use tax and retailers'
19 occupation tax are in effect, but in no event shall exceed 5
20 years in accordance with Section 5m of the Retailers'
21 Occupation Tax Act.

22 The Department is authorized to promulgate rules and
23 regulations to carry out the provisions of this Section,
24 including procedures to apply for the exemption; to define the
25 amounts and types of eligible investments that an applicant

1 must make in order to receive tax exemption; to approve such
2 tax exemption for an applicant whose investments are not yet
3 placed in service; and to require that an applicant granted
4 exemption repay the exempted amount if the applicant fails to
5 comply with the terms and conditions of the agreement with the
6 Department.

7 Upon certification by the Department under this Section,
8 the Department shall notify the Department of Revenue of the
9 certification. The exemption status shall take effect within 3
10 months after certification of the taxpayer and notice to the
11 Department of Revenue by the Department.

12 (Source: P.A. 102-700, eff. 4-19-22; revised 7-9-25.)

13 Section 270. The Hydrogen Fuel Replacement Tax Credit Act
14 is amended by changing Sections 10 and 36 as follows:

15 (35 ILCS 55/10)

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

17 "Attestation" means a statement that is made under penalty
18 of perjury by a producer under Section 27.

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

21 "Eligible taxpayer" means a taxpayer that:

22 (1) is subject to subsections (a) and (b) of Section
23 201 of the Illinois Income Tax Act;

24 (2) has eligible qualifying hydrogen use for which the

1 producer has provided an attestation and verification
2 under Section 27;

3 (3) complies with subsections (e) and (f) of Section
4 15 if applicable; and

5 (4) is allocated credits by the Department under
6 Section 25.

7 If the taxpayer is an individual, partnership, trust,
8 estate, or Subchapter S corporation, then the taxpayer is an
9 eligible taxpayer only to the extent that the taxpayer's
10 Illinois income tax liability is due to an equity interest in a
11 partnership that uses qualifying hydrogen, a Subchapter S
12 corporation that uses qualifying hydrogen, or a similar
13 pass-through entity that uses qualifying hydrogen.

14 "Eligible qualifying hydrogen use" means the use, in
15 Illinois, of qualifying hydrogen, except for the use of
16 qualifying hydrogen in the following sectors or for the
17 following purposes:

18 (1) the use of qualifying hydrogen in all vehicles
19 powered by combustion engines or in vehicles in classes 1,
20 2, 3, 4, 5, and 6 in the 8-category Gross Vehicle Weight
21 Rating (GVWR) classification system, where Class 1
22 includes vehicles with a GVWR of less than 6,000 pounds
23 ~~(lbs)~~; Class 2 includes vehicles with a GVWR of 6,001 to
24 10,000 pounds ~~lbs~~; Class 3 includes vehicles with a GVWR
25 of 10,001 to 14,000 pounds ~~lbs~~; Class 4 includes vehicles
26 with a GVWR of 14,001 to 16,000 pounds ~~lbs~~; Class 5

1 includes vehicles with a GVWR of 16,001 to 19,500 pounds
2 ~~lbs~~; Class 6 includes vehicles with a GVWR of 19,501 to
3 26,000 pounds ~~lbs~~; Class 7 includes vehicles with a GVWR
4 of 26,001 to 33,000 pounds ~~lbs~~; and Class 8 includes
5 vehicles with a GVWR of greater than 33,001 pounds ~~lbs~~;

6 (2) the use of qualifying hydrogen in heating or
7 cooking in residential and commercial buildings, including
8 space heating, water heating, and clothes drying, or in
9 other cases where qualifying hydrogen is blended into the
10 gas distribution system of a residential or commercial
11 building; and

12 (3) the use of qualifying hydrogen for the production
13 of electricity generated using direct gas combustion,
14 except when that use is (A) for the purpose of emissions
15 reductions to achieve compliance with any rules or
16 regulations promulgated by the United States Environmental
17 Protection Agency, as interpreted and applied in State
18 Implementation Plans under those rules and regulations,
19 and (B) undertaken pursuant to an approved State
20 Implementation Plan for the State of Illinois.

21 "Environmental attribute credit" means a renewable energy
22 credit, zero-emission credit, or carbon mitigation credit, as
23 those terms are defined in Sections 1-10 and 1-75 of the
24 Illinois Power Agency Act, or any other environmental
25 attribute credit tracked by the Generation Attribute Tracking
26 System administered by PJM Interconnection, LLC.

1 "Equity investment eligible community" has the meaning
2 provided in Section 5-5 of the Energy Transition Act.

3 "MISO" means Midcontinent Independent System Operator,
4 Inc.

5 "MISO maximum generation event" has the same meaning as in
6 MISO's Reliability Operating Procedures.

7 "PJM" means PJM Interconnection, LLC, the regional
8 transmission organization ~~(RTO)~~ that coordinates the movement
9 of wholesale electricity for portions of 13 states, including
10 Illinois.

11 "PJM performance assessment interval" has the same meaning
12 as provided in the PJM Open Access Transmission Tariff.

13 "Producer" means a producer of qualifying hydrogen.

14 "Qualified renewable energy resource" means an electric
15 generator that (1) is fueled by wind, solar thermal energy,
16 photovoltaic cells and panels, geothermal energy, or
17 hydropower that does not involve new construction or
18 significant expansion of hydropower dams; and (2) produces
19 renewable energy credits that are eligible to be counted
20 toward the renewable energy requirements in subsection (c) of
21 Section 1-75 of the Illinois Power Agency Act.

22 "Qualifying hydrogen" means hydrogen that (i) receives
23 100% of the tax credit available under 26 U.S.C. 45V and (ii)
24 meets the requirements of Section 27 of this Act. If any of the
25 requirements of 26 U.S.C. 45V ~~45v~~ conflict with any of the
26 requirements of Section 27, then the relevant requirement of

1 Section 27 shall govern for purposes of determining
2 eligibility for the allowable credit established under this
3 Act.

4 "Regional grid" means the territory served by a specific
5 regional transmission organization.

6 "Regional transmission organization" means PJM
7 Interconnection, LLC; Midcontinent Independent System
8 Operator; or any other entity charged with regional real-time
9 balancing of electricity generation and load.

10 "Zero-emission facility" has the same meaning as provided
11 in Section 1-10 of the Illinois Power Agency Act as that Act
12 exists on the effective date of this Act.

13 (Source: P.A. 103-268, eff. 7-25-23; revised 7-14-25.)

14 (35 ILCS 55/36)

15 Sec. 36. Analysis of hydrogen production and utilization.

16 (a) No later than April 1, 2028, the Illinois
17 Environmental Protection Agency, in consultation with the
18 Department, the Illinois Power Agency, the Illinois Commerce
19 Commission, and other State agencies, as needed, shall publish
20 a report analyzing the greenhouse gas and copollutant
21 emissions impacts of hydrogen production and utilization in
22 the State from January 1, 2026 through December 31, 2027. The
23 report shall separately measure each of the following:

24 (1) life-cycle greenhouse gas and copollutant emission
25 impacts of producing qualifying hydrogen;

1 (2) life-cycle greenhouse gas and copollutant emission
2 impacts of eligible qualifying hydrogen use for which an
3 eligible taxpayer receives a credit under this Act;

4 (3) any greenhouse gas and copollutant emissions
5 avoided by eligible use of qualifying hydrogen, such as by
6 displacing diesel in long-haul, heavy-duty trucking and
7 displacing hydrogen created using fossil fuel feedstock or
8 through electrolysis powered by fossil fuel-generated
9 ~~fossil fuel-generated~~ electricity, where avoidance can be
10 determined with reasonable certainty; and

11 (4) economic activity and jobs attributable to
12 investments in qualifying hydrogen production and eligible
13 qualifying hydrogen use in the State across sectors.

14 The report shall also include the following separate
15 provisions:

16 (1) an analysis of opportunities to increase the
17 production of qualifying hydrogen from electrolysis that
18 is powered entirely by electricity generated from
19 qualified renewable energy resources in the State;

20 (2) a comparison of the cost of qualifying hydrogen to
21 the cost of hydrogen produced from fossil fuels;

22 (3) an analysis of whether energy sources other than
23 hydrogen are available alternatives for qualified uses,
24 and if so, whether those alternatives would achieve
25 greater emissions reductions, economic savings, or both;

26 (4) an analysis of the efficacy of this tax credit at

1 incentivizing the transition of industries with eligible
2 uses to use clean hydrogen as a means of decarbonization;

3 (5) an analysis of Illinois' competitiveness in the
4 clean hydrogen economy relative to other states; this
5 analysis shall include, but not be limited to, a review of
6 the Department of Energy's Hydrogen Hub awards, other
7 states' incentives for clean hydrogen, the amount of
8 eligible use of clean hydrogen in Illinois relative to
9 other states, and the amount of production of clean
10 hydrogen in Illinois relative to other states; this
11 analysis should also recommend policy changes the State
12 can make to be more competitive with other states in the
13 clean hydrogen economy to the extent that such
14 competitiveness is consistent with the State's emissions
15 reductions goals and is economically beneficial;

16 (6) an analysis of areas where clean hydrogen use,
17 clean energy use, or both can increase emissions
18 reduction, and policy measures the State can take to
19 incentivize those uses, including, but not limited to, an
20 extension of this tax credit and changes to the total
21 annual amount of this tax credit; and

22 (7) an analysis of the expected arc of production,
23 relative costs of different methods of hydrogen
24 production, relative costs and emissions reductions
25 benefits of clean energy produced by other methods,
26 including renewables, for eligible and other uses to help

1 right-size the total tax credit amount.

2 The Illinois Environmental Protection Agency may consider
3 application and attestation information provided by eligible
4 taxpayers pursuant to this Act and any other data it deems
5 relevant.

6 Data relied upon for the report and methods of measurement
7 shall be identified in the report and be made publicly
8 available in easily accessible, machine-readable format.

9 The Illinois Environmental Protection Agency shall
10 determine and state in its report the impact of the production
11 of qualifying hydrogen and eligible qualifying hydrogen uses
12 receiving a tax credit pursuant to this Act on greenhouse gas
13 and copollutant emissions.

14 (b) A draft of the report shall be made available for
15 public comment no less than 30 days prior to its final
16 publication. The final report and comments received shall be
17 made publicly available in both English and Spanish, and
18 copies of the final report shall be filed with the General
19 Assembly and the Governor.

20 (Source: P.A. 103-268, eff. 7-25-23; revised 7-14-25.)

21 Section 275. The Service Use Tax Act is amended by
22 changing Section 9 as follows:

23 (35 ILCS 110/9)

24 (Text of Section before amendment by P.A. 104-457)

1 Sec. 9. Each serviceman required or authorized to collect
2 the tax herein imposed shall pay to the Department the amount
3 of such tax (except as otherwise provided) at the time when he
4 is required to file his return for the period during which such
5 tax was collected, less a discount of 2.1% prior to January 1,
6 1990 and 1.75% on and after January 1, 1990, or \$5 per calendar
7 year, whichever is greater, which is allowed to reimburse the
8 serviceman for expenses incurred in collecting the tax,
9 keeping records, preparing and filing returns, remitting the
10 tax, and supplying data to the Department on request.
11 Beginning with returns due on or after January 1, 2025, the
12 vendor's discount allowed in this Section, the Retailers'
13 Occupation Tax Act, the Service Occupation Tax Act, and the
14 Use Tax Act, including any local tax administered by the
15 Department and reported on the same return, shall not exceed
16 \$1,000 per month in the aggregate. When determining the
17 discount allowed under this Section, servicemen shall include
18 the amount of tax that would have been due at the 1% rate but
19 for the 0% rate imposed under Public Act 102-700. The discount
20 under this Section is not allowed for the 1.25% portion of
21 taxes paid on aviation fuel that is subject to the revenue use
22 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. The
23 discount allowed under this Section is allowed only for
24 returns that are filed in the manner required by this Act. The
25 Department may disallow the discount for servicemen whose
26 certificate of registration is revoked at the time the return

1 is filed, but only if the Department's decision to revoke the
2 certificate of registration has become final. A serviceman
3 need not remit that part of any tax collected by him to the
4 extent that he is required to pay and does pay the tax imposed
5 by the Service Occupation Tax Act with respect to his sale of
6 service involving the incidental transfer by him of the same
7 property.

8 Except as provided hereinafter in this Section, on or
9 before the twentieth day of each calendar month, such
10 serviceman shall file a return for the preceding calendar
11 month in accordance with reasonable Rules and Regulations to
12 be promulgated by the Department. Such return shall be filed
13 on a form prescribed by the Department and shall contain such
14 information as the Department may reasonably require. The
15 return shall include the gross receipts which were received
16 during the preceding calendar month or quarter on the
17 following items upon which tax would have been due but for the
18 0% rate imposed under Public Act 102-700: (i) food for human
19 consumption that is to be consumed off the premises where it is
20 sold (other than alcoholic beverages, food consisting of or
21 infused with adult use cannabis, soft drinks, and food that
22 has been prepared for immediate consumption); and (ii) food
23 prepared for immediate consumption and transferred incident to
24 a sale of service subject to this Act or the Service Occupation
25 Tax Act by an entity licensed under the Hospital Licensing
26 Act, the Nursing Home Care Act, the Assisted Living and Shared

1 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
2 Specialized Mental Health Rehabilitation Act of 2013, or the
3 Child Care Act of 1969, or an entity that holds a permit issued
4 pursuant to the Life Care Facilities Act. The return shall
5 also include the amount of tax that would have been due on the
6 items listed in the previous sentence but for the 0% rate
7 imposed under Public Act 102-700.

8 In the case of leases, except as otherwise provided in
9 this Act, the lessor, in collecting the tax, may collect for
10 each tax return period only the tax applicable to that part of
11 the selling price actually received during such tax return
12 period.

13 On and after January 1, 2018, with respect to servicemen
14 whose annual gross receipts average \$20,000 or more, all
15 returns required to be filed pursuant to this Act shall be
16 filed electronically. Servicemen who demonstrate that they do
17 not have access to the Internet or demonstrate hardship in
18 filing electronically may petition the Department to waive the
19 electronic filing requirement.

20 The Department may require returns to be filed on a
21 quarterly basis. If so required, a return for each calendar
22 quarter shall be filed on or before the twentieth day of the
23 calendar month following the end of such calendar quarter. The
24 taxpayer shall also file a return with the Department for each
25 of the first 2 ~~two~~ months of each calendar quarter, on or
26 before the twentieth day of the following calendar month,

1 stating:

2 1. The name of the seller;

3 2. The address of the principal place of business from
4 which he engages in business as a serviceman in this
5 State;

6 3. The total amount of taxable receipts received by
7 him during the preceding calendar month, including
8 receipts from charge and time sales, but less all
9 deductions allowed by law;

10 4. The amount of credit provided in Section 2d of this
11 Act;

12 5. The amount of tax due;

13 5-5. The signature of the taxpayer; and

14 6. Such other reasonable information as the Department
15 may require.

16 Each serviceman required or authorized to collect the tax
17 imposed by this Act on aviation fuel transferred as an
18 incident of a sale of service in this State during the
19 preceding calendar month shall, instead of reporting and
20 paying tax on aviation fuel as otherwise required by this
21 Section, report and pay such tax on a separate aviation fuel
22 tax return. The requirements related to the return shall be as
23 otherwise provided in this Section. Notwithstanding any other
24 provisions of this Act to the contrary, servicemen collecting
25 tax on aviation fuel shall file all aviation fuel tax returns
26 and shall make all aviation fuel tax payments by electronic

1 means in the manner and form required by the Department. For
2 purposes of this Section, "aviation fuel" means jet fuel and
3 aviation gasoline.

4 If a taxpayer fails to sign a return within 30 days after
5 the proper notice and demand for signature by the Department,
6 the return shall be considered valid and any amount shown to be
7 due on the return shall be deemed assessed.

8 Notwithstanding any other provision of this Act to the
9 contrary, servicemen subject to tax on cannabis shall file all
10 cannabis tax returns and shall make all cannabis tax payments
11 by electronic means in the manner and form required by the
12 Department.

13 Beginning October 1, 1993, a taxpayer who has an average
14 monthly tax liability of \$150,000 or more shall make all
15 payments required by rules of the Department by electronic
16 funds transfer. Beginning October 1, 1994, a taxpayer who has
17 an average monthly tax liability of \$100,000 or more shall
18 make all payments required by rules of the Department by
19 electronic funds transfer. Beginning October 1, 1995, a
20 taxpayer who has an average monthly tax liability of \$50,000
21 or more shall make all payments required by rules of the
22 Department by electronic funds transfer. Beginning October 1,
23 2000, a taxpayer who has an annual tax liability of \$200,000 or
24 more shall make all payments required by rules of the
25 Department by electronic funds transfer. The term "annual tax
26 liability" shall be the sum of the taxpayer's liabilities

1 under this Act, and under all other State and local occupation
2 and use tax laws administered by the Department, for the
3 immediately preceding calendar year. The term "average monthly
4 tax liability" means the sum of the taxpayer's liabilities
5 under this Act, and under all other State and local occupation
6 and use tax laws administered by the Department, for the
7 immediately preceding calendar year divided by 12. Beginning
8 on October 1, 2002, a taxpayer who has a tax liability in the
9 amount set forth in subsection (b) of Section 2505-210 of the
10 Department of Revenue Law shall make all payments required by
11 rules of the Department by electronic funds transfer.

12 Before August 1 of each year beginning in 1993, the
13 Department shall notify all taxpayers required to make
14 payments by electronic funds transfer. All taxpayers required
15 to make payments by electronic funds transfer shall make those
16 payments for a minimum of one year beginning on October 1.

17 Any taxpayer not required to make payments by electronic
18 funds transfer may make payments by electronic funds transfer
19 with the permission of the Department.

20 All taxpayers required to make payment by electronic funds
21 transfer and any taxpayers authorized to voluntarily make
22 payments by electronic funds transfer shall make those
23 payments in the manner authorized by the Department.

24 The Department shall adopt such rules as are necessary to
25 effectuate a program of electronic funds transfer and the
26 requirements of this Section.

1 If the serviceman is otherwise required to file a monthly
2 return and if the serviceman's average monthly tax liability
3 to the Department does not exceed \$200, the Department may
4 authorize his returns to be filed on a quarter annual basis,
5 with the return for January, February, and March of a given
6 year being due by April 20 of such year; with the return for
7 April, May, and June of a given year being due by July 20 of
8 such year; with the return for July, August, and September of a
9 given year being due by October 20 of such year, and with the
10 return for October, November, and December of a given year
11 being due by January 20 of the following year.

12 If the serviceman is otherwise required to file a monthly
13 or quarterly return and if the serviceman's average monthly
14 tax liability to the Department does not exceed \$50, the
15 Department may authorize his returns to be filed on an annual
16 basis, with the return for a given year being due by January 20
17 of the following year.

18 Such quarter annual and annual returns, as to form and
19 substance, shall be subject to the same requirements as
20 monthly returns.

21 Notwithstanding any other provision in this Act concerning
22 the time within which a serviceman may file his return, in the
23 case of any serviceman who ceases to engage in a kind of
24 business which makes him responsible for filing returns under
25 this Act, such serviceman shall file a final return under this
26 Act with the Department not more than one month after

1 discontinuing such business.

2 Where a serviceman collects the tax with respect to the
3 selling price of property which he sells and the purchaser
4 thereafter returns such property and the serviceman refunds
5 the selling price thereof to the purchaser, such serviceman
6 shall also refund, to the purchaser, the tax so collected from
7 the purchaser. When filing his return for the period in which
8 he refunds such tax to the purchaser, the serviceman may
9 deduct the amount of the tax so refunded by him to the
10 purchaser from any other Service Use Tax, Service Occupation
11 Tax, retailers' occupation tax, or use tax which such
12 serviceman may be required to pay or remit to the Department,
13 as shown by such return, provided that the amount of the tax to
14 be deducted shall previously have been remitted to the
15 Department by such serviceman. If the serviceman shall not
16 previously have remitted the amount of such tax to the
17 Department, he shall be entitled to no deduction hereunder
18 upon refunding such tax to the purchaser.

19 Any serviceman filing a return hereunder shall also
20 include the total tax upon the selling price of tangible
21 personal property purchased for use by him as an incident to a
22 sale of service, and such serviceman shall remit the amount of
23 such tax to the Department when filing such return.

24 If experience indicates such action to be practicable, the
25 Department may prescribe and furnish a combination or joint
26 return which will enable servicemen, who are required to file

1 returns hereunder and also under the Service Occupation Tax
2 Act, to furnish all the return information required by both
3 Acts on the one form.

4 Where the serviceman has more than one business registered
5 with the Department under separate registration hereunder,
6 such serviceman shall not file each return that is due as a
7 single return covering all such registered businesses, but
8 shall file separate returns for each such registered business.

9 Beginning January 1, 1990, each month the Department shall
10 pay into the State and Local Tax Reform Fund, a special fund in
11 the State treasury, the net revenue realized for the preceding
12 month from the 1% tax imposed under this Act.

13 Beginning January 1, 1990, each month the Department shall
14 pay into the State and Local Sales Tax Reform Fund 20% of the
15 net revenue realized for the preceding month from the 6.25%
16 general rate on transfers of tangible personal property, other
17 than (i) tangible personal property which is purchased outside
18 Illinois at retail from a retailer and which is titled or
19 registered by an agency of this State's government and (ii)
20 aviation fuel sold on or after December 1, 2019. This
21 exception for aviation fuel only applies for so long as the
22 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
23 47133 are binding on the State.

24 For aviation fuel sold on or after December 1, 2019, each
25 month the Department shall pay into the State Aviation Program
26 Fund 20% of the net revenue realized for the preceding month

1 from the 6.25% general rate on the selling price of aviation
2 fuel, less an amount estimated by the Department to be
3 required for refunds of the 20% portion of the tax on aviation
4 fuel under this Act, which amount shall be deposited into the
5 Aviation Fuel Sales Tax Refund Fund. The Department shall only
6 pay moneys into the State Aviation Program Fund and the
7 Aviation Fuel Sales Tax Refund Fund under this Act for so long
8 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
9 U.S.C. 47133 are binding on the State.

10 Beginning August 1, 2000, each month the Department shall
11 pay into the State and Local Sales Tax Reform Fund 100% of the
12 net revenue realized for the preceding month from the 1.25%
13 rate on the selling price of motor fuel and gasohol.

14 Beginning October 1, 2009, each month the Department shall
15 pay into the Capital Projects Fund an amount that is equal to
16 an amount estimated by the Department to represent 80% of the
17 net revenue realized for the preceding month from the sale of
18 candy, grooming and hygiene products, and soft drinks that had
19 been taxed at a rate of 1% prior to September 1, 2009 but that
20 are now taxed at 6.25%.

21 Beginning July 1, 2013, each month the Department shall
22 pay into the Underground Storage Tank Fund from the proceeds
23 collected under this Act, the Use Tax Act, the Service
24 Occupation Tax Act, and the Retailers' Occupation Tax Act an
25 amount equal to the average monthly deficit in the Underground
26 Storage Tank Fund during the prior year, as certified annually

1 by the Illinois Environmental Protection Agency, but the total
2 payment into the Underground Storage Tank Fund under this Act,
3 the Use Tax Act, the Service Occupation Tax Act, and the
4 Retailers' Occupation Tax Act shall not exceed \$18,000,000 in
5 any State fiscal year. As used in this paragraph, the "average
6 monthly deficit" shall be equal to the difference between the
7 average monthly claims for payment by the fund and the average
8 monthly revenues deposited into the fund, excluding payments
9 made pursuant to this paragraph.

10 Beginning July 1, 2015, of the remainder of the moneys
11 received by the Department under the Use Tax Act, this Act, the
12 Service Occupation Tax Act, and the Retailers' Occupation Tax
13 Act, each month the Department shall deposit \$500,000 into the
14 State Crime Laboratory Fund.

15 Of the remainder of the moneys received by the Department
16 pursuant to this Act, (a) 1.75% thereof shall be paid into the
17 Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on
18 and after July 1, 1989, 3.8% thereof shall be paid into the
19 Build Illinois Fund; provided, however, that if in any fiscal
20 year the sum of (1) the aggregate of 2.2% or 3.8%, as the case
21 may be, of the moneys received by the Department and required
22 to be paid into the Build Illinois Fund pursuant to Section 3
23 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax
24 Act, Section 9 of the Service Use Tax Act, and Section 9 of the
25 Service Occupation Tax Act, such Acts being hereinafter called
26 the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case

1 may be, of moneys being hereinafter called the "Tax Act
2 Amount", and (2) the amount transferred to the Build Illinois
3 Fund from the State and Local Sales Tax Reform Fund shall be
4 less than the Annual Specified Amount (as defined in Section 3
5 of the Retailers' Occupation Tax Act), an amount equal to the
6 difference shall be immediately paid into the Build Illinois
7 Fund from other moneys received by the Department pursuant to
8 the Tax Acts; and further provided, that if on the last
9 business day of any month the sum of (1) the Tax Act Amount
10 required to be deposited into the Build Illinois Bond Account
11 in the Build Illinois Fund during such month and (2) the amount
12 transferred during such month to the Build Illinois Fund from
13 the State and Local Sales Tax Reform Fund shall have been less
14 than 1/12 of the Annual Specified Amount, an amount equal to
15 the difference shall be immediately paid into the Build
16 Illinois Fund from other moneys received by the Department
17 pursuant to the Tax Acts; and, further provided, that in no
18 event shall the payments required under the preceding proviso
19 result in aggregate payments into the Build Illinois Fund
20 pursuant to this clause (b) for any fiscal year in excess of
21 the greater of (i) the Tax Act Amount or (ii) the Annual
22 Specified Amount for such fiscal year; and, further provided,
23 that the amounts payable into the Build Illinois Fund under
24 this clause (b) shall be payable only until such time as the
25 aggregate amount on deposit under each trust indenture
26 securing Bonds issued and outstanding pursuant to the Build

1 Illinois Bond Act is sufficient, taking into account any
2 future investment income, to fully provide, in accordance with
3 such indenture, for the defeasance of or the payment of the
4 principal of, premium, if any, and interest on the Bonds
5 secured by such indenture and on any Bonds expected to be
6 issued thereafter and all fees and costs payable with respect
7 thereto, all as certified by the Director of the Bureau of the
8 Budget (now Governor's Office of Management and Budget). If on
9 the last business day of any month in which Bonds are
10 outstanding pursuant to the Build Illinois Bond Act, the
11 aggregate of the moneys deposited into ~~in~~ the Build Illinois
12 Bond Account in the Build Illinois Fund in such month shall be
13 less than the amount required to be transferred in such month
14 from the Build Illinois Bond Account to the Build Illinois
15 Bond Retirement and Interest Fund pursuant to Section 13 of
16 the Build Illinois Bond Act, an amount equal to such
17 deficiency shall be immediately paid from other moneys
18 received by the Department pursuant to the Tax Acts to the
19 Build Illinois Fund; provided, however, that any amounts paid
20 to the Build Illinois Fund in any fiscal year pursuant to this
21 sentence shall be deemed to constitute payments pursuant to
22 clause (b) of the preceding sentence and shall reduce the
23 amount otherwise payable for such fiscal year pursuant to
24 clause (b) of the preceding sentence. The moneys received by
25 the Department pursuant to this Act and required to be
26 deposited into the Build Illinois Fund are subject to the

pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000

1	2003	99,000,000
2	2004	103,000,000
3	2005	108,000,000
4	2006	113,000,000
5	2007	119,000,000
6	2008	126,000,000
7	2009	132,000,000
8	2010	139,000,000
9	2011	146,000,000
10	2012	153,000,000
11	2013	161,000,000
12	2014	170,000,000
13	2015	179,000,000
14	2016	189,000,000
15	2017	199,000,000
16	2018	210,000,000
17	2019	221,000,000
18	2020	233,000,000
19	2021	300,000,000
20	2022	300,000,000
21	2023	300,000,000
22	2024	300,000,000
23	2025	300,000,000
24	2026	300,000,000
25	2027	375,000,000
26	2028	375,000,000

1	2029	375,000,000
2	2030	375,000,000
3	2031	375,000,000
4	2032	375,000,000
5	2033	375,000,000
6	2034	375,000,000
7	2035	375,000,000
8	2036	450,000,000

9 and

10 each fiscal year
11 thereafter that bonds
12 are outstanding under
13 Section 13.2 of the
14 Metropolitan Pier and
15 Exposition Authority Act,
16 but not after fiscal year 2060.

17 Beginning July 20, 1993 and in each month of each fiscal
18 year thereafter, one-eighth of the amount requested in the
19 certificate of the Chairman of the Metropolitan Pier and
20 Exposition Authority for that fiscal year, less the amount
21 deposited into the McCormick Place Expansion Project Fund by
22 the State Treasurer in the respective month under subsection
23 (g) of Section 13 of the Metropolitan Pier and Exposition
24 Authority Act, plus cumulative deficiencies in the deposits
25 required under this Section for previous months and years,
26 shall be deposited into the McCormick Place Expansion Project

1 Fund, until the full amount requested for the fiscal year, but
2 not in excess of the amount specified above as "Total
3 Deposit", has been deposited.

4 Subject to payment of amounts into the Capital Projects
5 Fund, the Clean Air Act Permit Fund, the Build Illinois Fund,
6 and the McCormick Place Expansion Project Fund pursuant to the
7 preceding paragraphs or in any amendments thereto hereafter
8 enacted, for aviation fuel sold on or after December 1, 2019,
9 the Department shall each month deposit into the Aviation Fuel
10 Sales Tax Refund Fund an amount estimated by the Department to
11 be required for refunds of the 80% portion of the tax on
12 aviation fuel under this Act. The Department shall only
13 deposit moneys into the Aviation Fuel Sales Tax Refund Fund
14 under this paragraph for so long as the revenue use
15 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are
16 binding on the State.

17 Subject to payment of amounts into the Build Illinois Fund
18 and the McCormick Place Expansion Project Fund pursuant to the
19 preceding paragraphs or in any amendments thereto hereafter
20 enacted, beginning July 1, 1993 and ending on September 30,
21 2013, the Department shall each month pay into the Illinois
22 Tax Increment Fund 0.27% of 80% of the net revenue realized for
23 the preceding month from the 6.25% general rate on the selling
24 price of tangible personal property.

25 Subject to payment of amounts into the Build Illinois
26 Fund, the McCormick Place Expansion Project Fund, the Illinois

1 Tax Increment Fund, pursuant to the preceding paragraphs or in
2 any amendments to this Section hereafter enacted, beginning on
3 the first day of the first calendar month to occur on or after
4 August 26, 2014 (the effective date of Public Act 98-1098),
5 each month, from the collections made under Section 9 of the
6 Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of
7 the Service Occupation Tax Act, and Section 3 of the
8 Retailers' Occupation Tax Act, the Department shall pay into
9 the Tax Compliance and Administration Fund, to be used,
10 subject to appropriation, to fund additional auditors and
11 compliance personnel at the Department of Revenue, an amount
12 equal to 1/12 of 5% of 80% of the cash receipts collected
13 during the preceding fiscal year by the Audit Bureau of the
14 Department under the Use Tax Act, the Service Use Tax Act, the
15 Service Occupation Tax Act, the Retailers' Occupation Tax Act,
16 and associated local occupation and use taxes administered by
17 the Department.

18 Subject to payments of amounts into the Build Illinois
19 Fund, the McCormick Place Expansion Project Fund, the Illinois
20 Tax Increment Fund, and the Tax Compliance and Administration
21 Fund as provided in this Section, beginning on July 1, 2018 the
22 Department shall pay each month into the Downstate Public
23 Transportation Fund the moneys required to be so paid under
24 Section 2-3 of the Downstate Public Transportation Act.

25 Subject to successful execution and delivery of a
26 public-private agreement between the public agency and private

entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim, and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year.....	Total Deposit
2024	\$200,000,000
2025	\$206,000,000
2026	\$212,200,000
2027	\$218,500,000
2028	\$225,100,000
2029	\$288,700,000

1	2030	\$298,900,000
2	2031	\$309,300,000
3	2032	\$320,100,000
4	2033	\$331,200,000
5	2034	\$341,200,000
6	2035	\$351,400,000
7	2036	\$361,900,000
8	2037	\$372,800,000
9	2038	\$384,000,000
10	2039	\$395,500,000
11	2040	\$407,400,000
12	2041	\$419,600,000
13	2042	\$432,200,000
14	2043	\$445,100,000

15 Beginning July 1, 2021 and until July 1, 2022, subject to
16 the payment of amounts into the State and Local Sales Tax
17 Reform Fund, the Build Illinois Fund, the McCormick Place
18 Expansion Project Fund, the Energy Infrastructure Fund, and
19 the Tax Compliance and Administration Fund as provided in this
20 Section, the Department shall pay each month into the Road
21 Fund the amount estimated to represent 16% of the net revenue
22 realized from the taxes imposed on motor fuel and gasohol.
23 Beginning July 1, 2022 and until July 1, 2023, subject to the
24 payment of amounts into the State and Local Sales Tax Reform
25 Fund, the Build Illinois Fund, the McCormick Place Expansion
26 Project Fund, the Illinois Tax Increment Fund, and the Tax

1 Compliance and Administration Fund as provided in this
2 Section, the Department shall pay each month into the Road
3 Fund the amount estimated to represent 32% of the net revenue
4 realized from the taxes imposed on motor fuel and gasohol.
5 Beginning July 1, 2023 and until July 1, 2024, subject to the
6 payment of amounts into the State and Local Sales Tax Reform
7 Fund, the Build Illinois Fund, the McCormick Place Expansion
8 Project Fund, the Illinois Tax Increment Fund, and the Tax
9 Compliance and Administration Fund as provided in this
10 Section, the Department shall pay each month into the Road
11 Fund the amount estimated to represent 48% of the net revenue
12 realized from the taxes imposed on motor fuel and gasohol.
13 Beginning July 1, 2024 and until July 1, 2026, subject to the
14 payment of amounts into the State and Local Sales Tax Reform
15 Fund, the Build Illinois Fund, the McCormick Place Expansion
16 Project Fund, the Illinois Tax Increment Fund, and the Tax
17 Compliance and Administration Fund as provided in this
18 Section, the Department shall pay each month into the Road
19 Fund the amount estimated to represent 64% of the net revenue
20 realized from the taxes imposed on motor fuel and gasohol.
21 Beginning on July 1, 2026, subject to the payment of amounts
22 into the State and Local Sales Tax Reform Fund, the Build
23 Illinois Fund, the McCormick Place Expansion Project Fund, the
24 Illinois Tax Increment Fund, and the Tax Compliance and
25 Administration Fund as provided in this Section, the
26 Department shall pay each month into the Road Fund the amount

1 estimated to represent 80% of the net revenue realized from
2 the taxes imposed on motor fuel and gasohol. As used in this
3 paragraph "motor fuel" has the meaning given to that term in
4 Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the
5 meaning given to that term in Section 3-40 of the Use Tax Act.

6 Until July 1, 2025, of the remainder of the moneys
7 received by the Department pursuant to this Act, 75% thereof
8 shall be paid into the General Revenue Fund of the State
9 treasury and 25% shall be reserved in a special account and
10 used only for the transfer to the Common School Fund as part of
11 the monthly transfer from the General Revenue Fund in
12 accordance with Section 8a of the State Finance Act. Beginning
13 July 1, 2025, of the remainder of the moneys received by the
14 Department pursuant to this Act, 75% shall be deposited into
15 the General Revenue Fund and 25% shall be deposited into the
16 Common School Fund.

17 As soon as possible after the first day of each month, upon
18 certification of the Department of Revenue, the Comptroller
19 shall order transferred and the Treasurer shall transfer from
20 the General Revenue Fund to the Motor Fuel Tax Fund an amount
21 equal to 1.7% of 80% of the net revenue realized under this Act
22 for the second preceding month. Beginning April 1, 2000, this
23 transfer is no longer required and shall not be made.

24 Net revenue realized for a month shall be the revenue
25 collected by the State pursuant to this Act, less the amount
26 paid out during that month as refunds to taxpayers for

1 overpayment of liability.

2 (Source: P.A. 103-363, eff. 7-28-23; 103-592, Article 75,
3 Section 75-10, eff. 1-1-25; 103-592, Article 110, Section
4 110-10, eff. 6-7-24; 104-6, Article 5, Section 5-15, eff.
5 6-16-25; 104-6, Article 35, Section 35-25, eff. 6-16-25;
6 104-417, eff. 8-15-25; revised 9-10-25.)

7 (Text of Section after amendment by P.A. 104-457)

8 Sec. 9. Each serviceman required or authorized to collect
9 the tax herein imposed shall pay to the Department the amount
10 of such tax (except as otherwise provided) at the time when he
11 is required to file his return for the period during which such
12 tax was collected, less a discount of 2.1% prior to January 1,
13 1990 and 1.75% on and after January 1, 1990, or \$5 per calendar
14 year, whichever is greater, which is allowed to reimburse the
15 serviceman for expenses incurred in collecting the tax,
16 keeping records, preparing and filing returns, remitting the
17 tax, and supplying data to the Department on request.
18 Beginning with returns due on or after January 1, 2025, the
19 vendor's discount allowed in this Section, the Retailers'
20 Occupation Tax Act, the Service Occupation Tax Act, and the
21 Use Tax Act, including any local tax administered by the
22 Department and reported on the same return, shall not exceed
23 \$1,000 per month in the aggregate. When determining the
24 discount allowed under this Section, servicemen shall include
25 the amount of tax that would have been due at the 1% rate but

1 for the 0% rate imposed under Public Act 102-700. The discount
2 under this Section is not allowed for the 1.25% portion of
3 taxes paid on aviation fuel that is subject to the revenue use
4 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. The
5 discount allowed under this Section is allowed only for
6 returns that are filed in the manner required by this Act. The
7 Department may disallow the discount for servicemen whose
8 certificate of registration is revoked at the time the return
9 is filed, but only if the Department's decision to revoke the
10 certificate of registration has become final. A serviceman
11 need not remit that part of any tax collected by him to the
12 extent that he is required to pay and does pay the tax imposed
13 by the Service Occupation Tax Act with respect to his sale of
14 service involving the incidental transfer by him of the same
15 property.

16 Except as provided hereinafter in this Section, on or
17 before the twentieth day of each calendar month, such
18 serviceman shall file a return for the preceding calendar
19 month in accordance with reasonable Rules and Regulations to
20 be promulgated by the Department. Such return shall be filed
21 on a form prescribed by the Department and shall contain such
22 information as the Department may reasonably require. The
23 return shall include the gross receipts which were received
24 during the preceding calendar month or quarter on the
25 following items upon which tax would have been due but for the
26 0% rate imposed under Public Act 102-700: (i) food for human

1 consumption that is to be consumed off the premises where it is
2 sold (other than alcoholic beverages, food consisting of or
3 infused with adult use cannabis, soft drinks, and food that
4 has been prepared for immediate consumption); and (ii) food
5 prepared for immediate consumption and transferred incident to
6 a sale of service subject to this Act or the Service Occupation
7 Tax Act by an entity licensed under the Hospital Licensing
8 Act, the Nursing Home Care Act, the Assisted Living and Shared
9 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
10 Specialized Mental Health Rehabilitation Act of 2013, or the
11 Child Care Act of 1969, or an entity that holds a permit issued
12 pursuant to the Life Care Facilities Act. The return shall
13 also include the amount of tax that would have been due on the
14 items listed in the previous sentence but for the 0% rate
15 imposed under Public Act 102-700.

16 In the case of leases, except as otherwise provided in
17 this Act, the lessor, in collecting the tax, may collect for
18 each tax return period only the tax applicable to that part of
19 the selling price actually received during such tax return
20 period.

21 On and after January 1, 2018, with respect to servicemen
22 whose annual gross receipts average \$20,000 or more, all
23 returns required to be filed pursuant to this Act shall be
24 filed electronically. Servicemen who demonstrate that they do
25 not have access to the Internet or demonstrate hardship in
26 filing electronically may petition the Department to waive the

1 electronic filing requirement.

2 The Department may require returns to be filed on a
3 quarterly basis. If so required, a return for each calendar
4 quarter shall be filed on or before the twentieth day of the
5 calendar month following the end of such calendar quarter. The
6 taxpayer shall also file a return with the Department for each
7 of the first 2 ~~two~~ months of each calendar quarter, on or
8 before the twentieth day of the following calendar month,
9 stating:

10 1. The name of the seller;

11 2. The address of the principal place of business from
12 which he engages in business as a serviceman in this
13 State;

14 3. The total amount of taxable receipts received by
15 him during the preceding calendar month, including
16 receipts from charge and time sales, but less all
17 deductions allowed by law;

18 4. The amount of credit provided in Section 2d of this
19 Act;

20 5. The amount of tax due;

21 5-5. The signature of the taxpayer; and

22 6. Such other reasonable information as the Department
23 may require.

24 Each serviceman required or authorized to collect the tax
25 imposed by this Act on aviation fuel transferred as an
26 incident of a sale of service in this State during the

1 preceding calendar month shall, instead of reporting and
2 paying tax on aviation fuel as otherwise required by this
3 Section, report and pay such tax on a separate aviation fuel
4 tax return. The requirements related to the return shall be as
5 otherwise provided in this Section. Notwithstanding any other
6 provisions of this Act to the contrary, servicemen collecting
7 tax on aviation fuel shall file all aviation fuel tax returns
8 and shall make all aviation fuel tax payments by electronic
9 means in the manner and form required by the Department. For
10 purposes of this Section, "aviation fuel" means jet fuel and
11 aviation gasoline.

12 If a taxpayer fails to sign a return within 30 days after
13 the proper notice and demand for signature by the Department,
14 the return shall be considered valid and any amount shown to be
15 due on the return shall be deemed assessed.

16 Notwithstanding any other provision of this Act to the
17 contrary, servicemen subject to tax on cannabis shall file all
18 cannabis tax returns and shall make all cannabis tax payments
19 by electronic means in the manner and form required by the
20 Department.

21 Beginning October 1, 1993, a taxpayer who has an average
22 monthly tax liability of \$150,000 or more shall make all
23 payments required by rules of the Department by electronic
24 funds transfer. Beginning October 1, 1994, a taxpayer who has
25 an average monthly tax liability of \$100,000 or more shall
26 make all payments required by rules of the Department by

1 electronic funds transfer. Beginning October 1, 1995, a
2 taxpayer who has an average monthly tax liability of \$50,000
3 or more shall make all payments required by rules of the
4 Department by electronic funds transfer. Beginning October 1,
5 2000, a taxpayer who has an annual tax liability of \$200,000 or
6 more shall make all payments required by rules of the
7 Department by electronic funds transfer. The term "annual tax
8 liability" shall be the sum of the taxpayer's liabilities
9 under this Act, and under all other State and local occupation
10 and use tax laws administered by the Department, for the
11 immediately preceding calendar year. The term "average monthly
12 tax liability" means the sum of the taxpayer's liabilities
13 under this Act, and under all other State and local occupation
14 and use tax laws administered by the Department, for the
15 immediately preceding calendar year divided by 12. Beginning
16 on October 1, 2002, a taxpayer who has a tax liability in the
17 amount set forth in subsection (b) of Section 2505-210 of the
18 Department of Revenue Law shall make all payments required by
19 rules of the Department by electronic funds transfer.

20 Before August 1 of each year beginning in 1993, the
21 Department shall notify all taxpayers required to make
22 payments by electronic funds transfer. All taxpayers required
23 to make payments by electronic funds transfer shall make those
24 payments for a minimum of one year beginning on October 1.

25 Any taxpayer not required to make payments by electronic
26 funds transfer may make payments by electronic funds transfer

1 with the permission of the Department.

2 All taxpayers required to make payment by electronic funds
3 transfer and any taxpayers authorized to voluntarily make
4 payments by electronic funds transfer shall make those
5 payments in the manner authorized by the Department.

6 The Department shall adopt such rules as are necessary to
7 effectuate a program of electronic funds transfer and the
8 requirements of this Section.

9 If the serviceman is otherwise required to file a monthly
10 return and if the serviceman's average monthly tax liability
11 to the Department does not exceed \$200, the Department may
12 authorize his returns to be filed on a quarter annual basis,
13 with the return for January, February, and March of a given
14 year being due by April 20 of such year; with the return for
15 April, May, and June of a given year being due by July 20 of
16 such year; with the return for July, August, and September of a
17 given year being due by October 20 of such year, and with the
18 return for October, November, and December of a given year
19 being due by January 20 of the following year.

20 If the serviceman is otherwise required to file a monthly
21 or quarterly return and if the serviceman's average monthly
22 tax liability to the Department does not exceed \$50, the
23 Department may authorize his returns to be filed on an annual
24 basis, with the return for a given year being due by January 20
25 of the following year.

26 Such quarter annual and annual returns, as to form and

1 substance, shall be subject to the same requirements as
2 monthly returns.

3 Notwithstanding any other provision in this Act concerning
4 the time within which a serviceman may file his return, in the
5 case of any serviceman who ceases to engage in a kind of
6 business which makes him responsible for filing returns under
7 this Act, such serviceman shall file a final return under this
8 Act with the Department not more than one month after
9 discontinuing such business.

10 Where a serviceman collects the tax with respect to the
11 selling price of property which he sells and the purchaser
12 thereafter returns such property and the serviceman refunds
13 the selling price thereof to the purchaser, such serviceman
14 shall also refund, to the purchaser, the tax so collected from
15 the purchaser. When filing his return for the period in which
16 he refunds such tax to the purchaser, the serviceman may
17 deduct the amount of the tax so refunded by him to the
18 purchaser from any other Service Use Tax, Service Occupation
19 Tax, retailers' occupation tax, or use tax which such
20 serviceman may be required to pay or remit to the Department,
21 as shown by such return, provided that the amount of the tax to
22 be deducted shall previously have been remitted to the
23 Department by such serviceman. If the serviceman shall not
24 previously have remitted the amount of such tax to the
25 Department, he shall be entitled to no deduction hereunder
26 upon refunding such tax to the purchaser.

1 Any serviceman filing a return hereunder shall also
2 include the total tax upon the selling price of tangible
3 personal property purchased for use by him as an incident to a
4 sale of service, and such serviceman shall remit the amount of
5 such tax to the Department when filing such return.

6 If experience indicates such action to be practicable, the
7 Department may prescribe and furnish a combination or joint
8 return which will enable servicemen, who are required to file
9 returns hereunder and also under the Service Occupation Tax
10 Act, to furnish all the return information required by both
11 Acts on the one form.

12 Where the serviceman has more than one business registered
13 with the Department under separate registration hereunder,
14 such serviceman shall not file each return that is due as a
15 single return covering all such registered businesses, but
16 shall file separate returns for each such registered business.

17 Beginning January 1, 1990, each month the Department shall
18 pay into the State and Local Tax Reform Fund, a special fund in
19 the State treasury, the net revenue realized for the preceding
20 month from the 1% tax imposed under this Act.

21 Beginning January 1, 1990, each month the Department shall
22 pay into the State and Local Sales Tax Reform Fund 20% of the
23 net revenue realized for the preceding month from the 6.25%
24 general rate on transfers of tangible personal property, other
25 than (i) tangible personal property which is purchased outside
26 Illinois at retail from a retailer and which is titled or

1 registered by an agency of this State's government and (ii)
2 aviation fuel sold on or after December 1, 2019. This
3 exception for aviation fuel only applies for so long as the
4 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
5 47133 are binding on the State.

6 For aviation fuel sold on or after December 1, 2019, each
7 month the Department shall pay into the State Aviation Program
8 Fund 20% of the net revenue realized for the preceding month
9 from the 6.25% general rate on the selling price of aviation
10 fuel, less an amount estimated by the Department to be
11 required for refunds of the 20% portion of the tax on aviation
12 fuel under this Act, which amount shall be deposited into the
13 Aviation Fuel Sales Tax Refund Fund. The Department shall only
14 pay moneys into the State Aviation Program Fund and the
15 Aviation Fuel Sales Tax Refund Fund under this Act for so long
16 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
17 U.S.C. 47133 are binding on the State.

18 Beginning August 1, 2000, each month the Department shall
19 pay into the State and Local Sales Tax Reform Fund 100% of the
20 net revenue realized for the preceding month from the 1.25%
21 rate on the selling price of motor fuel and gasohol.

22 Beginning October 1, 2009, each month the Department shall
23 pay into the Capital Projects Fund an amount that is equal to
24 an amount estimated by the Department to represent 80% of the
25 net revenue realized for the preceding month from the sale of
26 candy, grooming and hygiene products, and soft drinks that had

1 been taxed at a rate of 1% prior to September 1, 2009 but that
2 are now taxed at 6.25%.

3 Beginning July 1, 2013, each month the Department shall
4 pay into the Underground Storage Tank Fund from the proceeds
5 collected under this Act, the Use Tax Act, the Service
6 Occupation Tax Act, and the Retailers' Occupation Tax Act an
7 amount equal to the average monthly deficit in the Underground
8 Storage Tank Fund during the prior year, as certified annually
9 by the Illinois Environmental Protection Agency, but the total
10 payment into the Underground Storage Tank Fund under this Act,
11 the Use Tax Act, the Service Occupation Tax Act, and the
12 Retailers' Occupation Tax Act shall not exceed \$18,000,000 in
13 any State fiscal year. As used in this paragraph, the "average
14 monthly deficit" shall be equal to the difference between the
15 average monthly claims for payment by the fund and the average
16 monthly revenues deposited into the fund, excluding payments
17 made pursuant to this paragraph.

18 Beginning July 1, 2015, of the remainder of the moneys
19 received by the Department under the Use Tax Act, this Act, the
20 Service Occupation Tax Act, and the Retailers' Occupation Tax
21 Act, each month the Department shall deposit \$500,000 into the
22 State Crime Laboratory Fund.

23 Of the remainder of the moneys received by the Department
24 pursuant to this Act, (a) 1.75% thereof shall be paid into the
25 Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on
26 and after July 1, 1989, 3.8% thereof shall be paid into the

1 Build Illinois Fund; provided, however, that if in any fiscal
2 year the sum of (1) the aggregate of 2.2% or 3.8%, as the case
3 may be, of the moneys received by the Department and required
4 to be paid into the Build Illinois Fund pursuant to Section 3
5 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax
6 Act, Section 9 of the Service Use Tax Act, and Section 9 of the
7 Service Occupation Tax Act, such Acts being hereinafter called
8 the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case
9 may be, of moneys being hereinafter called the "Tax Act
10 Amount", and (2) the amount transferred to the Build Illinois
11 Fund from the State and Local Sales Tax Reform Fund shall be
12 less than the Annual Specified Amount (as defined in Section 3
13 of the Retailers' Occupation Tax Act), an amount equal to the
14 difference shall be immediately paid into the Build Illinois
15 Fund from other moneys received by the Department pursuant to
16 the Tax Acts; and further provided, that if on the last
17 business day of any month the sum of (1) the Tax Act Amount
18 required to be deposited into the Build Illinois Bond Account
19 in the Build Illinois Fund during such month and (2) the amount
20 transferred during such month to the Build Illinois Fund from
21 the State and Local Sales Tax Reform Fund shall have been less
22 than 1/12 of the Annual Specified Amount, an amount equal to
23 the difference shall be immediately paid into the Build
24 Illinois Fund from other moneys received by the Department
25 pursuant to the Tax Acts; and, further provided, that in no
26 event shall the payments required under the preceding proviso

1 result in aggregate payments into the Build Illinois Fund
2 pursuant to this clause (b) for any fiscal year in excess of
3 the greater of (i) the Tax Act Amount or (ii) the Annual
4 Specified Amount for such fiscal year; and, further provided,
5 that the amounts payable into the Build Illinois Fund under
6 this clause (b) shall be payable only until such time as the
7 aggregate amount on deposit under each trust indenture
8 securing Bonds issued and outstanding pursuant to the Build
9 Illinois Bond Act is sufficient, taking into account any
10 future investment income, to fully provide, in accordance with
11 such indenture, for the defeasance of or the payment of the
12 principal of, premium, if any, and interest on the Bonds
13 secured by such indenture and on any Bonds expected to be
14 issued thereafter and all fees and costs payable with respect
15 thereto, all as certified by the Director of the Bureau of the
16 Budget (now Governor's Office of Management and Budget). If on
17 the last business day of any month in which Bonds are
18 outstanding pursuant to the Build Illinois Bond Act, the
19 aggregate of the moneys deposited into ~~in~~ the Build Illinois
20 Bond Account in the Build Illinois Fund in such month shall be
21 less than the amount required to be transferred in such month
22 from the Build Illinois Bond Account to the Build Illinois
23 Bond Retirement and Interest Fund pursuant to Section 13 of
24 the Build Illinois Bond Act, an amount equal to such
25 deficiency shall be immediately paid from other moneys
26 received by the Department pursuant to the Tax Acts to the

1 Build Illinois Fund; provided, however, that any amounts paid
2 to the Build Illinois Fund in any fiscal year pursuant to this
3 sentence shall be deemed to constitute payments pursuant to
4 clause (b) of the preceding sentence and shall reduce the
5 amount otherwise payable for such fiscal year pursuant to
6 clause (b) of the preceding sentence. The moneys received by
7 the Department pursuant to this Act and required to be
8 deposited into the Build Illinois Fund are subject to the
9 pledge, claim and charge set forth in Section 12 of the Build
10 Illinois Bond Act.

11 Subject to payment of amounts into the Build Illinois Fund
12 as provided in the preceding paragraph or in any amendment
13 thereto hereafter enacted, the following specified monthly
14 installment of the amount requested in the certificate of the
15 Chairman of the Metropolitan Pier and Exposition Authority
16 provided under Section 8.25f of the State Finance Act, but not
17 in excess of the sums designated as "Total Deposit", shall be
18 deposited in the aggregate from collections under Section 9 of
19 the Use Tax Act, Section 9 of the Service Use Tax Act, Section
20 9 of the Service Occupation Tax Act, and Section 3 of the
21 Retailers' Occupation Tax Act into the McCormick Place
22 Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0
1994	53,000,000

1	1995	58,000,000
2	1996	61,000,000
3	1997	64,000,000
4	1998	68,000,000
5	1999	71,000,000
6	2000	75,000,000
7	2001	80,000,000
8	2002	93,000,000
9	2003	99,000,000
10	2004	103,000,000
11	2005	108,000,000
12	2006	113,000,000
13	2007	119,000,000
14	2008	126,000,000
15	2009	132,000,000
16	2010	139,000,000
17	2011	146,000,000
18	2012	153,000,000
19	2013	161,000,000
20	2014	170,000,000
21	2015	179,000,000
22	2016	189,000,000
23	2017	199,000,000
24	2018	210,000,000
25	2019	221,000,000
26	2020	233,000,000

1	2021	300,000,000
2	2022	300,000,000
3	2023	300,000,000
4	2024	300,000,000
5	2025	300,000,000
6	2026	300,000,000
7	2027	375,000,000
8	2028	375,000,000
9	2029	375,000,000
10	2030	375,000,000
11	2031	375,000,000
12	2032	375,000,000
13	2033	375,000,000
14	2034	375,000,000
15	2035	375,000,000
16	2036	450,000,000

17 and

18 each fiscal year

19 thereafter that bonds

20 are outstanding under

21 Section 13.2 of the

22 Metropolitan Pier and

23 Exposition Authority Act,

24 but not after fiscal year 2060.

25 Beginning July 20, 1993 and in each month of each fiscal
26 year thereafter, one-eighth of the amount requested in the

1 certificate of the Chairman of the Metropolitan Pier and
2 Exposition Authority for that fiscal year, less the amount
3 deposited into the McCormick Place Expansion Project Fund by
4 the State Treasurer in the respective month under subsection
5 (g) of Section 13 of the Metropolitan Pier and Exposition
6 Authority Act, plus cumulative deficiencies in the deposits
7 required under this Section for previous months and years,
8 shall be deposited into the McCormick Place Expansion Project
9 Fund, until the full amount requested for the fiscal year, but
10 not in excess of the amount specified above as "Total
11 Deposit", has been deposited.

12 Subject to payment of amounts into the Capital Projects
13 Fund, the Clean Air Act Permit Fund, the Build Illinois Fund,
14 and the McCormick Place Expansion Project Fund pursuant to the
15 preceding paragraphs or in any amendments thereto hereafter
16 enacted, for aviation fuel sold on or after December 1, 2019,
17 the Department shall each month deposit into the Aviation Fuel
18 Sales Tax Refund Fund an amount estimated by the Department to
19 be required for refunds of the 80% portion of the tax on
20 aviation fuel under this Act. The Department shall only
21 deposit moneys into the Aviation Fuel Sales Tax Refund Fund
22 under this paragraph for so long as the revenue use
23 requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are
24 binding on the State.

25 Subject to payment of amounts into the Build Illinois Fund
26 and the McCormick Place Expansion Project Fund pursuant to the

1 preceding paragraphs or in any amendments thereto hereafter
2 enacted, beginning July 1, 1993 and ending on September 30,
3 2013, the Department shall each month pay into the Illinois
4 Tax Increment Fund 0.27% of 80% of the net revenue realized for
5 the preceding month from the 6.25% general rate on the selling
6 price of tangible personal property.

7 Subject to payment of amounts into the Build Illinois
8 Fund, the McCormick Place Expansion Project Fund, the Illinois
9 Tax Increment Fund, pursuant to the preceding paragraphs or in
10 any amendments to this Section hereafter enacted, beginning on
11 the first day of the first calendar month to occur on or after
12 August 26, 2014 (the effective date of Public Act 98-1098),
13 each month, from the collections made under Section 9 of the
14 Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of
15 the Service Occupation Tax Act, and Section 3 of the
16 Retailers' Occupation Tax Act, the Department shall pay into
17 the Tax Compliance and Administration Fund, to be used,
18 subject to appropriation, to fund additional auditors and
19 compliance personnel at the Department of Revenue, an amount
20 equal to 1/12 of 5% of 80% of the cash receipts collected
21 during the preceding fiscal year by the Audit Bureau of the
22 Department under the Use Tax Act, the Service Use Tax Act, the
23 Service Occupation Tax Act, the Retailers' Occupation Tax Act,
24 and associated local occupation and use taxes administered by
25 the Department.

26 Subject to payments of amounts into the Build Illinois

1 Fund, the McCormick Place Expansion Project Fund, the Illinois
2 Tax Increment Fund, and the Tax Compliance and Administration
3 Fund as provided in this Section, beginning on July 1, 2018 the
4 Department shall pay each month into the Downstate Public
5 Transportation Fund the moneys required to be so paid under
6 Section 2-3 of the Downstate Public Transportation Act.

7 Subject to successful execution and delivery of a
8 public-private agreement between the public agency and private
9 entity and completion of the civic build, beginning on July 1,
10 2023, of the remainder of the moneys received by the
11 Department under the Use Tax Act, the Service Use Tax Act, the
12 Service Occupation Tax Act, and this Act, the Department shall
13 deposit the following specified deposits in the aggregate from
14 collections under the Use Tax Act, the Service Use Tax Act, the
15 Service Occupation Tax Act, and the Retailers' Occupation Tax
16 Act, as required under Section 8.25g of the State Finance Act
17 for distribution consistent with the Public-Private
18 Partnership for Civic and Transit Infrastructure Project Act.
19 The moneys received by the Department pursuant to this Act and
20 required to be deposited into the Civic and Transit
21 Infrastructure Fund are subject to the pledge, claim, and
22 charge set forth in Section 25-55 of the Public-Private
23 Partnership for Civic and Transit Infrastructure Project Act.
24 As used in this paragraph, "civic build", "private entity",
25 "public-private agreement", and "public agency" have the
26 meanings provided in Section 25-10 of the Public-Private

1 Partnership for Civic and Transit Infrastructure Project Act.

2 Fiscal Year..... Total Deposit

3 2024 \$200,000,000

4 2025 \$206,000,000

5 2026 \$212,200,000

6 2027 \$218,500,000

7 2028 \$225,100,000

8 2029 \$288,700,000

9 2030 \$298,900,000

10 2031 \$309,300,000

11 2032 \$320,100,000

12 2033 \$331,200,000

13 2034 \$341,200,000

14 2035 \$351,400,000

15 2036 \$361,900,000

16 2037 \$372,800,000

17 2038 \$384,000,000

18 2039 \$395,500,000

19 2040 \$407,400,000

20 2041 \$419,600,000

21 2042 \$432,200,000

22 2043 \$445,100,000

23 Beginning July 1, 2021 and until July 1, 2022, subject to
24 the payment of amounts into the State and Local Sales Tax
25 Reform Fund, the Build Illinois Fund, the McCormick Place
26 Expansion Project Fund, the Energy Infrastructure Fund, and

1 the Tax Compliance and Administration Fund as provided in this
2 Section, the Department shall pay each month into the Road
3 Fund the amount estimated to represent 16% of the net revenue
4 realized from the taxes imposed on motor fuel and gasohol.
5 Beginning July 1, 2022 and until July 1, 2023, subject to the
6 payment of amounts into the State and Local Sales Tax Reform
7 Fund, the Build Illinois Fund, the McCormick Place Expansion
8 Project Fund, the Illinois Tax Increment Fund, and the Tax
9 Compliance and Administration Fund as provided in this
10 Section, the Department shall pay each month into the Road
11 Fund the amount estimated to represent 32% of the net revenue
12 realized from the taxes imposed on motor fuel and gasohol.
13 Beginning July 1, 2023 and until July 1, 2024, subject to the
14 payment of amounts into the State and Local Sales Tax Reform
15 Fund, the Build Illinois Fund, the McCormick Place Expansion
16 Project Fund, the Illinois Tax Increment Fund, and the Tax
17 Compliance and Administration Fund as provided in this
18 Section, the Department shall pay each month into the Road
19 Fund the amount estimated to represent 48% of the net revenue
20 realized from the taxes imposed on motor fuel and gasohol.
21 Beginning July 1, 2024 and until July 1, 2026, subject to the
22 payment of amounts into the State and Local Sales Tax Reform
23 Fund, the Build Illinois Fund, the McCormick Place Expansion
24 Project Fund, the Illinois Tax Increment Fund, and the Tax
25 Compliance and Administration Fund as provided in this
26 Section, the Department shall pay each month into the Road

1 Fund the amount estimated to represent 64% of the net revenue
2 realized from the taxes imposed on motor fuel and gasohol.
3 Beginning on July 1, 2026, subject to the payment of amounts
4 into the State and Local Sales Tax Reform Fund, the Build
5 Illinois Fund, the McCormick Place Expansion Project Fund, the
6 Illinois Tax Increment Fund, and the Tax Compliance and
7 Administration Fund as provided in this Section, the
8 Department shall pay each month into the Public Transportation
9 Fund and the Downstate Public Transportation Fund the amount
10 estimated to represent 80% of the net revenue realized from
11 the taxes imposed on motor fuel and gasohol. Those moneys
12 shall be apportioned as follows: 85% into the Public
13 Transportation Fund and 15% into the Downstate Public
14 Transportation Fund. As used in this paragraph "motor fuel"
15 has the meaning given to that term in Section 1.1 of the Motor
16 Fuel Tax Law, and "gasohol" has the meaning given to that term
17 in Section 3-40 of the Use Tax Act.

18 Until July 1, 2025, of the remainder of the moneys
19 received by the Department pursuant to this Act, 75% thereof
20 shall be paid into the General Revenue Fund of the State
21 treasury and 25% shall be reserved in a special account and
22 used only for the transfer to the Common School Fund as part of
23 the monthly transfer from the General Revenue Fund in
24 accordance with Section 8a of the State Finance Act. Beginning
25 July 1, 2025, of the remainder of the moneys received by the
26 Department pursuant to this Act, 75% shall be deposited into

1 the General Revenue Fund and 25% shall be deposited into the
2 Common School Fund.

3 As soon as possible after the first day of each month, upon
4 certification of the Department of Revenue, the Comptroller
5 shall order transferred and the Treasurer shall transfer from
6 the General Revenue Fund to the Motor Fuel Tax Fund an amount
7 equal to 1.7% of 80% of the net revenue realized under this Act
8 for the second preceding month. Beginning April 1, 2000, this
9 transfer is no longer required and shall not be made.

10 Net revenue realized for a month shall be the revenue
11 collected by the State pursuant to this Act, less the amount
12 paid out during that month as refunds to taxpayers for
13 overpayment of liability.

14 (Source: P.A. 103-363, eff. 7-28-23; 103-592, Article 75,
15 Section 75-10, eff. 1-1-25; 103-592, Article 110, Section
16 110-10, eff. 6-7-24; 104-6, Article 5, Section 5-15, eff.
17 6-16-25; 104-6, Article 35, Section 35-25, eff. 6-16-25;
18 104-417, eff. 8-15-25; 104-457, eff. 6-1-26; revised 1-12-26.)

19 Section 280. The Tobacco Products Tax Act of 1995 is
20 amended by changing Section 10-30 as follows:

21 (35 ILCS 143/10-30)

22 Sec. 10-30. Returns.

23 (a) Every distributor shall, on or before the 15th day of
24 each month, file a return with the Department covering the

1 preceding calendar month. Through June 30, 2025, the return
2 shall disclose the wholesale price for all tobacco products
3 other than moist snuff and the quantity in ounces of moist
4 snuff sold or otherwise disposed of and other information that
5 the Department may reasonably require. Beginning July 1, 2025,
6 the return shall disclose the wholesale price for all tobacco
7 products, including moist snuff, sold or otherwise disposed of
8 and other information that the Department may reasonably
9 require. Information that the Department may reasonably
10 require includes information related to the uniform regulation
11 and taxation of tobacco products.

12 (b) In addition to the information required under
13 subsection (a), on or before the 15th day of each month,
14 covering the preceding calendar month, each stamping
15 distributor shall report the quantity of little cigars sold or
16 otherwise disposed of, including the number of packages of
17 little cigars sold or disposed of during the month containing
18 20 or 25 little cigars.

19 (c) At the time when any return of any distributor is due
20 to be filed with the Department, the distributor shall also
21 remit to the Department the tax liability that the distributor
22 has incurred for transactions occurring in the preceding
23 calendar month.

24 (d) All returns and supporting schedules required to be
25 filed under this Section and all payments required to be made
26 under this Section shall be by electronic means in the form

1 prescribed by the Department.

2 (e) If any payment provided for in this Section exceeds
3 the distributor's liabilities under this Act, as shown on an
4 original return, the distributor may credit such excess
5 payment against liability subsequently to be remitted to the
6 Department under this Act, in accordance with reasonable rules
7 adopted by the Department.

8 (Source: P.A. 103-592, eff. 1-1-25; 104-6, Article 10, Section
9 10-10, eff. 7-1-25; 104-6, Article 40, Section 40-30, eff.
10 1-1-26; revised 11-19-25.)

11 Section 285. The Property Tax Code is amended by changing
12 Sections 15-172, 18-190, 21-306, and 31-5 as follows:

13 (35 ILCS 200/15-172)

14 Sec. 15-172. Low-Income Senior Citizens Assessment Freeze
15 Homestead Exemption.

16 (a) This Section may be cited as the Low-Income Senior
17 Citizens Assessment Freeze Homestead Exemption.

18 (b) As used in this Section:

19 "Applicant" means an individual who has filed an
20 application under this Section.

21 "Base amount" means the base year equalized assessed value
22 of the residence plus the first year's equalized assessed
23 value of any added improvements which increased the assessed
24 value of the residence after the base year.

1 "Base year" means the taxable year prior to the taxable
2 year for which the applicant first qualifies and applies for
3 the exemption provided that in the prior taxable year the
4 property was improved with a permanent structure that was
5 occupied as a residence by the applicant who was liable for
6 paying real property taxes on the property and who was either
7 (i) an owner of record of the property or had legal or
8 equitable interest in the property as evidenced by a written
9 instrument or (ii) had a legal or equitable interest as a
10 lessee in the parcel of property that was a single-family
11 ~~single-family~~ residence. If in any subsequent taxable year for
12 which the applicant applies and qualifies for the exemption
13 the equalized assessed value of the residence is less than the
14 equalized assessed value in the existing base year (provided
15 that such equalized assessed value is not based on an assessed
16 value that results from a temporary irregularity in the
17 property that reduces the assessed value for one or more
18 taxable years), then that subsequent taxable year shall become
19 the base year until a new base year is established under the
20 terms of this paragraph. For taxable year 1999 only, the Chief
21 County Assessment Officer shall review (i) all taxable years
22 for which the applicant applied and qualified for the
23 exemption and (ii) the existing base year. The assessment
24 officer shall select as the new base year the year with the
25 lowest equalized assessed value. An equalized assessed value
26 that is based on an assessed value that results from a

1 temporary irregularity in the property that reduces the
2 assessed value for one or more taxable years shall not be
3 considered the lowest equalized assessed value. The selected
4 year shall be the base year for taxable year 1999 and
5 thereafter until a new base year is established under the
6 terms of this paragraph.

7 "Chief County Assessment Officer" means the County
8 Assessor or Supervisor of Assessments of the county in which
9 the property is located.

10 "Equalized assessed value" means the assessed value as
11 equalized by the Illinois Department of Revenue.

12 "Household" means the applicant, the spouse of the
13 applicant, and all persons using the residence of the
14 applicant as their principal place of residence.

15 "Household income" means the combined income of the
16 members of a household for the calendar year preceding the
17 taxable year.

18 "Income" has the same meaning as provided in Section 3.07
19 of the Senior Citizens and Persons with Disabilities Property
20 Tax Relief Act, except that, beginning in assessment year
21 2001, "income" does not include veteran's benefits.

22 "Internal Revenue Code of 1986" means the United States
23 Internal Revenue Code of 1986 or any successor law or laws
24 relating to federal income taxes in effect for the year
25 preceding the taxable year.

26 "Life care facility that qualifies as a cooperative" means

1 a facility as defined in Section 2 of the Life Care Facilities
2 Act.

3 "Maximum income limitation" means:

- 4 (1) \$35,000 prior to taxable year 1999;
5 (2) \$40,000 in taxable years 1999 through 2003;
6 (3) \$45,000 in taxable years 2004 through 2005;
7 (4) \$50,000 in taxable years 2006 and 2007;
8 (5) \$55,000 in taxable years 2008 through 2016;
9 (6) for taxable year 2017, (i) \$65,000 for qualified
10 property located in a county with 3,000,000 or more
11 inhabitants and (ii) \$55,000 for qualified property
12 located in a county with fewer than 3,000,000 inhabitants;
13 (7) for taxable years 2018 through 2025, \$65,000 for
14 all qualified property;
15 (8) for taxable year 2026, \$75,000 for all qualified
16 property;
17 (9) for taxable year 2027, \$77,000 for all qualified
18 property; and
19 (10) for taxable years 2028 and thereafter, \$79,000
20 for all qualified property.

21 As an alternative income valuation, a homeowner who is
22 enrolled in any of the following programs may be presumed to
23 have household income that does not exceed the maximum income
24 limitation for that tax year as required by this Section: Aid
25 to the Aged, Blind or Disabled (AABD) Program or the
26 Supplemental Nutrition Assistance Program (SNAP), both of

1 which are administered by the Department of Human Services;
2 the Low Income Home Energy Assistance Program (LIHEAP), which
3 is administered by the Department of Commerce and Economic
4 Opportunity; The Benefit Access program, which is administered
5 by the Department on Aging; and the Senior Citizens Real
6 Estate Tax Deferral Program.

7 A chief county assessment officer may indicate that he or
8 she has verified an applicant's income eligibility for this
9 exemption but may not report which program or programs, if
10 any, enroll the applicant. Release of personal information
11 submitted pursuant to this Section shall be deemed an
12 unwarranted invasion of personal privacy under the Freedom of
13 Information Act.

14 "Residence" means the principal dwelling place and
15 appurtenant structures used for residential purposes in this
16 State occupied on January 1 of the taxable year by a household
17 and so much of the surrounding land, constituting the parcel
18 upon which the dwelling place is situated, as is used for
19 residential purposes. If the Chief County Assessment Officer
20 has established a specific legal description for a portion of
21 property constituting the residence, then that portion of
22 property shall be deemed the residence for the purposes of
23 this Section.

24 "Taxable year" means the calendar year during which ad
25 valorem property taxes payable in the next succeeding year are
26 levied.

1 (c) Beginning in taxable year 1994, a low-income senior
2 citizens assessment freeze homestead exemption is granted for
3 real property that is improved with a permanent structure that
4 is occupied as a residence by an applicant who (i) is 65 years
5 of age or older during the taxable year, (ii) has a household
6 income that does not exceed the maximum income limitation,
7 (iii) is liable for paying real property taxes on the
8 property, and (iv) is an owner of record of the property or has
9 a legal or equitable interest in the property as evidenced by a
10 written instrument. This homestead exemption shall also apply
11 to a leasehold interest in a parcel of property improved with a
12 permanent structure that is a single-family ~~single-family~~
13 residence that is occupied as a residence by a person who (i)
14 is 65 years of age or older during the taxable year, (ii) has a
15 household income that does not exceed the maximum income
16 limitation, (iii) has a legal or equitable ownership interest
17 in the property as lessee, and (iv) is liable for the payment
18 of real property taxes on that property.

19 In counties of 3,000,000 or more inhabitants, the amount
20 of the exemption for all taxable years is the equalized
21 assessed value of the residence in the taxable year for which
22 application is made minus the base amount. In all other
23 counties, the amount of the exemption is as follows: (i)
24 through taxable year 2005 and for taxable year 2007 and
25 thereafter, the amount of this exemption shall be the
26 equalized assessed value of the residence in the taxable year

1 for which application is made minus the base amount; and (ii)
2 for taxable year 2006, the amount of the exemption is as
3 follows:

4 (1) For an applicant who has a household income of
5 \$45,000 or less, the amount of the exemption is the
6 equalized assessed value of the residence in the taxable
7 year for which application is made minus the base amount.

8 (2) For an applicant who has a household income
9 exceeding \$45,000 but not exceeding \$46,250, the amount of
10 the exemption is (i) the equalized assessed value of the
11 residence in the taxable year for which application is
12 made minus the base amount (ii) multiplied by 0.8.

13 (3) For an applicant who has a household income
14 exceeding \$46,250 but not exceeding \$47,500, the amount of
15 the exemption is (i) the equalized assessed value of the
16 residence in the taxable year for which application is
17 made minus the base amount (ii) multiplied by 0.6.

18 (4) For an applicant who has a household income
19 exceeding \$47,500 but not exceeding \$48,750, the amount of
20 the exemption is (i) the equalized assessed value of the
21 residence in the taxable year for which application is
22 made minus the base amount (ii) multiplied by 0.4.

23 (5) For an applicant who has a household income
24 exceeding \$48,750 but not exceeding \$50,000, the amount of
25 the exemption is (i) the equalized assessed value of the
26 residence in the taxable year for which application is

1 made minus the base amount (ii) multiplied by 0.2.

2 When the applicant is a surviving spouse of an applicant
3 for a prior year for the same residence for which an exemption
4 under this Section has been granted, the base year and base
5 amount for that residence are the same as for the applicant for
6 the prior year.

7 Each year at the time the assessment books are certified
8 to the County Clerk, the Board of Review or Board of Appeals
9 shall give to the County Clerk a list of the assessed values of
10 improvements on each parcel qualifying for this exemption that
11 were added after the base year for this parcel and that
12 increased the assessed value of the property.

13 In the case of land improved with an apartment building
14 owned and operated as a cooperative or a building that is a
15 life care facility that qualifies as a cooperative, the
16 maximum reduction from the equalized assessed value of the
17 property is limited to the sum of the reductions calculated
18 for each unit occupied as a residence by a person or persons
19 (i) 65 years of age or older, (ii) with a household income that
20 does not exceed the maximum income limitation, (iii) who is
21 liable, by contract with the owner or owners of record, for
22 paying real property taxes on the property, and (iv) who is an
23 owner of record of a legal or equitable interest in the
24 cooperative apartment building, other than a leasehold
25 interest. In the instance of a cooperative where a homestead
26 exemption has been granted under this Section, the cooperative

1 association or its management firm shall credit the savings
2 resulting from that exemption only to the apportioned tax
3 liability of the owner who qualified for the exemption. Any
4 person who willfully refuses to credit that savings to an
5 owner who qualifies for the exemption is guilty of a Class B
6 misdemeanor.

7 When a homestead exemption has been granted under this
8 Section and an applicant then becomes a resident of a facility
9 licensed under the Assisted Living and Shared Housing Act, the
10 Nursing Home Care Act, the Specialized Mental Health
11 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
12 the MC/DD Act, the exemption shall be granted in subsequent
13 years so long as the residence (i) continues to be occupied by
14 the qualified applicant's spouse or (ii) if remaining
15 unoccupied, is still owned by the qualified applicant for the
16 homestead exemption.

17 Beginning January 1, 1997, when an individual dies who
18 would have qualified for an exemption under this Section, and
19 the surviving spouse does not independently qualify for this
20 exemption because of age, the exemption under this Section
21 shall be granted to the surviving spouse for the taxable year
22 preceding and the taxable year of the death, provided that,
23 except for age, the surviving spouse meets all other
24 qualifications for the granting of this exemption for those
25 years.

26 When married persons maintain separate residences, the

1 exemption provided for in this Section may be claimed by only
2 one of such persons and for only one residence.

3 For taxable year 1994 only, in counties having less than
4 3,000,000 inhabitants, to receive the exemption, a person
5 shall submit an application by February 15, 1995 to the Chief
6 County Assessment Officer of the county in which the property
7 is located. In counties having 3,000,000 or more inhabitants,
8 for taxable year 1994 and all subsequent taxable years, to
9 receive the exemption, a person may submit an application to
10 the Chief County Assessment Officer of the county in which the
11 property is located during such period as may be specified by
12 the Chief County Assessment Officer. The Chief County
13 Assessment Officer in counties of 3,000,000 or more
14 inhabitants shall annually give notice of the application
15 period by mail or by publication. In counties having less than
16 3,000,000 inhabitants, beginning with taxable year 1995 and
17 thereafter, to receive the exemption, a person shall submit an
18 application by July 1 of each taxable year to the Chief County
19 Assessment Officer of the county in which the property is
20 located. A county may, by ordinance, establish a date for
21 submission of applications that is different than July 1. The
22 applicant shall submit with the application an affidavit of
23 the applicant's total household income, age, marital status
24 (and if married the name and address of the applicant's
25 spouse, if known), and principal dwelling place of members of
26 the household on January 1 of the taxable year. The Department

1 shall establish, by rule, a method for verifying the accuracy
2 of affidavits filed by applicants under this Section, and the
3 Chief County Assessment Officer may conduct audits of any
4 taxpayer claiming an exemption under this Section to verify
5 that the taxpayer is eligible to receive the exemption. Each
6 application shall contain or be verified by a written
7 declaration that it is made under the penalties of perjury. A
8 taxpayer's signing a fraudulent application under this Act is
9 perjury, as defined in Section 32-2 of the Criminal Code of
10 2012. The applications shall be clearly marked as applications
11 for the Low-Income Senior Citizens Assessment Freeze Homestead
12 Exemption and must contain a notice that any taxpayer who
13 receives the exemption is subject to an audit by the Chief
14 County Assessment Officer.

15 Notwithstanding any other provision to the contrary, in
16 counties having fewer than 3,000,000 inhabitants, if an
17 applicant fails to file the application required by this
18 Section in a timely manner and this failure to file is due to a
19 mental or physical condition sufficiently severe so as to
20 render the applicant incapable of filing the application in a
21 timely manner, the Chief County Assessment Officer may extend
22 the filing deadline for a period of 30 days after the applicant
23 regains the capability to file the application, but in no case
24 may the filing deadline be extended beyond 3 months of the
25 original filing deadline. In order to receive the extension
26 provided in this paragraph, the applicant shall provide the

1 Chief County Assessment Officer with a signed statement from
2 the applicant's physician, advanced practice registered nurse,
3 or physician assistant stating the nature and extent of the
4 condition, that, in the physician's, advanced practice
5 registered nurse's, or physician assistant's opinion, the
6 condition was so severe that it rendered the applicant
7 incapable of filing the application in a timely manner, and
8 the date on which the applicant regained the capability to
9 file the application.

10 Beginning January 1, 1998, notwithstanding any other
11 provision to the contrary, in counties having fewer than
12 3,000,000 inhabitants, if an applicant fails to file the
13 application required by this Section in a timely manner and
14 this failure to file is due to a mental or physical condition
15 sufficiently severe so as to render the applicant incapable of
16 filing the application in a timely manner, the Chief County
17 Assessment Officer may extend the filing deadline for a period
18 of 3 months. In order to receive the extension provided in this
19 paragraph, the applicant shall provide the Chief County
20 Assessment Officer with a signed statement from the
21 applicant's physician, advanced practice registered nurse, or
22 physician assistant stating the nature and extent of the
23 condition, and that, in the physician's, advanced practice
24 registered nurse's, or physician assistant's opinion, the
25 condition was so severe that it rendered the applicant
26 incapable of filing the application in a timely manner.

1 In counties having less than 3,000,000 inhabitants, if an
2 applicant was denied an exemption in taxable year 1994 and the
3 denial occurred due to an error on the part of an assessment
4 official, or his or her agent or employee, then beginning in
5 taxable year 1997 the applicant's base year, for purposes of
6 determining the amount of the exemption, shall be 1993 rather
7 than 1994. In addition, in taxable year 1997, the applicant's
8 exemption shall also include an amount equal to (i) the amount
9 of any exemption denied to the applicant in taxable year 1995
10 as a result of using 1994, rather than 1993, as the base year,
11 (ii) the amount of any exemption denied to the applicant in
12 taxable year 1996 as a result of using 1994, rather than 1993,
13 as the base year, and (iii) the amount of the exemption
14 erroneously denied for taxable year 1994.

15 For purposes of this Section, a person who will be 65 years
16 of age during the current taxable year shall be eligible to
17 apply for the homestead exemption during that taxable year.
18 Application shall be made during the application period in
19 effect for the county of his or her residence.

20 The Chief County Assessment Officer may determine the
21 eligibility of a life care facility that qualifies as a
22 cooperative to receive the benefits provided by this Section
23 by use of an affidavit, application, visual inspection,
24 questionnaire, or other reasonable method in order to ensure
25 ~~insure~~ that the tax savings resulting from the exemption are
26 credited by the management firm to the apportioned tax

1 liability of each qualifying resident. The Chief County
2 Assessment Officer may request reasonable proof that the
3 management firm has so credited that exemption.

4 Except as provided in this Section, all information
5 received by the chief county assessment officer or the
6 Department from applications filed under this Section, or from
7 any investigation conducted under the provisions of this
8 Section, shall be confidential, except for official purposes
9 or pursuant to official procedures for collection of any State
10 or local tax or enforcement of any civil or criminal penalty or
11 sanction imposed by this Act or by any statute or ordinance
12 imposing a State or local tax. Any person who divulges any such
13 information in any manner, except in accordance with a proper
14 judicial order, is guilty of a Class A misdemeanor.

15 Nothing contained in this Section shall prevent the
16 Director or chief county assessment officer from publishing or
17 making available reasonable statistics concerning the
18 operation of the exemption contained in this Section in which
19 the contents of claims are grouped into aggregates in such a
20 way that information contained in any individual claim shall
21 not be disclosed.

22 Notwithstanding any other provision of law, for taxable
23 year 2017 and thereafter, in counties of 3,000,000 or more
24 inhabitants, the amount of the exemption shall be the greater
25 of (i) the amount of the exemption otherwise calculated under
26 this Section or (ii) \$2,000.

1 (c-5) Notwithstanding any other provision of law, each
2 chief county assessment officer may approve this exemption for
3 the 2020 taxable year, without application, for any property
4 that was approved for this exemption for the 2019 taxable
5 year, provided that:

6 (1) the county board has declared a local disaster as
7 provided in the Illinois Emergency Management Agency Act
8 related to the COVID-19 public health emergency;

9 (2) the owner of record of the property as of January
10 1, 2020 is the same as the owner of record of the property
11 as of January 1, 2019;

12 (3) the exemption for the 2019 taxable year has not
13 been determined to be an erroneous exemption as defined by
14 this Code; and

15 (4) the applicant for the 2019 taxable year has not
16 asked for the exemption to be removed for the 2019 or 2020
17 taxable years.

18 Nothing in this subsection shall preclude or impair the
19 authority of a chief county assessment officer to conduct
20 audits of any taxpayer claiming an exemption under this
21 Section to verify that the taxpayer is eligible to receive the
22 exemption as provided elsewhere in this Section.

23 (c-10) Notwithstanding any other provision of law, each
24 chief county assessment officer may approve this exemption for
25 the 2021 taxable year, without application, for any property
26 that was approved for this exemption for the 2020 taxable

1 year, if:

2 (1) the county board has declared a local disaster as
3 provided in the Illinois Emergency Management Agency Act
4 related to the COVID-19 public health emergency;

5 (2) the owner of record of the property as of January
6 1, 2021 is the same as the owner of record of the property
7 as of January 1, 2020;

8 (3) the exemption for the 2020 taxable year has not
9 been determined to be an erroneous exemption as defined by
10 this Code; and

11 (4) the taxpayer for the 2020 taxable year has not
12 asked for the exemption to be removed for the 2020 or 2021
13 taxable years.

14 Nothing in this subsection shall preclude or impair the
15 authority of a chief county assessment officer to conduct
16 audits of any taxpayer claiming an exemption under this
17 Section to verify that the taxpayer is eligible to receive the
18 exemption as provided elsewhere in this Section.

19 (d) Each Chief County Assessment Officer shall annually
20 publish a notice of availability of the exemption provided
21 under this Section. The notice shall be published at least 60
22 days but no more than 75 days prior to the date on which the
23 application must be submitted to the Chief County Assessment
24 Officer of the county in which the property is located. The
25 notice shall appear in a newspaper of general circulation in
26 the county.

1 Notwithstanding Sections 6 and 8 of the State Mandates
2 Act, no reimbursement by the State is required for the
3 implementation of any mandate created by this Section.

4 (Source: P.A. 104-452, eff. 12-12-25; revised 1-8-26.)

5 (35 ILCS 200/18-190)

6 Sec. 18-190. Direct referendum; new rate or increased
7 limiting rate.

8 (a) If a new rate is authorized by statute to be imposed
9 without referendum or is subject to a backdoor referendum, as
10 defined in Section 28-2 of the Election Code, the governing
11 body of the affected taxing district before levying the new
12 rate shall submit the new rate to direct referendum under the
13 provisions of this Section and of Article 28 of the Election
14 Code. Notwithstanding any other provision of law, the levies
15 authorized by Sections 21-110 and 21-110.1 of the Illinois
16 Pension Code shall not be considered new rates; however,
17 nothing in Public Act 98-1088 ~~this amendatory Act of the 98th~~
18 ~~General Assembly~~ authorizes a taxing district to increase its
19 limiting rate or its aggregate extension without first
20 obtaining referendum approval as provided in this Section.
21 Notwithstanding any other provision of law, the levy
22 authorized by Section 18-17 is considered part of the annual
23 corporate extension for the taxing district and is not
24 considered a new rate. Notwithstanding the provisions,
25 requirements, or limitations of any other law, any tax levied

1 for the 2005 levy year and all subsequent levy years by any
2 taxing district subject to this Law may be extended at a rate
3 exceeding the rate established for that tax by referendum or
4 statute, provided that the rate does not exceed the statutory
5 ceiling above which the tax is not authorized to be further
6 increased either by referendum or in any other manner.
7 Notwithstanding the provisions, requirements, or limitations
8 of any other law, all taxing districts subject to this Law
9 shall follow the provisions of this Section whenever seeking
10 referenda approval after March 21, 2006 to (i) levy a new tax
11 rate authorized by statute or (ii) increase the limiting rate
12 applicable to the taxing district. All taxing districts
13 subject to this Law are authorized to seek referendum approval
14 of each proposition described and set forth in this Section.

15 The proposition seeking to obtain referendum approval to
16 levy a new tax rate as authorized in clause (i) shall be in
17 substantially the following form:

18 Shall ... (insert legal name, number, if any, and
19 county or counties of taxing district and geographic or
20 other common name by which a school or community college
21 district is known and referred to), Illinois, be
22 authorized to levy a new tax for ... purposes and have an
23 additional tax of ...% of the equalized assessed value of
24 the taxable property therein extended for such purposes?

25 The votes must be recorded as "Yes" or "No".

26 The proposition seeking to obtain referendum approval to

1 increase the limiting rate as authorized in clause (ii) shall
2 be in substantially the following form:

3 Shall the limiting rate under the Property Tax
4 Extension Limitation Law for ... (insert legal name,
5 number, if any, and county or counties of taxing district
6 and geographic or other common name by which a school or
7 community college district is known and referred to),
8 Illinois, be increased by an additional amount equal to
9 ...% above the limiting rate for the purpose of...(insert
10 purpose) for levy year ... (insert the most recent levy
11 year for which the limiting rate of the taxing district is
12 known at the time the submission of the proposition is
13 initiated by the taxing district) and be equal to ...% of
14 the equalized assessed value of the taxable property
15 therein for levy year(s) (insert each levy year for which
16 the increase will be applicable, which years must be
17 consecutive and may not exceed 4)?

18 The votes must be recorded as "Yes" or "No".

19 The ballot for any proposition submitted pursuant to this
20 Section shall have printed thereon, but not as a part of the
21 proposition submitted, only the following supplemental
22 information (which shall be supplied to the election authority
23 by the taxing district) in substantially the following form:

24 (1) The approximate amount of taxes extendable at the
25 most recently extended limiting rate is \$..., and the
26 approximate amount of taxes extendable if the proposition

1 is approved is \$....

2 (2) For the ... (insert the first levy year for which
3 the new rate or increased limiting rate will be
4 applicable) levy year the approximate amount of the
5 additional tax extendable against property containing a
6 single family residence and having a fair market value at
7 the time of the referendum of \$100,000 is estimated to be
8 \$....

9 (3) Based upon an average annual percentage increase
10 (or decrease) in the market value of such property of ...%
11 ~~%...~~ (insert percentage equal to the average annual
12 percentage increase or decrease for the prior 3 levy
13 years, at the time the submission of the proposition is
14 initiated by the taxing district, in the amount of (A) the
15 equalized assessed value of the taxable property in the
16 taxing district less (B) the new property included in the
17 equalized assessed value), the approximate amount of the
18 additional tax extendable against such property for the
19 ... levy year is estimated to be \$... and for the ... levy
20 year is estimated to be \$....

21 (4) If the proposition is approved, the aggregate
22 extension for ... (insert each levy year for which the
23 increase will apply) will be determined by the limiting
24 rate set forth in the proposition, rather than the
25 otherwise applicable limiting rate calculated under the
26 provisions of the Property Tax Extension Limitation Law

(commonly known as the Property Tax Cap Law).

The approximate amount of taxes extendable shown in paragraph (1) shall be computed upon the last known equalized assessed value of taxable property in the taxing district (at the time the submission of the proposition is initiated by the taxing district). Paragraph (3) shall be included only if the increased limiting rate will be applicable for more than one levy year and shall list each levy year for which the increased limiting rate will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the proposition is initiated by the taxing district. The approximate amount of the additional taxes extendable shown in paragraphs (2) and (3) shall be calculated by multiplying \$100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; and (iii) either the new rate or the amount by which the limiting rate is to be increased. Public Act 97-1087 ~~This~~

1 ~~amendatory Act of the 97th General Assembly~~ is intended to
2 clarify the existing requirements of this Section, and shall
3 not be construed to validate any prior non-compliant
4 referendum language. Paragraph (4) shall be included if the
5 proposition concerns a limiting rate increase but shall not be
6 included if the proposition concerns a new rate. Any notice
7 required to be published in connection with the submission of
8 the proposition shall also contain this supplemental
9 information and shall not contain any other supplemental
10 information regarding the proposition. Any error,
11 miscalculation, or inaccuracy in computing any amount set
12 forth on the ballot and in the notice that is not deliberate
13 shall not invalidate or affect the validity of any proposition
14 approved. Notice of the referendum shall be published and
15 posted as otherwise required by law, and the submission of the
16 proposition shall be initiated as provided by law.

17 If a majority of all ballots cast on the proposition are in
18 favor of the proposition, the following provisions shall be
19 applicable to the extension of taxes for the taxing district:

20 (A) a new tax rate shall be first effective for the
21 levy year in which the new rate is approved;

22 (B) if the proposition provides for a new tax rate,
23 the taxing district is authorized to levy a tax after the
24 canvass of the results of the referendum by the election
25 authority for the purposes for which the tax is
26 authorized;

1 (C) a limiting rate increase shall be first effective
2 for the levy year in which the limiting rate increase is
3 approved, provided that the taxing district may elect to
4 have a limiting rate increase be effective for the levy
5 year prior to the levy year in which the limiting rate
6 increase is approved unless the extension of taxes for the
7 prior levy year occurs 30 days or less after the canvass of
8 the results of the referendum by the election authority in
9 any county in which the taxing district is located;

10 (D) in order for the limiting rate increase to be
11 first effective for the levy year prior to the levy year of
12 the referendum, the taxing district must certify its
13 election to have the limiting rate increase be effective
14 for the prior levy year to the clerk of each county in
15 which the taxing district is located not more than 2 days
16 after the date the results of the referendum are canvassed
17 by the election authority; and

18 (E) if the proposition provides for a limiting rate
19 increase, the increase may be effective regardless of
20 whether the proposition is approved before or after the
21 taxing district adopts or files its levy for any levy
22 year.

23 Rates required to extend taxes on levies subject to a
24 backdoor referendum in each year there is a levy are not new
25 rates or rate increases under this Section if a levy has been
26 made for the fund in one or more of the preceding 3 levy years.

1 Changes made by Public Act 89-718 ~~this amendatory Act of 1997~~
2 to this Section in reference to rates required to extend taxes
3 on levies subject to a backdoor referendum in each year there
4 is a levy are declarative of existing law and not a new
5 enactment.

6 (b) Whenever other applicable law authorizes a taxing
7 district subject to the limitation with respect to its
8 aggregate extension provided for in this Law to issue bonds or
9 other obligations either without referendum or subject to
10 backdoor referendum, the taxing district may elect for each
11 separate bond issuance to submit the question of the issuance
12 of the bonds or obligations directly to the voters of the
13 taxing district, and if the referendum passes the taxing
14 district is not required to comply with any backdoor
15 referendum procedures or requirements set forth in the other
16 applicable law. The direct referendum shall be initiated by
17 ordinance or resolution of the governing body of the taxing
18 district, and the question shall be certified to the proper
19 election authorities in accordance with the provisions of the
20 Election Code.

21 (Source: P.A. 103-592, eff. 6-7-24; revised 7-17-25.)

22 (35 ILCS 200/21-306)

23 Sec. 21-306. Indemnity fund fraud.

24 (a) A person commits the offense of indemnity fund fraud
25 when that person knowingly:

1 (1) offers or agrees to become a party to, or to
2 acquire an interest in, a contract involving the proceeds
3 of a judgment for indemnity under Section 21-305 before
4 the end of the period of redemption from the tax sale to
5 which the judgment relates;

6 (2) fraudulently induces a party to forgo ~~forego~~
7 bringing an action for the recovery of the property;

8 (3) makes a deceptive misrepresentation during the
9 course of negotiating an agreement under subsection (c) of
10 Section 21-305; or

11 (4) conspires to violate any of the provisions of this
12 subsection.

13 (b) Commission of any one act described in subsection (a)
14 is a Class A misdemeanor. Commission of more than one act
15 described in subsection (a) during a single course of conduct
16 is a Class 4 felony. A second or subsequent conviction for
17 violation of any portion of this Section is a Class 4 felony.

18 (c) The State's Attorney of the county in which a judgment
19 for indemnity under Section 21-305 is entered may bring a
20 civil action in the name of the People of the State of Illinois
21 against a person who violates paragraph (1), (2), or (3) of
22 subsection (a). Upon a finding of liability in the action the
23 court shall enter judgment in favor of the People in a sum
24 equal to 3 ~~three~~ times the amount of the judgment for
25 indemnity, together with costs of the action and reasonable
26 attorney's fees. The proceeds of any judgment under this

1 subsection shall be paid into the general fund of the county.

2 (Source: P.A. 91-564, eff. 8-14-99; revised 7-21-25.)

3 (35 ILCS 200/31-5)

4 Sec. 31-5. Definitions. As used in this Article:

5 "Affixed" means physically or electronically indicated.

6 "Recordation" includes the issuance of certificates of
7 title by Registrars of Title under the Registered Titles
8 (Torrens) Act pursuant to the filing of deeds or trust
9 documents for that purpose, as well as the recording of deeds
10 or trust documents by recorders.

11 "Department" means the Department of Revenue.

12 "Person" means any natural individual, firm, partnership,
13 association, joint stock company, joint adventure, public or
14 private corporation, limited liability company, or a receiver,
15 executor, trustee, guardian or other representative appointed
16 by order of any court.

17 "Revenue stamp" means physical (until December 31, 2025),
18 electronic, or alternative indicia that indicates the amount
19 of tax paid.

20 "Value" means the amount of the full actual consideration
21 for the real property or the beneficial interest in real
22 property located in Illinois, including the amount of any lien
23 on the real property assumed by the transferee.

24 "Trust document" means a document required to be recorded
25 under the Land Trust Recordation and Transfer Tax Act and,

1 beginning June 1, 2005, also means any document relating to
2 the transfer of a taxable beneficial interest under this
3 Article.

4 "Beneficial interest" includes, but is not limited to:

5 (1) the beneficial interest in an Illinois land trust;

6 (2) the lessee interest in a ground lease (including
7 any interest of the lessee in the related improvements)
8 that provides for a term of 30 or more years when all
9 options to renew or extend are included, whether or not
10 any portion of the term has expired; or

11 (3) the indirect interest in real property as
12 reflected by a controlling interest in a real estate
13 entity.

14 "Controlling interest" means more than 50% of the fair
15 market value of all ownership interests or beneficial
16 interests in a real estate entity.

17 "Real estate entity" means any person including, but not
18 limited to, any partnership, corporation, limited liability
19 company, trust, other entity, or multi-tiered entity, that
20 exists or acts substantially for the purpose of holding
21 directly or indirectly title to or beneficial interest in real
22 property. There is a rebuttable presumption that an entity is
23 a real estate entity if it owns, directly or indirectly, real
24 property having a fair market value greater than 75% of the
25 total fair market value of all of the entity's assets,
26 determined without deduction for any mortgage, lien, or

1 encumbrance.

2 (Source: P.A. 103-963, eff. 8-9-24; revised 7-9-25.)

3 Section 290. The Illinois Estate and Generation-Skipping
4 Transfer Tax Act is amended by changing Section 2 as follows:

5 (35 ILCS 405/2) (from Ch. 120, par. 405A-2)

6 Sec. 2. Definitions. In this Act:

7 "Federal estate tax" means the tax due to the United
8 States with respect to a taxable transfer under Chapter 11 of
9 the Internal Revenue Code.

10 "Federal generation-skipping transfer tax" means the tax
11 due to the United States with respect to a taxable transfer
12 under Chapter 13 of the Internal Revenue Code.

13 "Federal return" means the federal estate tax return with
14 respect to the federal estate tax and means the federal
15 generation-skipping transfer tax return with respect to the
16 federal generation-skipping transfer tax.

17 "Federal transfer tax" means the federal estate tax or the
18 federal generation-skipping transfer tax.

19 "Illinois estate tax" means the tax due to this State with
20 respect to a taxable transfer.

21 "Illinois generation-skipping transfer tax" means the tax
22 due to this State with respect to a taxable transfer that gives
23 rise to a federal generation-skipping transfer tax.

24 "Illinois transfer tax" means the Illinois estate tax or

1 the Illinois generation-skipping transfer tax.

2 "Internal Revenue Code" means, unless otherwise provided,
3 the Internal Revenue Code of 1986, as amended from time to
4 time.

5 "Non-resident trust" means a trust that is not a resident
6 of this State for purposes of the Illinois Income Tax Act, as
7 amended from time to time.

8 "Person" means and includes any individual, trust, estate,
9 partnership, association, company or corporation.

10 "Qualified heir" means a qualified heir as defined in
11 Section 2032A(e) (1) of the Internal Revenue Code.

12 "Resident trust" means a trust that is a resident of this
13 State for purposes of the Illinois Income Tax Act, as amended
14 from time to time.

15 "State" means any state, territory or possession of the
16 United States and the District of Columbia.

17 "State tax credit" means:

18 (a) For persons dying on or after January 1, 2003 and
19 through December 31, 2005, an amount equal to the full credit
20 calculable under Section 2011 or Section 2604 of the Internal
21 Revenue Code as the credit would have been computed and
22 allowed under the Internal Revenue Code as in effect on
23 December 31, 2001, without the reduction in the State Death
24 Tax Credit as provided in Section 2011(b)(2) or the
25 termination of the State Death Tax Credit as provided in
26 Section 2011(f) as enacted by the Economic Growth and Tax

1 Relief Reconciliation Act of 2001, but recognizing the
2 increased applicable exclusion amount through December 31,
3 2005.

4 (b) For persons dying after December 31, 2005 and on or
5 before December 31, 2009, and for persons dying after December
6 31, 2010, an amount equal to the full credit calculable under
7 Section 2011 or 2604 of the Internal Revenue Code as the credit
8 would have been computed and allowed under the Internal
9 Revenue Code as in effect on December 31, 2001, without the
10 reduction in the State Death Tax Credit as provided in Section
11 2011(b)(2) or the termination of the State Death Tax Credit as
12 provided in Section 2011(f) as enacted by the Economic Growth
13 and Tax Relief Reconciliation Act of 2001, but recognizing the
14 exclusion amount of only (i) \$2,000,000 for persons dying
15 prior to January 1, 2012, (ii) \$3,500,000 for persons dying on
16 or after January 1, 2012 and prior to January 1, 2013, and
17 (iii) \$4,000,000 for persons dying on or after January 1,
18 2013, and with reduction to the adjusted taxable estate for
19 any qualified terminable interest property election as defined
20 in subsection (b-1) of this Section.

21 (b-1) The person required to file the Illinois return may
22 elect on a timely filed Illinois return a marital deduction
23 for qualified terminable interest property under Section
24 2056(b)(7) of the Internal Revenue Code for purposes of the
25 Illinois estate tax that is separate and independent of any
26 qualified terminable interest property election for federal

1 estate tax purposes. For purposes of the Illinois estate tax,
2 the inclusion of property in the gross estate of a surviving
3 spouse is the same as under Section 2044 of the Internal
4 Revenue Code.

5 In the case of any trust for which a State or federal
6 qualified terminable interest property election is made, the
7 trustee may not retain non-income producing assets for more
8 than a reasonable amount of time without the consent of the
9 surviving spouse.

10 "Taxable transfer" means an event that gives rise to a
11 state tax credit, including any credit as a result of the
12 imposition of an additional tax under Section 2032A(c) of the
13 Internal Revenue Code.

14 "Transferee" means a transferee within the meaning of
15 Section 2603(a)(1) and Section 6901(h) of the Internal Revenue
16 Code.

17 "Transferred property" means:

18 (1) With respect to a taxable transfer occurring at
19 the death of an individual, the deceased individual's
20 gross estate as defined in Section 2031 of the Internal
21 Revenue Code.

22 (2) With respect to a taxable transfer occurring as a
23 result of a taxable termination as defined in Section
24 2612(a) of the Internal Revenue Code, the taxable amount
25 determined under Section 2622(a) of the Internal Revenue
26 Code.

1 (3) With respect to a taxable transfer occurring as a
2 result of a taxable distribution as defined in Section
3 2612(b) of the Internal Revenue Code, the taxable amount
4 determined under Section 2621(a) of the Internal Revenue
5 Code.

6 (4) With respect to an event which causes the
7 imposition of an additional estate tax under Section
8 2032A(c) of the Internal Revenue Code, the qualified real
9 property that was disposed of or which ceased to be used
10 for the qualified use, within the meaning of Section
11 2032A(c)(1) of the Internal Revenue Code.

12 "Trust" includes a trust as defined in Section 2652(b)(1)
13 of the Internal Revenue Code.

14 (Source: P.A. 96-789, eff. 9-8-09; 96-1496, eff. 1-13-11;
15 97-636, eff. 6-1-12; revised 7-24-25.)

16 Section 295. The Motor Fuel Tax Law is amended by changing
17 Sections 13 and 16 as follows:

18 (35 ILCS 505/13)

19 Sec. 13. Refund of tax paid. Any person other than a
20 distributor who loses motor fuel through any cause or uses
21 motor fuel (upon which he has paid the amount required to be
22 collected under Section 2 of this Act) for any purpose other
23 than operating a motor vehicle upon the public highways or
24 waters, shall be reimbursed and repaid the amount so paid.

1 Any person who purchases motor fuel in Illinois and uses
2 that motor fuel in another state and that other state imposes a
3 tax on the use of such motor fuel shall be reimbursed and
4 repaid the amount of Illinois tax paid under Section 2 of this
5 Act on the motor fuel used in such other state. Reimbursement
6 and repayment shall be made by the Department upon receipt of
7 adequate proof of taxes directly paid to another state and the
8 amount of motor fuel used in that state.

9 Claims based in whole or in part on taxes paid to another
10 state shall include (i) a certified copy of the tax return
11 filed with such other state by the claimant; (ii) a copy of
12 either the cancelled check paying the tax due on such return,
13 or a receipt acknowledging payment of the tax due on such tax
14 return; and (iii) such other information as the Department may
15 reasonably require. This paragraph shall not apply to taxes
16 paid on returns filed under Section 13a.3 of this Act.

17 Any person who purchases motor fuel use tax decals as
18 required by Section 13a.4 and pays an amount of fees for such
19 decals that exceeds the amount due shall be reimbursed and
20 repaid the amount of the decal fees that are deemed by the
21 department to be in excess of the amount due. Alternatively,
22 any person who purchases motor fuel use tax decals as required
23 by Section 13a.4 may credit any excess decal payment verified
24 by the Department against amounts subsequently due for the
25 purchase of additional decals, until such time as no excess
26 payment remains.

1 Claims for such reimbursement must be made to the
2 Department of Revenue, duly verified by the claimant (or by
3 the claimant's legal representative if the claimant has died
4 or become a person under legal disability), upon forms
5 prescribed by the Department. The claim must state such facts
6 relating to the purchase, importation, manufacture or
7 production of the motor fuel by the claimant as the Department
8 may deem necessary, and the time when, and the circumstances
9 of its loss or the specific purpose for which it was used (as
10 the case may be), together with such other information as the
11 Department may reasonably require. No claim based upon idle
12 time shall be allowed. Claims for reimbursement for
13 overpayment of decal fees shall be made to the Department of
14 Revenue, duly verified by the claimant (or by the claimant's
15 legal representative if the claimant has died or become a
16 person under legal disability), upon forms prescribed by the
17 Department. The claim shall state facts relating to the
18 overpayment of decal fees, together with such other
19 information as the Department may reasonably require. Claims
20 for reimbursement of overpayment of decal fees paid on or
21 after January 1, 2011 must be filed not later than one year
22 after the date on which the fees were paid by the claimant. If
23 it is determined that the Department should reimburse a
24 claimant for overpayment of decal fees, the Department shall
25 first apply the amount of such refund against any tax or
26 penalty or interest due by the claimant under Section 13a of

1 this Act.

2 Claims for full reimbursement for taxes paid on or before
3 December 31, 1999 must be filed not later than one year after
4 the date on which the tax was paid by the claimant. If,
5 however, a claim for such reimbursement otherwise meeting the
6 requirements of this Section is filed more than one year but
7 less than 2 years after that date, the claimant shall be
8 reimbursed at the rate of 80% of the amount to which he would
9 have been entitled if his claim had been timely filed.

10 Claims for full reimbursement for taxes paid on or after
11 January 1, 2000 must be filed not later than 2 years after the
12 date on which the tax was paid by the claimant.

13 The Department may make such investigation of the
14 correctness of the facts stated in such claims as it deems
15 necessary. When the Department has approved any such claim, it
16 shall pay to the claimant (or to the claimant's legal
17 representative, as such if the claimant has died or become a
18 person under legal disability) the reimbursement provided in
19 this Section, out of any moneys appropriated to it for that
20 purpose.

21 Any distributor who has paid the tax imposed by Section 2
22 of this Act upon motor fuel lost or used by such distributor
23 for any purpose other than operating a motor vehicle upon the
24 public highways or waters may file a claim for credit or refund
25 to recover the amount so paid. Such claims shall be filed on
26 forms prescribed by the Department. Such claims shall be made

1 to the Department, duly verified by the claimant (or by the
2 claimant's legal representative if the claimant has died or
3 become a person under legal disability), upon forms prescribed
4 by the Department. The claim shall state such facts relating
5 to the purchase, importation, manufacture or production of the
6 motor fuel by the claimant as the Department may deem
7 necessary and the time when the loss or nontaxable use
8 occurred, and the circumstances of its loss or the specific
9 purpose for which it was used (as the case may be), together
10 with such other information as the Department may reasonably
11 require. Claims must be filed not later than one year after the
12 date on which the tax was paid by the claimant.

13 The Department may make such investigation of the
14 correctness of the facts stated in such claims as it deems
15 necessary. When the Department approves a claim, the
16 Department shall issue a refund or credit memorandum, as
17 requested by the taxpayer, to the distributor who made the
18 payment for which the refund or credit is being given or, if
19 the distributor has died or become incompetent, to such
20 distributor's legal representative, as such. The amount of
21 such credit memorandum shall be credited against any tax due
22 or to become due under this Act from the distributor who made
23 the payment for which credit has been given.

24 Any credit or refund that is allowed under this Section
25 shall bear interest at the rate and in the manner specified in
26 the Uniform Penalty and Interest Act.

1 In case the distributor requests and the Department
2 determines that the claimant is entitled to a refund, such
3 refund shall be made only from such appropriation as may be
4 available for that purpose. If it appears unlikely that the
5 amount appropriated would permit everyone having a claim
6 allowed during the period covered by such appropriation to
7 elect to receive a cash refund, the Department, by rule or
8 regulation, shall provide for the payment of refunds in
9 hardship cases and shall define what types of cases qualify as
10 hardship cases.

11 In any case in which there has been an erroneous refund of
12 tax or fees payable under this Section, a notice of tax
13 liability may be issued at any time within 3 years from the
14 making of that refund, or within 5 years from the making of
15 that refund if it appears that any part of the refund was
16 induced by fraud or the misrepresentation of material fact.
17 The amount of any proposed assessment set forth by the
18 Department shall be limited to the amount of the erroneous
19 refund.

20 If no tax is due and no proceeding is pending to determine
21 whether such distributor is indebted to the Department for
22 tax, the credit memorandum so issued may be assigned and set
23 over by the lawful holder thereof, subject to reasonable rules
24 of the Department, to any other licensed distributor who is
25 subject to this Act, and the amount thereof applied by the
26 Department against any tax due or to become due under this Act

1 from such assignee.

2 If the payment for which the distributor's claim is filed
3 is held in the protest fund of the State treasury ~~Treasury~~
4 during the pendency of the claim for credit proceedings
5 pursuant to the order of the court in accordance with Section
6 2a of the State Officers and Employees Money Disposition Act
7 and if it is determined by the Department or by the final order
8 of a reviewing court under the Administrative Review Law that
9 the claimant is entitled to all or a part of the credit
10 claimed, the claimant, instead of receiving a credit
11 memorandum from the Department, shall receive a cash refund
12 from the protest fund as provided for in Section 2a of the
13 State Officers and Employees Money Disposition Act.

14 If any person ceases to be licensed as a distributor while
15 still holding an unused credit memorandum issued under this
16 Act, such person may, at his election (instead of assigning
17 the credit memorandum to a licensed distributor under this
18 Act), surrender such unused credit memorandum to the
19 Department and receive a refund of the amount to which such
20 person is entitled.

21 For claims based upon taxes paid on or before December 31,
22 2000, a claim based upon the use of undyed diesel fuel shall
23 not be allowed except (i) if allowed under the following
24 paragraph or (ii) for undyed diesel fuel used by a commercial
25 vehicle, as that term is defined in Section 1-111.8 of the
26 Illinois Vehicle Code, for any purpose other than operating

1 the commercial vehicle upon the public highways and unlicensed
2 commercial vehicles operating on private property. Claims
3 shall be limited to commercial vehicles that are operated for
4 both highway purposes and any purposes other than operating
5 such vehicles upon the public highways.

6 For claims based upon taxes paid on or after January 1,
7 2000, a claim based upon the use of undyed diesel fuel shall
8 not be allowed except (i) if allowed under the preceding
9 paragraph or (ii) for claims for the following:

10 (1) Undyed diesel fuel used (i) in a manufacturing
11 process, as defined in Section 2-45 of the Retailers'
12 Occupation Tax Act, wherein the undyed diesel fuel becomes
13 a component part of a product or by-product, other than
14 fuel or motor fuel, when the use of dyed diesel fuel in
15 that manufacturing process results in a product that is
16 unsuitable for its intended use or (ii) for testing
17 machinery and equipment in a manufacturing process, as
18 defined in Section 2-45 of the Retailers' Occupation Tax
19 Act, wherein the testing takes place on private property.

20 (2) Undyed diesel fuel used by a manufacturer on
21 private property in the research and development, as
22 defined in Section 1.29, of machinery or equipment
23 intended for manufacture.

24 (3) Undyed diesel fuel used by a single unit
25 self-propelled agricultural fertilizer implement,
26 designed for on-road ~~on~~ and off-road ~~off-road~~ use,

1 equipped with flotation tires and specially adapted for
2 the application of plant food materials or agricultural
3 chemicals.

4 (4) Undyed diesel fuel used by a commercial motor
5 vehicle for any purpose other than operating the
6 commercial motor vehicle upon the public highways. Claims
7 shall be limited to commercial motor vehicles that are
8 operated for both highway purposes and any purposes other
9 than operating such vehicles upon the public highways.

10 (5) Undyed diesel fuel used by a unit of local
11 government in its operation of an airport if the undyed
12 diesel fuel is used directly in airport operations on
13 airport property.

14 (6) Undyed diesel fuel used by refrigeration units
15 that are permanently mounted to a semitrailer, as defined
16 in Section 1.28 of this Law, wherein the refrigeration
17 units have a fuel supply system dedicated solely for the
18 operation of the refrigeration units.

19 (7) Undyed diesel fuel used by power take-off
20 equipment as defined in Section 1.27 of this Law.

21 (8) Beginning on August 22, 2005 (the effective date
22 of Public Act 94-654) ~~this amendatory Act of the 94th~~
23 ~~General Assembly,~~ undyed diesel fuel used by tugs and
24 spotter equipment to shift vehicles or parcels on both
25 private and airport property. Any claim under this item
26 (8) may be made only by a claimant that owns tugs and

1 spotter equipment and operates that equipment on both
2 private and airport property. The aggregate of all credits
3 or refunds resulting from claims filed under this item (8)
4 by a claimant in any calendar year may not exceed
5 \$100,000. A claim may not be made under this item (8) by
6 the same claimant more often than once each quarter. For
7 the purposes of this item (8), "tug" means a vehicle
8 designed for use on airport property that shifts
9 custom-designed containers of parcels from loading docks
10 to aircraft, and "spotter equipment" means a vehicle
11 designed for use on both private and airport property that
12 shifts trailers containing parcels between staging areas
13 and loading docks.

14 Any person who has paid the tax imposed by Section 2 of
15 this Law upon undyed diesel fuel that is unintentionally mixed
16 with dyed diesel fuel and who owns or controls the mixture of
17 undyed diesel fuel and dyed diesel fuel may file a claim for
18 refund to recover the amount paid. The amount of undyed diesel
19 fuel unintentionally mixed must equal 500 gallons or more. Any
20 claim for refund of unintentionally mixed undyed diesel fuel
21 and dyed diesel fuel shall be supported by documentation
22 showing the date and location of the unintentional mixing, the
23 number of gallons involved, the disposition of the mixed
24 diesel fuel, and any other information that the Department may
25 reasonably require. Any unintentional mixture of undyed diesel
26 fuel and dyed diesel fuel shall be sold or used only for

1 non-highway purposes.

2 The Department shall promulgate regulations establishing
3 specific limits on the amount of undyed diesel fuel that may be
4 claimed for refund.

5 For purposes of claims for refund, "loss" means the
6 reduction of motor fuel resulting from fire, theft, spillage,
7 spoilage, leakage, or any other provable cause, but does not
8 include a reduction resulting from evaporation, or shrinkage
9 due to temperature variations. In the case of losses due to
10 fire or theft, the claimant must include fire department or
11 police department reports and any other documentation that the
12 Department may require.

13 For purposes of claims for refund, "any purpose other than
14 operating a motor vehicle upon the public highways" refers to
15 the specific purpose for which the motor vehicle was used and
16 does not refer to the specific location where the motor fuel
17 was used. Incidental use of motor fuel on private roads or
18 private highways in the operation of a motor vehicle does not
19 constitute a "purpose other than operating a motor vehicle
20 upon the public highways" and does not form a basis for a claim
21 under this Section. The provisions of this amendatory Act of
22 the 104th General Assembly are declaratory of existing law as
23 to the meaning and scope of this claim for refund.

24 (Source: P.A. 100-1171, eff. 1-4-19; 104-6, Article 40,
25 Section 40-5, eff. 6-16-25; 104-6, Article 55, Section 55-5,
26 eff. 1-1-26; revised 11-19-25.)

1 (35 ILCS 505/16) (from Ch. 120, par. 432)

2 Sec. 16. The Department may, after 5 days' notice, revoke
3 the distributor's or receiver's license or permit of any
4 person (1) who does not operate as a distributor or receiver
5 ~~(a)~~ under Section ~~Sections~~ 1.2 or 1.20, (2) who violates any
6 provision of this Act or any rule or regulation promulgated by
7 the Department under Section 14 of this Act, or (3) who refuses
8 to allow any inspection or test authorized by this Law.

9 Any person whose returns for 2 or more consecutive months
10 do not show sufficient taxable sales to indicate an active
11 business as a distributor or receiver shall be deemed to not be
12 operating as a distributor or receiver as defined in Section
13 ~~Sections~~ 1.2 or 1.20.

14 The Department may, after 5 days' ~~days~~ notice, revoke any
15 distributor's or receiver's license of a person who is
16 registered as a reseller of motor fuel pursuant to Section 2a
17 or 2c of the Retailers' Occupation Tax Act and who fails to
18 collect such prepaid tax on invoiced gallons of motor fuel
19 sold or who fails to deliver a statement of tax paid to the
20 purchaser or to the Department as required by Sections 2d and
21 2e of the Retailers' Occupation Tax Act.

22 The Department may, on notice given by registered mail,
23 cancel a Blender's Permit for any violation of any provisions
24 of this Act or for noncompliance with any rule or regulation
25 made by the Department under Section 14 of this Act.

1 The Department, upon complaint filed in the circuit court,
2 may, by injunction, restrain any person who fails or refuses
3 to comply with the provisions of this Act from acting as a
4 blender or distributor of motor fuel or as a receiver of fuel
5 in this State.

6 The Department may revoke the motor fuel use tax license
7 of a motor carrier registered under Section 13a.4, or that is
8 required to be registered under the terms of the International
9 Fuel Tax Agreement, that violates any provision of this Act or
10 any rule promulgated by the Department under Section ~~Sections~~
11 14 or 14a of this Act. Motor fuel use tax licenses that have
12 been revoked are subject to a \$100 reinstatement fee.

13 Licensees registered or required to be registered under
14 Section 13a.4, or persons required to obtain single trip
15 permits under Section 13a.5, may protest any action or audit
16 finding made by the Department by making a written request for
17 a hearing within 30 days after service of the notice of the
18 original action or finding. If the hearing is not requested
19 within 30 days in writing, the original finding or action is
20 final. Once a hearing has been properly requested, the
21 Department shall give at least 20 days' ~~days~~ written notice of
22 the time and place of the hearing.

23 (Source: P.A. 104-6, eff. 1-1-26; revised 12-12-25.)

24 Section 300. The Mobile Home Local Services Tax
25 Enforcement Act is amended by changing Section 250 as follows:

1 (35 ILCS 516/250)

2 Sec. 250. Indemnity fund fraud.

3 (a) A person commits the offense of indemnity fund fraud
4 when that person knowingly:

5 (1) offers or agrees to become a party to, or to
6 acquire an interest in, a contract involving the proceeds
7 of a judgment for indemnity under Section 245 before the
8 end of the period of redemption from the tax sale to which
9 the judgment relates;

10 (2) fraudulently induces a party to forgo ~~forego~~
11 bringing an action for the recovery of the mobile home;

12 (3) makes a deceptive misrepresentation during the
13 course of negotiating an agreement under subsection (c) of
14 Section 245; or

15 (4) conspires to violate any of the provisions of this
16 subsection.

17 (b) Commission of any one act described in subsection (a)
18 is a Class A misdemeanor. Commission of more than one act
19 described in subsection (a) during a single course of conduct
20 is a Class 4 felony. A second or subsequent conviction for
21 violation of any portion of this Section is a Class 4 felony.

22 (c) The State's Attorney of the county in which a judgment
23 for indemnity under Section 245 is entered may bring a civil
24 action in the name of the People of the State of Illinois
25 against a person who violates paragraph (1), (2), or (3) of

1 subsection (a). Upon a finding of liability in the action the
2 court shall enter judgment in favor of the People in a sum
3 equal to 3 times the amount of the judgment for indemnity,
4 together with costs of the action and reasonable attorney's
5 fees. The proceeds of any judgment under this subsection shall
6 be paid into the general fund of the county.

7 (Source: P.A. 92-807, eff. 1-1-03; revised 7-21-25.)

8 Section 305. The Illinois Pension Code is amended by
9 changing Sections 8-165, 16-150.1, 16-190.6, 22-101, 22A-106,
10 and 22C-117 as follows:

11 (40 ILCS 5/8-165) (from Ch. 108 1/2, par. 8-165)

12 Sec. 8-165. Re-entry into service.

13 (a) Except as provided in subsection (c) or (d), when an
14 employee receiving an age and service or a prior service
15 annuity who has withdrawn from service after the effective
16 date re-enters service before age 65, any annuity previously
17 granted and any annuity fixed for his wife shall be canceled
18 ~~cancelled~~. The employee shall be credited for annuity purposes
19 with sums sufficient to provide annuities equal to those
20 canceled ~~cancelled~~, as of their ages on the date of re-entry;
21 provided, the maximum age of the wife for this purpose shall be
22 as provided in Section 8-155 of this Article.

23 The sums so credited shall provide for annuities to be
24 fixed and granted in the future. Contributions by the

1 employees and the city for the purposes of this Article shall
2 be made, and, when the proper time arrives, as provided in this
3 Article, new annuities based upon the total credit for annuity
4 purposes and the entire term of his service shall be fixed for
5 the employee and his wife.

6 If the employee's wife died before he re-entered service,
7 no part of any credits for a widow's or widow's prior service
8 annuity at the time the annuity for his wife was fixed shall be
9 credited upon re-entry into service, and no such sums shall
10 thereafter be used to provide such annuity.

11 (b) Except as provided in subsection (c) or (d), when an
12 employee re-enters service after age 65, payments on account
13 of any annuity previously granted shall be suspended during
14 the time thereafter that he is in service, and when he again
15 withdraws, annuity payments shall be resumed. If the employee
16 dies in service, his widow shall receive the amount of the
17 annuity previously fixed for her.

18 (c) For school years beginning on or after July 1, 2021, an
19 age and service or a prior service annuity shall not be
20 canceled ~~cancelled~~ in the case of an employee who is
21 re-employed by the Board of Education of the city as a Special
22 Education Classroom Assistant or Classroom Assistant on a
23 temporary and non-annual basis or on an hourly basis so long as
24 the person: (1) does not work for compensation on more than 120
25 days in a school year; or (2) does not accept gross
26 compensation for the re-employment in a school year in excess

1 of \$30,000. These limitations apply only to school years that
2 begin on or after July 1, 2021. Re-employment under this
3 subsection does not require contributions, result in service
4 credit being earned or granted, or constitute active
5 participation in the Fund.

6 (d) For school years beginning on or after July 1, 2023, an
7 age and service or a prior service annuity shall not be
8 canceled ~~cancelled~~ in the case of an employee who is
9 re-employed by the Board of Education of the city as a
10 paraprofessional or related service provider on a temporary
11 and non-annual basis or on an hourly basis so long as the
12 person: (1) does not work for compensation on more than 120
13 days in a school year; or (2) does not accept gross
14 compensation for the re-employment in a school year in excess
15 of \$30,000. These limitations apply only to school years that
16 begin on or after July 1, 2023. Re-employment under this
17 subsection does not require contributions, result in service
18 credit being earned or granted, or constitute active
19 participation in the Fund.

20 (Source: P.A. 102-342, eff. 8-13-21; 103-552, eff. 8-11-23;
21 revised 6-26-25.)

22 (40 ILCS 5/16-150.1)

23 Sec. 16-150.1. Return to teaching in subject shortage
24 area.

25 (a) As used in this Section, "eligible employment" means

1 employment beginning on or after July 1, 2003 and ending no
2 later than June 30, 2027, in a subject shortage area at a
3 qualified school, in a position requiring certification under
4 the law governing the certification of teachers.

5 As used in this Section, "qualified school" means a public
6 elementary or secondary school that meets all of the following
7 requirements:

8 (1) At the time of hiring a retired teacher under this
9 Section, the school is experiencing a shortage of teachers
10 in the subject shortage area for which the teacher is
11 hired.

12 (2) The school district to which the school belongs
13 has complied with the requirements of subsection (e), and
14 the regional superintendent has certified that compliance
15 to the System.

16 (3) If the school district to which the school belongs
17 provides group health benefits for its teachers generally,
18 substantially similar health benefits are made available
19 for teachers participating in the program under this
20 Section, without any limitations based on pre-existing
21 conditions.

22 (b) An annuitant receiving a retirement annuity under this
23 Article (other than a disability retirement annuity) may
24 engage in eligible employment at a qualified school without
25 impairing his or her retirement status or retirement annuity,
26 subject to the following conditions:

1 (1) the eligible employment does not begin within the
2 school year during which service was terminated;

3 (2) the annuitant has not received any early
4 retirement incentive under Section 16-133.3, 16-133.4, or
5 16-133.5;

6 (3) if the annuitant retired before age 60 and with
7 less than 34 years of service, the eligible employment
8 does not begin within the year following the effective
9 date of the retirement annuity;

10 (4) if the annuitant retired at age 60 or above or with
11 34 or more years of service, the eligible employment does
12 not begin within the 90 days following the effective date
13 of the retirement annuity; and

14 (5) before the eligible employment begins, the
15 employer notifies the System in writing of the annuitant's
16 desire to participate in the program established under
17 this Section.

18 (c) An annuitant engaged in eligible employment in
19 accordance with subsection (b) shall be deemed a participant
20 in the program established under this Section for so long as he
21 or she remains employed in eligible employment.

22 (d) A participant in the program established under this
23 Section continues to be a retirement annuitant, rather than an
24 active teacher, for all of the purposes of this Code, but shall
25 be deemed an active teacher for other purposes, such as
26 inclusion in a collective bargaining unit, eligibility for

1 group health benefits, and compliance with the laws governing
2 the employment, regulation, certification, treatment, and
3 conduct of teachers.

4 With respect to an annuitant's eligible employment under
5 this Section, neither employee nor employer contributions
6 shall be made to the System and no additional service credit
7 shall be earned. Eligible employment does not affect the
8 annuitant's final average salary or the amount of the
9 retirement annuity.

10 (e) Before hiring a teacher under this Section, the school
11 district to which the school belongs must do the following:

12 (1) If the school district to which the school belongs
13 has honorably dismissed, within the calendar year
14 preceding the beginning of the school term for which it
15 seeks to employ a retired teacher under the program
16 established in this Section, any teachers who are legally
17 qualified to hold positions in the subject shortage area
18 and have not yet begun to receive their retirement
19 annuities under this Article, the vacant positions must
20 first be tendered to those teachers.

21 (2) For a period of at least 90 days during the 6
22 months preceding the beginning of either the fall or
23 spring term for which it seeks to employ a retired teacher
24 under the program established in this Section, the school
25 district must, on an ongoing basis:
26 (i) advertise its vacancies in the subject shortage area in employment

1 bulletins published by college and university placement
2 offices located near the school; (ii) search for teachers
3 legally qualified to fill those vacancies through the
4 Illinois Education Job Bank; and (iii) post all vacancies
5 on the school district's website and list the vacancies
6 ~~vacancy~~ in an online job portal or database.

7 A school district replacing a teacher who is unable to
8 continue employment with the school district because of
9 documented illness, injury, or disability that occurred after
10 being hired by a school district under this Section shall be
11 exempt from the provisions of paragraph (2) for 90 school
12 days. However, the school district must on an ongoing basis
13 comply with items (i), (ii), and (iii) of paragraph (2).

14 The school district must submit documentation of its
15 compliance with this subsection to the regional
16 superintendent. Upon receiving satisfactory documentation from
17 the school district, the regional superintendent shall certify
18 the district's compliance with this subsection to the System.

19 (f) This Section applies without regard to whether the
20 annuitant was in service on or after July 23, 2003 (the
21 effective date of Public Act 93-320) ~~this amendatory Act of~~
22 ~~the 93rd General Assembly.~~

23 (Source: P.A. 102-440, eff. 8-20-21; 103-588, eff. 6-5-24;
24 revised 6-26-25.)

1 Sec. 16-190.6. Accelerated pension benefit payment for a
2 reduction in annual retirement annuity and survivor's annuity
3 increases.

4 (a) As used in this Section:

5 "Accelerated pension benefit payment" means a lump sum
6 payment equal to 70% of the difference of the present value of
7 the automatic annual increases to a Tier 1 member's retirement
8 annuity and survivor's annuity using the formula applicable to
9 the Tier 1 member and the present value of the automatic annual
10 increases to the Tier 1 member's retirement annuity using the
11 formula provided under subsection (b-5) and the survivor's
12 annuity using the formula provided under subsection (b-6).

13 "Eligible person" means a person who:

14 (1) is a Tier 1 member;

15 (2) has submitted an application for a retirement
16 annuity under this Article;

17 (3) meets the age and service requirements for
18 receiving a retirement annuity under this Article;

19 (4) has not received any retirement annuity under this
20 Article; and

21 (5) has not made the election under Section 16-190.5.

22 (b) As soon as practical after June 4, 2018 (the effective
23 date of Public Act 100-587) and until June 30, 2026, the System
24 shall implement an accelerated pension benefit payment option
25 for eligible persons. Upon the request of an eligible person,
26 the System shall calculate, using actuarial tables and other

1 assumptions adopted by the Board, an accelerated pension
2 benefit payment amount and shall offer that eligible person
3 the opportunity to irrevocably elect to have his or her
4 automatic annual increases in retirement annuity calculated in
5 accordance with the formula provided under subsection (b-5)
6 and any increases in survivor's annuity payable to his or her
7 survivor's annuity beneficiary calculated in accordance with
8 the formula provided under subsection (b-6) in exchange for
9 the accelerated pension benefit payment. The election under
10 this subsection must be made before the eligible person
11 receives the first payment of a retirement annuity otherwise
12 payable under this Article.

13 (b-5) Notwithstanding any other provision of law, the
14 retirement annuity of a person who made the election under
15 subsection (b) shall be subject to annual increases on the
16 January 1 occurring either on or after the attainment of age 67
17 or the first anniversary of the annuity start date, whichever
18 is later. Each annual increase shall be calculated at 1.5% of
19 the originally granted retirement annuity.

20 (b-6) Notwithstanding any other provision of law, a
21 survivor's annuity payable to a survivor's annuity beneficiary
22 of a person who made the election under subsection (b) shall be
23 subject to annual increases on the January 1 occurring on or
24 after the first anniversary of the commencement of the
25 annuity. Each annual increase shall be calculated at 1.5% of
26 the originally granted survivor's annuity.

1 (c) If a person who has received an accelerated pension
2 benefit payment returns to active service under this Article,
3 then:

4 (1) the calculation of any future automatic annual
5 increase in retirement annuity shall be calculated in
6 accordance with the formula provided in subsection (b-5);
7 and

8 (2) the accelerated pension benefit payment may not be
9 repaid to the System.

10 (d) As a condition of receiving an accelerated pension
11 benefit payment, the accelerated pension benefit payment must
12 be transferred into a tax qualified retirement plan or
13 account. The accelerated pension benefit payment under this
14 Section may be subject to withholding or payment of applicable
15 taxes, but to the extent permitted by federal law, a person who
16 receives an accelerated pension benefit payment under this
17 Section must direct the System to pay all of that payment as a
18 rollover into another retirement plan or account qualified
19 under the Internal Revenue Code of 1986, as amended.

20 (d-5) Upon receipt of a member's irrevocable election to
21 receive an accelerated pension benefit payment under this
22 Section, the System shall submit a voucher to the Comptroller
23 for payment of the member's accelerated pension benefit
24 payment. The Comptroller shall transfer the amount of the
25 voucher from the State Pension Obligation Acceleration Bond
26 Fund to the System, and the System shall transfer the amount

1 into the member's eligible retirement plan or qualified
2 account.

3 (e) The Board shall adopt any rules, including emergency
4 rules, necessary to implement this Section.

5 (f) No provision of this Section shall be interpreted in a
6 way that would cause the applicable System to cease to be a
7 qualified plan under the Internal Revenue Code of 1986.

8 (Source: P.A. 101-10, eff. 6-5-19; 102-718, eff. 5-5-22;
9 revised 6-26-25.)

10 (40 ILCS 5/22-101)

11 (Text of Section before amendment by P.A. 104-457)

12 Sec. 22-101. Retirement Plan for Chicago Transit Authority
13 Employees.

14 (a) There shall be established and maintained by the
15 Authority created by the "Metropolitan Transit Authority Act",
16 approved April 12, 1945, as amended, (referred to in this
17 Section as the "Authority") a financially sound pension and
18 retirement system adequate to provide for all payments when
19 due under such established system or as modified from time to
20 time by ordinance of the Chicago Transit Board or collective
21 bargaining agreement. For this purpose, the Board must make
22 contributions to the established system as required under this
23 Section and may make any additional contributions provided for
24 by Board ordinance or collective bargaining agreement. The
25 participating employees shall make such periodic payments to

1 the established system as required under this Section and may
2 make any additional contributions provided for by Board
3 ordinance or collective bargaining agreement.

4 Provisions shall be made by the Board for all officers,
5 except those who first become members on or after January 1,
6 2012, and employees of the Authority appointed pursuant to the
7 "Metropolitan Transit Authority Act" to become, subject to
8 reasonable rules and regulations, participants of the pension
9 or retirement system with uniform rights, privileges,
10 obligations and status as to the class in which such officers
11 and employees belong. The terms, conditions and provisions of
12 any pension or retirement system or of any amendment or
13 modification thereof affecting employees who are members of
14 any labor organization may be established, amended or modified
15 by agreement with such labor organization, provided the terms,
16 conditions and provisions must be consistent with this Act,
17 the annual funding levels for the retirement system
18 established by law must be met and the benefits paid to future
19 participants in the system may not exceed the benefit ceilings
20 set for future participants under this Act and the
21 contribution levels required by the Authority and its
22 employees may not be less than the contribution levels
23 established under this Act.

24 (b) The Board of Trustees shall consist of 11 members
25 appointed as follows: (i) 5 trustees shall be appointed by the
26 Chicago Transit Board; (ii) 3 trustees shall be appointed by

1 an organization representing the highest number of Chicago
2 Transit Authority participants; (iii) one trustee shall be
3 appointed by an organization representing the second-highest
4 number of Chicago Transit Authority participants; (iv) one
5 trustee shall be appointed by the recognized coalition
6 representatives of participants who are not represented by an
7 organization with the highest or second-highest number of
8 Chicago Transit Authority participants; and (v) one trustee
9 shall be selected by the Regional Transportation Authority
10 Board of Directors, and the trustee shall be a professional
11 fiduciary who has experience in the area of collectively
12 bargained pension plans. Trustees shall serve until a
13 successor has been appointed and qualified, or until
14 resignation, death, incapacity, or disqualification.

15 Any person appointed as a trustee of the board shall
16 qualify by taking an oath of office that he or she will
17 diligently and honestly administer the affairs of the system
18 and will not knowingly violate or willfully permit the
19 violation of any of the provisions of law applicable to the
20 Plan, including Sections 1-109, 1-109.1, 1-109.2, 1-110,
21 1-111, 1-114, and 1-115 of the Illinois Pension Code.

22 Each trustee shall cast individual votes, and a majority
23 vote shall be final and binding upon all interested parties,
24 provided that the Board of Trustees may require a
25 supermajority vote with respect to the investment of the
26 assets of the Retirement Plan, and may set forth that

1 requirement in the Retirement Plan documents, by-laws, or
2 rules of the Board of Trustees. Each trustee shall have the
3 rights, privileges, authority, and obligations as are usual
4 and customary for such fiduciaries.

5 The Board of Trustees may cause amounts on deposit in the
6 Retirement Plan to be invested in those investments that are
7 permitted investments for the investment of moneys held under
8 any one or more of the pension or retirement systems of the
9 State, any unit of local government or school district, or any
10 agency or instrumentality thereof. The Board, by a vote of at
11 least two-thirds of the trustees, may transfer investment
12 management to the Illinois State Board of Investment, which is
13 hereby authorized to manage these investments when so
14 requested by the Board of Trustees.

15 Notwithstanding any other provision of this Article or any
16 law to the contrary, any person who first becomes a member of
17 the Chicago Transit Board on or after January 1, 2012 shall not
18 be eligible to participate in this Retirement Plan.

19 (c) All individuals who were previously participants in
20 the Retirement Plan for Chicago Transit Authority Employees
21 shall remain participants, and shall receive the same benefits
22 established by the Retirement Plan for Chicago Transit
23 Authority Employees, except as provided in this amendatory Act
24 or by subsequent legislative enactment or amendment to the
25 Retirement Plan. For Authority employees hired on or after the
26 effective date of this amendatory Act of the 95th General

1 Assembly, the Retirement Plan for Chicago Transit Authority
2 Employees shall be the exclusive retirement plan and such
3 employees shall not be eligible for any supplemental plan,
4 except for a deferred compensation plan funded only by
5 employee contributions.

6 For all Authority employees who are first hired on or
7 after the effective date of this amendatory Act of the 95th
8 General Assembly and are participants in the Retirement Plan
9 for Chicago Transit Authority Employees, the following terms,
10 conditions and provisions with respect to retirement shall be
11 applicable:

12 (1) Such participant shall be eligible for an
13 unreduced retirement allowance for life upon the
14 attainment of age 64 with 25 years of continuous service.

15 (2) Such participant shall be eligible for a reduced
16 retirement allowance for life upon the attainment of age
17 55 with 10 years of continuous service.

18 (3) For the purpose of determining the retirement
19 allowance to be paid to a retiring employee, the term
20 "Continuous Service" as used in the Retirement Plan for
21 Chicago Transit Authority Employees shall also be deemed
22 to include all pension credit for service with any
23 retirement system established under Article 8 or Article
24 11 of this Code, provided that the employee forfeits and
25 relinquishes all pension credit under Article 8 or Article
26 11 of this Code, and the contribution required under this

1 subsection is made by the employee. The Retirement Plan's
2 actuary shall determine the contribution paid by the
3 employee as an amount equal to the normal cost of the
4 benefit accrued, had the service been rendered as an
5 employee, plus interest per annum from the time such
6 service was rendered until the date the payment is made.

7 (d) From the effective date of this amendatory Act through
8 December 31, 2008, all participating employees shall
9 contribute to the Retirement Plan in an amount not less than 6%
10 of compensation, and the Authority shall contribute to the
11 Retirement Plan in an amount not less than 12% of
12 compensation.

13 (e)(1) Beginning January 1, 2009 the Authority shall make
14 contributions to the Retirement Plan in an amount equal to
15 twelve percent (12%) of compensation and participating
16 employees shall make contributions to the Retirement Plan in
17 an amount equal to six percent (6%) of compensation. These
18 contributions may be paid by the Authority and participating
19 employees on a payroll or other periodic basis, but shall in
20 any case be paid to the Retirement Plan at least monthly.

21 (2) For the period ending December 31, 2040, the amount
22 paid by the Authority in any year with respect to debt service
23 on bonds issued for the purposes of funding a contribution to
24 the Retirement Plan under Section 12c of the Metropolitan
25 Transit Authority Act, other than debt service paid with the
26 proceeds of bonds or notes issued by the Authority for any year

1 after calendar year 2008, shall be treated as a credit against
2 the amount of required contribution to the Retirement Plan by
3 the Authority under subsection (e)(1) for the following year
4 up to an amount not to exceed 6% of compensation paid by the
5 Authority in that following year.

6 (3) By September 15 of each year beginning in 2009 and
7 ending on December 31, 2039, on the basis of a report prepared
8 by an enrolled actuary retained by the Plan, the Board of
9 Trustees of the Retirement Plan shall determine the estimated
10 funded ratio of the total assets of the Retirement Plan to its
11 total actuarially determined liabilities. A report containing
12 that determination and the actuarial assumptions on which it
13 is based shall be filed with the Authority, the
14 representatives of its participating employees, the Auditor
15 General of the State of Illinois, and the Regional
16 Transportation Authority. If the funded ratio is projected to
17 decline below 60% in any year before 2040, the Board of
18 Trustees shall also determine the increased contribution
19 required each year as a level percentage of payroll over the
20 years remaining until 2040 using the projected unit credit
21 actuarial cost method so the funded ratio does not decline
22 below 60% and include that determination in its report. If the
23 actual funded ratio declines below 60% in any year prior to
24 2040, the Board of Trustees shall also determine the increased
25 contribution required each year as a level percentage of
26 payroll during the years after the then current year using the

1 projected unit credit actuarial cost method so the funded
2 ratio is projected to reach at least 60% no later than 10 years
3 after the then current year and include that determination in
4 its report. Within 60 days after receiving the report, the
5 Auditor General shall review the determination and the
6 assumptions on which it is based, and if he finds that the
7 determination and the assumptions on which it is based are
8 unreasonable in the aggregate, he shall issue a new
9 determination of the funded ratio, the assumptions on which it
10 is based and the increased contribution required each year as
11 a level percentage of payroll over the years remaining until
12 2040 using the projected unit credit actuarial cost method so
13 the funded ratio does not decline below 60%, or, in the event
14 of an actual decline below 60%, so the funded ratio is
15 projected to reach 60% by no later than 10 years after the then
16 current year. If the Board of Trustees or the Auditor General
17 determine that an increased contribution is required to meet
18 the funded ratio required by the subsection, effective January
19 1 following the determination or 30 days after such
20 determination, whichever is later, one-third of the increased
21 contribution shall be paid by participating employees and
22 two-thirds by the Authority, in addition to the contributions
23 required by this subsection (1).

24 (4) For the period beginning 2040, the minimum
25 contribution to the Retirement Plan for each fiscal year shall
26 be an amount determined by the Board of Trustees of the

1 Retirement Plan to be sufficient to bring the total assets of
2 the Retirement Plan up to 90% of its total actuarial
3 liabilities by the end of 2059. Participating employees shall
4 be responsible for one-third of the required contribution and
5 the Authority shall be responsible for two-thirds of the
6 required contribution. In making these determinations, the
7 Board of Trustees shall calculate the required contribution
8 each year as a level percentage of payroll over the years
9 remaining to and including fiscal year 2059 using the
10 projected unit credit actuarial cost method. A report
11 containing that determination and the actuarial assumptions on
12 which it is based shall be filed by September 15 of each year
13 with the Authority, the representatives of its participating
14 employees, the Auditor General of the State of Illinois and
15 the Regional Transportation Authority. If the funded ratio is
16 projected to fail to reach 90% by December 31, 2059, the Board
17 of Trustees shall also determine the increased contribution
18 required each year as a level percentage of payroll over the
19 years remaining until December 31, 2059 using the projected
20 unit credit actuarial cost method so the funded ratio will
21 meet 90% by December 31, 2059 and include that determination
22 in its report. Within 60 days after receiving the report, the
23 Auditor General shall review the determination and the
24 assumptions on which it is based and if he finds that the
25 determination and the assumptions on which it is based are
26 unreasonable in the aggregate, he shall issue a new

1 determination of the funded ratio, the assumptions on which it
2 is based and the increased contribution required each year as
3 a level percentage of payroll over the years remaining until
4 December 31, 2059 using the projected unit credit actuarial
5 cost method so the funded ratio reaches no less than 90% by
6 December 31, 2059. If the Board of Trustees or the Auditor
7 General determine that an increased contribution is required
8 to meet the funded ratio required by this subsection,
9 effective January 1 following the determination or 30 days
10 after such determination, whichever is later, one-third of the
11 increased contribution shall be paid by participating
12 employees and two-thirds by the Authority, in addition to the
13 contributions required by subsection (e) (1).

14 (5) Beginning in 2060, the minimum contribution for each
15 year shall be the amount needed to maintain the total assets of
16 the Retirement Plan at 90% of the total actuarial liabilities
17 of the Plan, and the contribution shall be funded two-thirds
18 by the Authority and one-third by the participating employees
19 in accordance with this subsection.

20 (f) The Authority shall take the steps necessary to comply
21 with Section 414(h) (2) of the Internal Revenue Code of 1986,
22 as amended, to permit the pick-up of employee contributions
23 under subsections (d) and (e) on a tax-deferred basis.

24 (g) The Board of Trustees shall certify to the Governor,
25 the General Assembly, the Auditor General, the Board of the
26 Regional Transportation Authority, and the Authority at least

1 90 days prior to the end of each fiscal year the amount of the
2 required contributions to the retirement system for the next
3 retirement system fiscal year under this Section. The
4 certification shall include a copy of the actuarial
5 recommendations upon which it is based. In addition, copies of
6 the certification shall be sent to the Commission on
7 Government Forecasting and Accountability and the Mayor of
8 Chicago.

9 (h)(1) As to an employee who first becomes entitled to a
10 retirement allowance commencing on or after November 30, 1989,
11 the retirement allowance shall be the amount determined in
12 accordance with the following formula:

13 (A) One percent (1%) of his "Average Annual
14 Compensation in the highest four (4) completed Plan Years"
15 for each full year of continuous service from the date of
16 original employment to the effective date of the Plan;
17 plus

18 (B) One and seventy-five hundredths percent (1.75%) of
19 his "Average Annual Compensation in the highest four (4)
20 completed Plan Years" for each year (including fractions
21 thereof to completed calendar months) of continuous
22 service as provided for in the Retirement Plan for Chicago
23 Transit Authority Employees.

24 Provided, however that:

25 (2) As to an employee who first becomes entitled to a
26 retirement allowance commencing on or after January 1, 1993,

1 the retirement allowance shall be the amount determined in
2 accordance with the following formula:

3 (A) One percent (1%) of his "Average Annual
4 Compensation in the highest four (4) completed Plan Years"
5 for each full year of continuous service from the date of
6 original employment to the effective date of the Plan;
7 plus

8 (B) One and eighty hundredths percent (1.80%) of his
9 "Average Annual Compensation in the highest four (4)
10 completed Plan Years" for each year (including fractions
11 thereof to completed calendar months) of continuous
12 service as provided for in the Retirement Plan for Chicago
13 Transit Authority Employees.

14 Provided, however that:

15 (3) As to an employee who first becomes entitled to a
16 retirement allowance commencing on or after January 1, 1994,
17 the retirement allowance shall be the amount determined in
18 accordance with the following formula:

19 (A) One percent (1%) of his "Average Annual
20 Compensation in the highest four (4) completed Plan Years"
21 for each full year of continuous service from the date of
22 original employment to the effective date of the Plan;
23 plus

24 (B) One and eighty-five hundredths percent (1.85%) of
25 his "Average Annual Compensation in the highest four (4)
26 completed Plan Years" for each year (including fractions

1 thereof to completed calendar months) of continuous
2 service as provided for in the Retirement Plan for Chicago
3 Transit Authority Employees.

4 Provided, however that:

5 (4) As to an employee who first becomes entitled to a
6 retirement allowance commencing on or after January 1, 2000,
7 the retirement allowance shall be the amount determined in
8 accordance with the following formula:

9 (A) One percent (1%) of his "Average Annual
10 Compensation in the highest four (4) completed Plan Years"
11 for each full year of continuous service from the date of
12 original employment to the effective date of the Plan;
13 plus

14 (B) Two percent (2%) of his "Average Annual
15 Compensation in the highest four (4) completed Plan Years"
16 for each year (including fractions thereof to completed
17 calendar months) of continuous service as provided for in
18 the Retirement Plan for Chicago Transit Authority
19 Employees.

20 Provided, however that:

21 (5) As to an employee who first becomes entitled to a
22 retirement allowance commencing on or after January 1, 2001,
23 the retirement allowance shall be the amount determined in
24 accordance with the following formula:

25 (A) One percent (1%) of his "Average Annual
26 Compensation in the highest four (4) completed Plan Years"

1 for each full year of continuous service from the date of
2 original employment to the effective date of the Plan;
3 plus

4 (B) Two and fifteen hundredths percent (2.15%) of his
5 "Average Annual Compensation in the highest four (4)
6 completed Plan Years" for each year (including fractions
7 thereof to completed calendar months) of continuous
8 service as provided for in the Retirement Plan for Chicago
9 Transit Authority Employees.

10 The changes made by this amendatory Act of the 95th
11 General Assembly, to the extent that they affect the rights or
12 privileges of Authority employees that are currently the
13 subject of collective bargaining, have been agreed to between
14 the authorized representatives of these employees and of the
15 Authority prior to enactment of this amendatory Act, as
16 evidenced by a Memorandum of Understanding between these
17 representatives that will be filed with the Secretary of State
18 Index Department and designated as "95-GA-C05". The General
19 Assembly finds and declares that those changes are consistent
20 with 49 U.S.C. 5333(b) (also known as Section 13(c) of the
21 Federal Transit Act) because of this agreement between
22 authorized representatives of these employees and of the
23 Authority, and that any future amendments to the provisions of
24 this amendatory Act of the 95th General Assembly, to the
25 extent those amendments would affect the rights and privileges
26 of Authority employees that are currently the subject of

1 collective bargaining, would be consistent with 49 U.S.C.
2 5333(b) if and only if those amendments were agreed to between
3 these authorized representatives prior to enactment.

4 (i) Early retirement incentive plan; funded ratio.

5 (1) Beginning on the effective date of this Section,
6 no early retirement incentive shall be offered to
7 participants of the Plan unless the Funded Ratio of the
8 Plan is at least 80% or more.

9 (2) For the purposes of this Section, the Funded Ratio
10 shall be the Adjusted Assets divided by the Actuarial
11 Accrued Liability developed in accordance with Statement
12 #25 promulgated by the Government Accounting Standards
13 Board and the actuarial assumptions described in the Plan.
14 The Adjusted Assets shall be calculated based on the
15 methodology described in the Plan.

16 (j) Nothing in this amendatory Act of the 95th General
17 Assembly shall impair the rights or privileges of Authority
18 employees under any other law.

19 (k) Any individual who, on or after August 19, 2011 (the
20 effective date of Public Act 97-442), first becomes a
21 participant of the Retirement Plan shall not be paid any of the
22 benefits provided under this Code if he or she is convicted of
23 a felony relating to, arising out of, or in connection with his
24 or her service as a participant.

25 This subsection (k) shall not operate to impair any
26 contract or vested right acquired before August 19, 2011 (the

1 effective date of Public Act 97-442) under any law or laws
2 continued in this Code, and it shall not preclude the right to
3 refund.

4 (Source: P.A. 97-442, eff. 8-19-11; 97-609, eff. 1-1-12;
5 97-813, eff. 7-13-12.)

6 (Text of Section after amendment by P.A. 104-457)

7 Sec. 22-101. Retirement Plan for Chicago Transit Authority
8 Employees.

9 (a) There shall be established and maintained by the
10 Authority created by the Chicago Transit Authority Act
11 (referred to in this Section as the Authority), a financially
12 sound pension and retirement system adequate to provide for
13 all payments when due under such established system or as
14 modified from time to time by ordinance of the Chicago Transit
15 Board or collective bargaining agreement. For this purpose,
16 the Board must make contributions to the established system as
17 required under this Section and may make any additional
18 contributions provided for by Board ordinance or collective
19 bargaining agreement. The participating employees shall make
20 such periodic payments to the established system as required
21 under this Section and may make any additional contributions
22 provided for by Board ordinance or collective bargaining
23 agreement.

24 Provisions shall be made by the Board for all officers,
25 except those who first become members on or after January 1,

1 2012, and employees of the Authority appointed pursuant to the
2 Chicago Transit Authority Act to become, subject to reasonable
3 rules and regulations, participants of the pension or
4 retirement system with uniform rights, privileges, obligations
5 and status as to the class in which such officers and employees
6 belong. The terms, conditions and provisions of any pension or
7 retirement system or of any amendment or modification thereof
8 affecting employees who are members of any labor organization
9 may be established, amended or modified by agreement with such
10 labor organization, provided the terms, conditions and
11 provisions must be consistent with this Act, the annual
12 funding levels for the retirement system established by law
13 must be met and the benefits paid to future participants in the
14 system may not exceed the benefit ceilings set for future
15 participants under this Act and the contribution levels
16 required by the Authority and its employees may not be less
17 than the contribution levels established under this Act.

18 (b) The Board of Trustees shall consist of 11 members
19 appointed as follows: (i) 5 trustees shall be appointed by the
20 Chicago Transit Board; (ii) 3 trustees shall be appointed by
21 an organization representing the highest number of Chicago
22 Transit Authority participants; (iii) one trustee shall be
23 appointed by an organization representing the second-highest
24 number of Chicago Transit Authority participants; (iv) one
25 trustee shall be appointed by the recognized coalition
26 representatives of participants who are not represented by an

1 organization with the highest or second-highest number of
2 Chicago Transit Authority participants; and (v) one trustee
3 shall be selected by the Northern Illinois Transit Authority
4 Board, and the trustee shall be a professional fiduciary who
5 has experience in the area of collectively bargained pension
6 plans. Trustees shall serve until a successor has been
7 appointed and qualified, or until resignation, death,
8 incapacity, or disqualification.

9 Any person appointed as a trustee of the board shall
10 qualify by taking an oath of office that he or she will
11 diligently and honestly administer the affairs of the system
12 and will not knowingly violate or willfully permit the
13 violation of any of the provisions of law applicable to the
14 Plan, including Sections 1-109, 1-109.1, 1-109.2, 1-110,
15 1-111, 1-114, and 1-115 of the Illinois Pension Code.

16 Each trustee shall cast individual votes, and a majority
17 vote shall be final and binding upon all interested parties,
18 provided that the Board of Trustees may require a
19 supermajority vote with respect to the investment of the
20 assets of the Retirement Plan, and may set forth that
21 requirement in the Retirement Plan documents, by-laws, or
22 rules of the Board of Trustees. Each trustee shall have the
23 rights, privileges, authority, and obligations as are usual
24 and customary for such fiduciaries.

25 The Board of Trustees may cause amounts on deposit in the
26 Retirement Plan to be invested in those investments that are

1 permitted investments for the investment of moneys held under
2 any one or more of the pension or retirement systems of the
3 State, any unit of local government or school district, or any
4 agency or instrumentality thereof. The Board, by a vote of at
5 least two-thirds of the trustees, may transfer investment
6 management to the Illinois State Board of Investment, which is
7 hereby authorized to manage these investments when so
8 requested by the Board of Trustees.

9 Notwithstanding any other provision of this Article or any
10 law to the contrary, any person who first becomes a member of
11 the Chicago Transit Board on or after January 1, 2012 shall not
12 be eligible to participate in this Retirement Plan.

13 (c) All individuals who were previously participants in
14 the Retirement Plan for Chicago Transit Authority Employees
15 shall remain participants, and shall receive the same benefits
16 established by the Retirement Plan for Chicago Transit
17 Authority Employees, except as provided in this amendatory Act
18 or by subsequent legislative enactment or amendment to the
19 Retirement Plan. For Authority employees hired on or after the
20 effective date of this amendatory Act of the 95th General
21 Assembly, the Retirement Plan for Chicago Transit Authority
22 Employees shall be the exclusive retirement plan and such
23 employees shall not be eligible for any supplemental plan,
24 except for a deferred compensation plan funded only by
25 employee contributions.

26 For all Authority employees who are first hired on or

1 after the effective date of this amendatory Act of the 95th
2 General Assembly and are participants in the Retirement Plan
3 for Chicago Transit Authority Employees, the following terms,
4 conditions and provisions with respect to retirement shall be
5 applicable:

6 (1) Such participant shall be eligible for an
7 unreduced retirement allowance for life upon the
8 attainment of age 64 with 25 years of continuous service.

9 (2) Such participant shall be eligible for a reduced
10 retirement allowance for life upon the attainment of age
11 55 with 10 years of continuous service.

12 (3) For the purpose of determining the retirement
13 allowance to be paid to a retiring employee, the term
14 "Continuous Service" as used in the Retirement Plan for
15 Chicago Transit Authority Employees shall also be deemed
16 to include all pension credit for service with any
17 retirement system established under Article 8 or Article
18 11 of this Code, provided that the employee forfeits and
19 relinquishes all pension credit under Article 8 or Article
20 11 of this Code, and the contribution required under this
21 subsection is made by the employee. The Retirement Plan's
22 actuary shall determine the contribution paid by the
23 employee as an amount equal to the normal cost of the
24 benefit accrued, had the service been rendered as an
25 employee, plus interest per annum from the time such
26 service was rendered until the date the payment is made.

1 (d) From the effective date of this amendatory Act through
2 December 31, 2008, all participating employees shall
3 contribute to the Retirement Plan in an amount not less than 6%
4 of compensation, and the Authority shall contribute to the
5 Retirement Plan in an amount not less than 12% of
6 compensation.

7 (e)(1) Beginning January 1, 2009 the Authority shall make
8 contributions to the Retirement Plan in an amount equal to
9 twelve percent (12%) of compensation and participating
10 employees shall make contributions to the Retirement Plan in
11 an amount equal to six percent (6%) of compensation. These
12 contributions may be paid by the Authority and participating
13 employees on a payroll or other periodic basis, but shall in
14 any case be paid to the Retirement Plan at least monthly.

15 (2) For the period ending December 31, 2040, the amount
16 paid by the Authority in any year with respect to debt service
17 on bonds issued for the purposes of funding a contribution to
18 the Retirement Plan under Section 12c of the Chicago Transit
19 Authority Act, other than debt service paid with the proceeds
20 of bonds or notes issued by the Authority for any year after
21 calendar year 2008, shall be treated as a credit against the
22 amount of required contribution to the Retirement Plan by the
23 Authority under subsection (e)(1) for the following year up to
24 an amount not to exceed 6% of compensation paid by the
25 Authority in that following year.

26 (3) By September 15 of each year beginning in 2009 and

1 ending on December 31, 2039, on the basis of a report prepared
2 by an enrolled actuary retained by the Plan, the Board of
3 Trustees of the Retirement Plan shall determine the estimated
4 funded ratio of the total assets of the Retirement Plan to its
5 total actuarially determined liabilities. A report containing
6 that determination and the actuarial assumptions on which it
7 is based shall be filed with the Authority, the
8 representatives of its participating employees, the Auditor
9 General of the State of Illinois, and the Northern Illinois
10 Transit Authority. If the funded ratio is projected to decline
11 below 60% in any year before 2040, the Board of Trustees shall
12 also determine the increased contribution required each year
13 as a level percentage of payroll over the years remaining
14 until 2040 using the projected unit credit actuarial cost
15 method so the funded ratio does not decline below 60% and
16 include that determination in its report. If the actual funded
17 ratio declines below 60% in any year prior to 2040, the Board
18 of Trustees shall also determine the increased contribution
19 required each year as a level percentage of payroll during the
20 years after the then current year using the projected unit
21 credit actuarial cost method so the funded ratio is projected
22 to reach at least 60% no later than 10 years after the then
23 current year and include that determination in its report.
24 Within 60 days after receiving the report, the Auditor General
25 shall review the determination and the assumptions on which it
26 is based, and if he finds that the determination and the

1 assumptions on which it is based are unreasonable in the
2 aggregate, he shall issue a new determination of the funded
3 ratio, the assumptions on which it is based and the increased
4 contribution required each year as a level percentage of
5 payroll over the years remaining until 2040 using the
6 projected unit credit actuarial cost method so the funded
7 ratio does not decline below 60%, or, in the event of an actual
8 decline below 60%, so the funded ratio is projected to reach
9 60% by no later than 10 years after the then current year. If
10 the Board of Trustees or the Auditor General determine that an
11 increased contribution is required to meet the funded ratio
12 required by the subsection, effective January 1 following the
13 determination or 30 days after such determination, whichever
14 is later, one-third of the increased contribution shall be
15 paid by participating employees and two-thirds by the
16 Authority, in addition to the contributions required by this
17 subsection (1).

18 (4) For the period beginning 2040, the minimum
19 contribution to the Retirement Plan for each fiscal year shall
20 be an amount determined by the Board of Trustees of the
21 Retirement Plan to be sufficient to bring the total assets of
22 the Retirement Plan up to 90% of its total actuarial
23 liabilities by the end of 2059. Participating employees shall
24 be responsible for one-third of the required contribution and
25 the Authority shall be responsible for two-thirds of the
26 required contribution. In making these determinations, the

1 Board of Trustees shall calculate the required contribution
2 each year as a level percentage of payroll over the years
3 remaining to and including fiscal year 2059 using the
4 projected unit credit actuarial cost method. A report
5 containing that determination and the actuarial assumptions on
6 which it is based shall be filed by September 15 of each year
7 with the Authority, the representatives of its participating
8 employees, the Auditor General of the State of Illinois and
9 the Northern Illinois Transit Authority. If the funded ratio
10 is projected to fail to reach 90% by December 31, 2059, the
11 Board of Trustees shall also determine the increased
12 contribution required each year as a level percentage of
13 payroll over the years remaining until December 31, 2059 using
14 the projected unit credit actuarial cost method so the funded
15 ratio will meet 90% by December 31, 2059 and include that
16 determination in its report. Within 60 days after receiving
17 the report, the Auditor General shall review the determination
18 and the assumptions on which it is based and if he finds that
19 the determination and the assumptions on which it is based are
20 unreasonable in the aggregate, he shall issue a new
21 determination of the funded ratio, the assumptions on which it
22 is based and the increased contribution required each year as
23 a level percentage of payroll over the years remaining until
24 December 31, 2059 using the projected unit credit actuarial
25 cost method so the funded ratio reaches no less than 90% by
26 December 31, 2059. If the Board of Trustees or the Auditor

1 General determine that an increased contribution is required
2 to meet the funded ratio required by this subsection,
3 effective January 1 following the determination or 30 days
4 after such determination, whichever is later, one-third of the
5 increased contribution shall be paid by participating
6 employees and two-thirds by the Authority, in addition to the
7 contributions required by subsection (e) (1) .

8 (5) Beginning in 2060, the minimum contribution for each
9 year shall be the amount needed to maintain the total assets of
10 the Retirement Plan at 90% of the total actuarial liabilities
11 of the Plan, and the contribution shall be funded two-thirds
12 by the Authority and one-third by the participating employees
13 in accordance with this subsection.

14 (f) The Authority shall take the steps necessary to comply
15 with Section 414(h) (2) of the Internal Revenue Code of 1986,
16 as amended, to permit the pick-up of employee contributions
17 under subsections (d) and (e) on a tax-deferred basis.

18 (g) The Board of Trustees shall certify to the Governor,
19 the General Assembly, the Auditor General, the Board of the
20 Northern Illinois Transit Authority, and the Authority at
21 least 90 days prior to the end of each fiscal year the amount
22 of the required contributions to the retirement system for the
23 next retirement system fiscal year under this Section. The
24 certification shall include a copy of the actuarial
25 recommendations upon which it is based. In addition, copies of
26 the certification shall be sent to the Commission on

1 Government Forecasting and Accountability and the Mayor of
2 Chicago.

3 (h)(1) As to an employee who first becomes entitled to a
4 retirement allowance commencing on or after November 30, 1989,
5 the retirement allowance shall be the amount determined in
6 accordance with the following formula:

7 (A) One percent (1%) of his "Average Annual
8 Compensation in the highest four (4) completed Plan Years"
9 for each full year of continuous service from the date of
10 original employment to the effective date of the Plan;
11 plus

12 (B) One and seventy-five hundredths percent (1.75%) of
13 his "Average Annual Compensation in the highest four (4)
14 completed Plan Years" for each year (including fractions
15 thereof to completed calendar months) of continuous
16 service as provided for in the Retirement Plan for Chicago
17 Transit Authority Employees.

18 Provided, however that:

19 (2) As to an employee who first becomes entitled to a
20 retirement allowance commencing on or after January 1, 1993,
21 the retirement allowance shall be the amount determined in
22 accordance with the following formula:

23 (A) One percent (1%) of his "Average Annual
24 Compensation in the highest four (4) completed Plan Years"
25 for each full year of continuous service from the date of
26 original employment to the effective date of the Plan;

1 plus

2 (B) One and eighty hundredths percent (1.80%) of his
3 "Average Annual Compensation in the highest four (4)
4 completed Plan Years" for each year (including fractions
5 thereof to completed calendar months) of continuous
6 service as provided for in the Retirement Plan for Chicago
7 Transit Authority Employees.

8 Provided, however that:

9 (3) As to an employee who first becomes entitled to a
10 retirement allowance commencing on or after January 1, 1994,
11 the retirement allowance shall be the amount determined in
12 accordance with the following formula:

13 (A) One percent (1%) of his "Average Annual
14 Compensation in the highest four (4) completed Plan Years"
15 for each full year of continuous service from the date of
16 original employment to the effective date of the Plan;
17 plus

18 (B) One and eighty-five hundredths percent (1.85%) of
19 his "Average Annual Compensation in the highest four (4)
20 completed Plan Years" for each year (including fractions
21 thereof to completed calendar months) of continuous
22 service as provided for in the Retirement Plan for Chicago
23 Transit Authority Employees.

24 Provided, however that:

25 (4) As to an employee who first becomes entitled to a
26 retirement allowance commencing on or after January 1, 2000,

1 the retirement allowance shall be the amount determined in
2 accordance with the following formula:

3 (A) One percent (1%) of his "Average Annual
4 Compensation in the highest four (4) completed Plan Years"
5 for each full year of continuous service from the date of
6 original employment to the effective date of the Plan;
7 plus

8 (B) Two percent (2%) of his "Average Annual
9 Compensation in the highest four (4) completed Plan Years"
10 for each year (including fractions thereof to completed
11 calendar months) of continuous service as provided for in
12 the Retirement Plan for Chicago Transit Authority
13 Employees.

14 Provided, however that:

15 (5) As to an employee who first becomes entitled to a
16 retirement allowance commencing on or after January 1, 2001,
17 the retirement allowance shall be the amount determined in
18 accordance with the following formula:

19 (A) One percent (1%) of his "Average Annual
20 Compensation in the highest four (4) completed Plan Years"
21 for each full year of continuous service from the date of
22 original employment to the effective date of the Plan;
23 plus

24 (B) Two and fifteen hundredths percent (2.15%) of his
25 "Average Annual Compensation in the highest four (4)
26 completed Plan Years" for each year (including fractions

1 thereof to completed calendar months) of continuous
2 service as provided for in the Retirement Plan for Chicago
3 Transit Authority Employees.

4 The changes made by this amendatory Act of the 95th
5 General Assembly, to the extent that they affect the rights or
6 privileges of Authority employees that are currently the
7 subject of collective bargaining, have been agreed to between
8 the authorized representatives of these employees and of the
9 Authority prior to enactment of this amendatory Act, as
10 evidenced by a Memorandum of Understanding between these
11 representatives that will be filed with the Secretary of State
12 Index Department and designated as "95-GA-C05". The General
13 Assembly finds and declares that those changes are consistent
14 with 49 U.S.C. 5333(b) (also known as Section 13(c) of the
15 Federal Transit Act) because of this agreement between
16 authorized representatives of these employees and of the
17 Authority, and that any future amendments to the provisions of
18 this amendatory Act of the 95th General Assembly, to the
19 extent those amendments would affect the rights and privileges
20 of Authority employees that are currently the subject of
21 collective bargaining, would be consistent with 49 U.S.C.
22 5333(b) if and only if those amendments were agreed to between
23 these authorized representatives prior to enactment.

24 (i) Early retirement incentive plan; funded ratio.

25 (1) Beginning on the effective date of this Section,
26 no early retirement incentive shall be offered to

1 participants of the Plan unless the Funded Ratio of the
2 Plan is at least 80% or more.

3 (2) For the purposes of this Section, the Funded Ratio
4 shall be the Adjusted Assets divided by the Actuarial
5 Accrued Liability developed in accordance with Statement
6 #25 promulgated by the Government Accounting Standards
7 Board and the actuarial assumptions described in the Plan.
8 The Adjusted Assets shall be calculated based on the
9 methodology described in the Plan.

10 (j) Nothing in this amendatory Act of the 95th General
11 Assembly shall impair the rights or privileges of Authority
12 employees under any other law.

13 (k) Any individual who, on or after August 19, 2011 (the
14 effective date of Public Act 97-442), first becomes a
15 participant of the Retirement Plan shall not be paid any of the
16 benefits provided under this Code if he or she is convicted of
17 a felony relating to, arising out of, or in connection with his
18 or her service as a participant.

19 This subsection (k) shall not operate to impair any
20 contract or vested right acquired before August 19, 2011 (the
21 effective date of Public Act 97-442) under any law or laws
22 continued in this Code, and it shall not preclude the right to
23 refund.

24 (Source: P.A. 104-457, Article 10, Section 10-45, eff. 6-1-26;
25 104-457, Article 15, Section 15-130, eff. 6-1-26; revised
26 1-12-26.)

1 (40 ILCS 5/22A-106) (from Ch. 108 1/2, par. 22A-106)

2 Sec. 22A-106. "Manage": To invest, reinvest, exchange, and
3 ~~to~~ perform all investment functions with regard to reserves,
4 funds, assets, securities, and moneys which the board is
5 authorized to invest; ~~and~~ to preserve and protect such
6 reserves, funds, assets, securities, and moneys, including,
7 but not limited to, authority to vote any stocks, bonds, or
8 other securities; and to give general or special proxies or
9 powers of attorney with or without power of substitution,
10 except that the authority to vote proxies is subject to
11 Section 22A-113.4. This term shall not include any functions,
12 duties, and responsibilities incident to the operation and
13 administration of pension funds or education funds ~~fund~~ other
14 than that of investments.

15 (Source: P.A. 103-468, eff. 8-4-23; revised 6-23-25.)

16 (40 ILCS 5/22C-117)

17 Sec. 22C-117. Meetings of the board.

18 (a) The transition board and the permanent board shall
19 each meet at least quarterly and otherwise upon written
20 request of either the Chairperson or 3 other members. The
21 Chairperson shall preside over meetings of the board. The
22 executive director and personnel of the board shall prepare
23 agendas, and materials, and required postings for meetings of
24 the board.

1 (b) Six members of the board shall constitute a quorum.

2 (c) All actions taken by the transition board and the
3 permanent board shall require a vote of at least 5 trustees,
4 except that the following shall require a vote of at least 6
5 trustees: the adoption of actuarial assumptions; the selection
6 of the chief investment officer, fiduciary counsel, or a
7 consultant as defined under Section 1-101.5 of this Code; the
8 adoption of rules for the conduct of election of trustees; and
9 the adoption of asset allocation policies and investment
10 policies.

11 (Source: P.A. 101-610, eff. 1-1-20; revised 6-26-25.)

12 Section 310. The Foreign Trade Zones Act is amended by
13 changing Section 1 as follows:

14 (50 ILCS 40/1) (from Ch. 24, par. 1361)

15 Sec. 1. Each of the following units of State or local
16 government and public or private corporations shall have the
17 power to apply to proper authorities of the United States of
18 America pursuant to appropriate law for the right to
19 establish, operate, maintain, and lease foreign trade zones
20 and sub-zones within its corporate limits or within limits
21 established pursuant to agreement with proper authorities of
22 the United States of America, as the case may be, and to
23 establish, operate, maintain, and lease such foreign trade
24 zones and sub-zones:

1 (a) The City of East St. Louis.

2 (b) The Bi-State Authority, Lawrenceville - Vincennes
3 Airport.

4 (c) The Waukegan Port district.

5 (d) The Illinois Valley Regional Port District.

6 (e) The Economic Development Council, Inc. located in
7 the area of the United States Customs Port of Entry for
8 Peoria, pursuant to authorization granted by the county
9 boards in the geographic area served by the proposed
10 foreign trade zone.

11 (f) The Greater Rockford Airport Authority.

12 (f-1) The Rock Island Regional Port District.7

13 (f-5) The Illinois Department of Transportation, with
14 respect to the South Suburban Airport.

15 (g) After September 5, 1984 (the effective date of
16 Public Act 83-1331) ~~this amendatory Act of 1984~~, any
17 county, city, village, or town within the State or a
18 public or private corporation authorized or licensed to do
19 business in the State or any combination thereof may apply
20 to the Foreign Trade Zones Board, United States Department
21 of Commerce, for the right to establish, operate, and
22 maintain a foreign trade zone and sub-zones. For the
23 purposes of this Section, such foreign trade zone or
24 sub-zones may be incorporated outside the corporate
25 boundaries or be made up of areas from adjoining counties
26 or states.

1 (h) No foreign trade zone may be established within 50
2 miles of an existing zone situated in a county with
3 3,000,000 or more inhabitants or within 35 miles of an
4 existing zone situated in a county with less than
5 3,000,000 inhabitants, such zones having been created
6 pursuant to this Act without the permission of the
7 authorities which established the existing zone.

8 (Source: P.A. 103-242, eff. 1-1-24; revised 7-3-25.)

9 Section 315. The Local Governmental Acceptance of Credit
10 Cards Act is amended by changing Section 10 as follows:

11 (50 ILCS 345/10)

12 Sec. 10. Definitions. In this Act:

13 "Authorized obligation" means, in connection with a
14 county, city, town, or other similar form of local municipal
15 government, any fine, fee, charge, tax, or cost imposed by,
16 owing to, or collected by or on behalf of a unit of local
17 government. In connection with a community college district,
18 "authorized obligation" means tuition costs, books, charges
19 for meals, and other education or college-related fines, fees,
20 charges, or costs imposed upon or incurred by students or
21 pupils.

22 "Credit card" means an instrument or device, whether known
23 as a credit card, bank card, charge card, debit card,
24 automated teller machine card, secured credit card, smart

1 card, electronic purse, prepaid card, affinity card, or by any
2 other name, issued with or without fee by an issuer for the use
3 of the holder to obtain credit, money, goods, services, or
4 anything else of value.

5 (Source: P.A. 90-518, eff. 8-22-97; revised 7-3-25.)

6 Section 320. The Local Government Billing Act is amended
7 by changing Section 5 as follows:

8 (50 ILCS 360/5)

9 Sec. 5. Definitions. As used in this Act, "corporate"
10 ~~"Corporate"~~ authorities" includes, but is not limited to:

- 11 (1) the county board of a county;
12 (2) the corporate authorities of a municipality;
13 (3) the township officials of a township; and
14 (4) the board of trustees of a special district.

15 (Source: P.A. 104-328, eff. 1-1-26; revised 12-11-25.)

16 Section 325. The Illinois Police Training Act is amended
17 by changing Sections 3.1 and 10.21 as follows:

18 (50 ILCS 705/3.1)

19 Sec. 3.1. Illinois Law Enforcement Certification Review
20 Panel.

21 (a) There is hereby created the Illinois Law Enforcement
22 Certification Review Panel. The Panel shall be composed of the

1 following members, to be appointed in accordance with this
2 Section no later than January 31, 2022 (30 days after the
3 effective date of Public Act 101-652) ~~this amendatory Act of~~
4 ~~the 101st General Assembly~~. An individual serving on the Panel
5 shall not also serve on the Board.

6 (1) The Governor shall appoint 4 members as prescribed
7 in this paragraph (1): one person who shall be an active
8 member from a statewide association representing State's
9 Attorneys; and 3 persons who shall be Illinois residents
10 who are from communities with disproportionately high
11 instances of interaction with law enforcement, as
12 indicated by a high need, underserved community with high
13 rates of gun violence, unemployment, child poverty, and
14 commitments to the Illinois Department of Corrections, but
15 who are not themselves law enforcement officers. The
16 initial appointments of the Governor shall be for a period
17 of 3 years. Their successors shall be appointed in like
18 manner for terms to expire the first Monday of June each 3
19 years thereafter. All members shall serve until their
20 respective successors are appointed and qualify. Vacancies
21 shall be filled by the Governor for the unexpired terms.
22 Terms shall run regardless of whether the position is
23 vacant.

24 (2) The Attorney General shall appoint 9 members as
25 prescribed in this paragraph (2). The membership shall
26 have racial, ethnic, gender, and geographic diversity and

1 include the following: 2 ~~two~~ persons who shall be active
2 members of statewide organization representing more than
3 20,000 active and retired law enforcement officers; one
4 person who shall be an active member of a statewide
5 organization representing more than 3,000 active and
6 retired law enforcement officials; one person who shall be
7 an active member of a statewide association representing a
8 minimum of 75 sheriffs; one person who shall be an active
9 member of a statewide association representing at least
10 200 municipal police chiefs; 2 ~~two~~ persons who shall be
11 active members of a minority law enforcement association;
12 one person who shall be a representative of the victims'
13 advocacy community but shall not be a member of law
14 enforcement; and one person who shall be a resident of
15 Illinois and shall not be an employee of the Office of the
16 Illinois Attorney General. The members shall serve for a
17 3-year term and until their respective successors are
18 appointed and qualify. The members' successors shall be
19 appointed in like manner for terms to expire the first
20 Monday of June each 3 years thereafter. Any vacancy of
21 these positions shall be filled by the Attorney General
22 for the unexpired term. The term shall run regardless of
23 whether the position is vacant.

24 (b) The Panel shall annually elect by a simple majority
25 vote one of its members as chairperson and one of its members
26 as vice-chairperson. The vice-chairperson shall serve in the

1 place of the chairperson at any meeting of the Panel in which
2 the chairperson is not present. If both the chairperson and
3 the vice-chairperson are absent at any meeting, the members
4 present shall elect by a simple majority vote another member
5 to serve as a temporary chairperson for the limited purpose of
6 that meeting. No member shall be elected more than twice in
7 succession to the same office. Each member shall serve until
8 that member's successor has been elected and qualified.

9 (c) The Board shall provide administrative assistance to
10 the Panel.

11 (d) The members of the Panel shall serve without
12 compensation but shall be entitled to reimbursement for their
13 actual and necessary expenses in attending meetings and in the
14 performance of their duties hereunder.

15 (e) Members of the Panel will receive initial and annual
16 training that is adequate in quality, quantity, scope, and
17 type, and will cover, at minimum the following topics:

18 (1) constitutional and other relevant law on
19 police-community encounters, including the law on the use
20 of force and stops, searches, and arrests;

21 (2) police tactics;

22 (3) investigations of police conduct;

23 (4) impartial policing;

24 (5) policing individuals in crisis;

25 (6) Illinois police policies, procedures, and
26 disciplinary rules;

1 (7) procedural justice; and

2 (8) community outreach.

3 The Board shall determine the content and extent of the
4 training within the scope provided for by this subsection.

5 (f) The State shall indemnify and hold harmless members of
6 the Panel for all of their acts, omissions, decisions, or
7 other conduct arising out of the scope of their service on the
8 Panel, except those involving willful or wanton misconduct.
9 The method of providing indemnification shall be as provided
10 in the State Employee Indemnification Act.

11 (g) When a Panel member may have an actual, perceived, or
12 potential conflict of interest or appearance of bias that
13 could prevent the Panel member from making a fair and
14 impartial decision on a complaint or formal complaint:

15 (1) The Panel member shall self-recuse.

16 (2) If the Panel member fails to self-recuse, then the
17 remaining members of the Panel may, by a simple majority,
18 vote to recuse the Panel member. Any Panel member who is
19 found to have voted on a matter in which the Panel member
20 ~~they~~ should have self-recused may be removed from the
21 Panel by the State official who initially appointed the
22 Panel member. A conflict of interest or appearance of bias
23 may include, but is not limited to, matters where one of
24 the following is a party to a certification decision for
25 formal complaint: someone with whom the Panel member has
26 an employment relationship; any of the following

1 relatives: spouse, parents, children, adopted children,
2 legal wards, stepchildren, stepparents, step siblings,
3 half siblings, siblings, parents-in-law, siblings-in-law,
4 children-in-law, aunts, uncles, nieces, and nephews; a
5 friend; or a member of a professional organization or
6 association in which the member now actively serves.

7 (h) A vacancy in membership does not impair the ability of
8 a quorum to exercise all rights and perform all duties of the
9 Panel.

10 (i) Notwithstanding any provision of law to the contrary,
11 the changes made to this Section by Public Act 102-694 ~~this~~
12 ~~amendatory Act of the 102nd General Assembly~~ and Public Act
13 101-652 take effect July 1, 2022.

14 (Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22;
15 revised 7-3-25.)

16 (50 ILCS 705/10.21)

17 Sec. 10.21. Training; sexual assault and sexual abuse.

18 (a) The Illinois Law Enforcement Training Standards Board
19 shall conduct or approve training programs in trauma-informed
20 responses and investigations of sexual assault and sexual
21 abuse, which include, but is not limited to, the following:

22 (1) recognizing the symptoms of trauma;

23 (2) understanding the role trauma has played in a
24 victim's life;

25 (3) responding to the needs and concerns of a victim;

1 (4) delivering services in a compassionate, sensitive,
2 and nonjudgmental manner;

3 (5) interviewing techniques in accordance with the
4 curriculum standards in subsection (f) of this Section;

5 (6) understanding cultural perceptions and common
6 myths of sexual assault and sexual abuse;

7 (7) report writing techniques in accordance with the
8 curriculum standards in subsection (f) of this Section;

9 (8) recognizing special sensitivities of victims due
10 to: age, including those under the age of 13; race; color;
11 creed; religion; ethnicity; gender; sexual orientation;
12 physical or mental disabilities; immigration status;
13 national origin; justice-involvement; past human
14 trafficking victimization or involvement in the sex trade;
15 or other qualifications; ~~and~~

16 (9) identifying conflicts of interest and options to
17 address those conflicts when a responding or investigating
18 officer is familiar with the victim or accused; and-

19 (10) ~~(9)~~ screening of victims of sexual assault and
20 sexual abuse for human trafficking.

21 (b) This training must be presented in all full and
22 part-time basic law enforcement academies on or before July 1,
23 2018.

24 (c) Agencies employing law enforcement officers must
25 present this training to all law enforcement officers within 3
26 years after January 1, 2017 (the effective date of Public Act

1 99-801) and must present in-service training on sexual assault
2 and sexual abuse response and report writing training
3 requirements every 3 years.

4 (d) Agencies employing law enforcement officers who
5 conduct sexual assault and sexual abuse investigations must
6 provide specialized training to these officers on sexual
7 assault and sexual abuse investigations within 2 years after
8 January 1, 2017 (the effective date of Public Act 99-801) and
9 must present in-service training on sexual assault and sexual
10 abuse investigations to these officers every 3 years. In
11 consultation with a statewide nonprofit, nongovernmental
12 organization that represents survivors of sexual violence, the
13 training shall include instruction on screening of victims of
14 sexual assault and sexual abuse for human trafficking
15 victimization.

16 (e) Instructors providing this training shall (1) have
17 successfully completed (A) training on evidence-based,
18 trauma-informed, victim-centered response to cases of sexual
19 assault and sexual abuse and (B) using curriculum for the
20 training created in consultation with a statewide nonprofit,
21 nongovernmental organization that represents survivors of
22 sexual violence, training on screening of victims of sexual
23 assault and sexual abuse for human trafficking victimization
24 and (2) have experience responding to sexual assault and
25 sexual abuse cases.

26 (f) The Board shall adopt rules, in consultation with the

1 Office of the Illinois Attorney General and the Illinois State
2 Police, to determine the specific training requirements for
3 these courses, including, but not limited to, the following:

4 (1) evidence-based curriculum standards for report
5 writing and immediate response to sexual assault and
6 sexual abuse, including trauma-informed, victim-centered,
7 age-sensitive ~~age-sensitive~~, interview techniques, which
8 have been demonstrated to minimize retraumatization, for
9 probationary police officers and all law enforcement
10 officers; and

11 (2) evidence-based curriculum standards for
12 trauma-informed, victim-centered, age-sensitive ~~age~~
13 ~~sensitive~~ investigation and interviewing techniques, which
14 have been demonstrated to minimize retraumatization, for
15 cases of sexual assault and sexual abuse for law
16 enforcement officers who conduct sexual assault and sexual
17 abuse investigations.

18 (Source: P.A. 104-84, eff. 1-1-26; 104-159, eff. 1-1-26;
19 revised 11-19-25.)

20 Section 330. The Uniform Crime Reporting Act is amended by
21 changing Section 5-10 as follows:

22 (50 ILCS 709/5-10)

23 Sec. 5-10. Central repository of crime statistics.

24 (a) The Illinois State Police shall be a central

1 repository and custodian of crime statistics for the State and
2 shall have all the power necessary to carry out the purposes of
3 this Act, including the power to demand and receive
4 cooperation in the submission of crime statistics from all law
5 enforcement agencies. All data and information provided to the
6 Illinois State Police under this Act must be provided in a
7 manner and form prescribed by the Illinois State Police. On an
8 annual basis, the Illinois State Police shall make available
9 compilations of crime statistics and monthly reporting
10 required to be reported by each law enforcement agency.

11 (b) Beginning July 1, 2026, the Illinois State Police
12 shall submit to the Illinois Criminal Justice Information
13 Authority, or provide to the Authority through web-based
14 access, the information the Illinois Criminal Justice
15 Information Authority is required to publish under subsection
16 (b) of Section 14.1 ~~16~~ of the Illinois Criminal Justice
17 Information Act and that the Illinois State Police has
18 collected from law enforcement agencies.

19 (Source: P.A. 104-197, eff. 1-1-26; revised 10-27-25.)

20 Section 335. The Intergovernmental Law Enforcement
21 Officer's In-Service Training Act is amended by changing
22 Section 2 as follows:

23 (50 ILCS 720/2) (from Ch. 85, par. 562)

24 Sec. 2. Definitions. In this Act:

1 "Board" means the Illinois Law Enforcement Training
2 Standards Board created by the Illinois Police Training Act.

3 "Director" means the Executive Director of the Board.

4 "Chairman" means the Chairman of the Board.

5 "Appointed Member" means a member of the Board appointed
6 by the Governor pursuant to the Illinois Police Training Act
7 and designated by the Director to serve on an Advisory Board.

8 "Mobile Team In-Service Training Unit" or "Mobile Team"
9 means an organization formed by a combination of units of
10 local government and the Board and established under this Act
11 to deliver in-service training at scheduled times and selected
12 sites within a geographic region to (i) local and State law
13 enforcement officers (whether employed on a full-time or
14 part-time basis) and (ii) retired law enforcement officers
15 qualified under federal law to carry a concealed weapon.

16 "Advisory Board" means a Board composed of a
17 representative number of county board members, mayors, chiefs
18 of police, and sheriffs of participating units of local
19 government, and the Director, Chairman or appointed member of
20 the Illinois Law Enforcement Training Standards Board. The
21 composition and number of each Advisory Board will be
22 determined by the participants. Members of the Advisory Board
23 shall serve without compensation but may be reimbursed for
24 reasonable expenses incurred in carrying out their duties.

25 "Unit of local government" means a unit of local
26 government as defined in Article VII, Section 1 of the

1 Illinois Constitution of 1970 and includes both home rule
2 units and units which are not home rule units.

3 (Source: P.A. 94-103, eff. 7-1-05; revised 7-3-25.)

4 Section 340. The Missing Persons Identification Act is
5 amended by changing Sections 10 and 20 as follows:

6 (50 ILCS 722/10)

7 Sec. 10. Law enforcement analysis and reporting of missing
8 person information.

9 (a) Prompt determination and definition of a high-risk
10 missing person.

11 (1) Definition. "High-risk missing person" means a
12 person whose whereabouts are not currently known and whose
13 circumstances indicate that the person may be at risk of
14 injury or death. The circumstances that indicate that a
15 person is a high-risk missing person include, but are not
16 limited to, any of the following:

17 (A) the person is missing as a result of a stranger
18 abduction;

19 (B) the person is missing under suspicious
20 circumstances;

21 (C) the person is missing under unknown
22 circumstances;

23 (D) the person is missing under known dangerous
24 circumstances;

1 (E) the person is missing more than 60 days;

2 (F) the person has already been designated as a
3 high-risk missing person by another law enforcement
4 agency;

5 (G) there is evidence that the person is at risk
6 because:

7 (i) the person is in need of medical
8 attention, including but not limited to persons
9 with dementia-like symptoms, or prescription
10 medication;

11 (ii) the person does not have a pattern of
12 running away or disappearing;

13 (iii) the person may have been abducted by a
14 non-custodial parent;

15 (iv) the person is mentally impaired,
16 including, but not limited to, a person having a
17 developmental disability, as defined in Section
18 1-106 of the Mental Health and Developmental
19 Disabilities Code, or a person having an
20 intellectual disability, as defined in Section
21 1-116 of the Mental Health and Developmental
22 Disabilities Code;

23 (v) the person is under the age of 21;

24 (vi) the person has been the subject of past
25 threats or acts of violence;

26 (vii) the person has gone missing from a

1 facility licensed under the Nursing Home Care Act;

2 (G-5) the person is a veteran or active duty
3 member of the United States Armed Forces, the National
4 Guard, or any reserve component of the United States
5 Armed Forces who is believed to have a physical or
6 mental health condition that is related to his or her
7 service; or

8 (H) any other factor that may, in the judgment of
9 the law enforcement official, indicate that the
10 missing person may be at risk.

11 (b) Law enforcement risk assessment.

12 (1) Upon initial receipt of a missing person report,
13 the law enforcement agency shall immediately determine
14 whether there is a basis to determine that the missing
15 person is a high-risk missing person.

16 (2) If a law enforcement agency has previously
17 determined that a missing person is not a high-risk
18 missing person, but obtains new information, it shall
19 immediately determine whether the information indicates
20 that the missing person is a high-risk missing person.

21 (3) Law enforcement agencies are encouraged to
22 establish written protocols for the handling of missing
23 person cases to accomplish the purposes of this Act.

24 (c) Law enforcement reporting.

25 (1) Upon receipt of a missing person report, the
26 responding local law enforcement agency shall enter all

1 collected information relating to the missing person case
2 in the Law Enforcement Agencies Data System (LEADS) and
3 the National Crime Information Center (NCIC). The database
4 entries shall remain on file indefinitely or until action
5 is taken by the originating agency to clear or cancel the
6 record. In addition, if the missing person remains missing
7 for 60 days after the date of the report, the law
8 enforcement agency shall immediately generate a report of
9 the missing person within the National Missing and
10 Unidentified Persons System (NamUs) as required under
11 paragraph (2) of subsection (d) of Section 5. The
12 information shall be entered as follows:

13 (A) For Illinois State Police laboratories or
14 other accredited laboratories, all laboratories, all
15 appropriate DNA profiles, as determined by the
16 Illinois State Police, shall be uploaded into the
17 appropriate index of the State DNA Index System (SDIS)
18 and National DNA Index System (NDIS) after completion
19 of the DNA analysis and other procedures required for
20 database entry. The responding local law enforcement
21 agency shall attempt to collect and submit any DNA
22 samples voluntarily obtained from family members to an
23 accredited Combined DNA Index System (CODIS)
24 laboratory for DNA analysis within 90 days from the
25 date of the police report. A notation of DNA
26 submission may be made within the National Missing and

1 Unidentified Persons System (NamUs) record.

2 (B) If the missing person remains missing for 60
3 days from the date of the report and if reporting
4 requirements for entry into the Federal Bureau of
5 Investigation's Violent Criminal Apprehension Program
6 are met, the law enforcement agency shall enter the
7 missing person case into the Federal Bureau of
8 Investigation's Violent Criminal Apprehension Program
9 database.

10 (C) The Illinois State Police or other assigned
11 law enforcement agency shall ensure that persons
12 entering data relating to medical or dental records in
13 State or federal databases are specifically trained to
14 understand and correctly enter the information sought
15 by these databases. The Illinois State Police shall
16 either use a person with specific expertise in medical
17 or dental records for this purpose or consult with a
18 chief medical examiner, forensic anthropologist, or
19 odontologist to ensure the accuracy and completeness
20 of information entered into the State and federal
21 databases.

22 (2) The Illinois State Police shall immediately notify
23 all law enforcement agencies within this State and the
24 surrounding region of the information that will aid in the
25 prompt location and safe return of the high-risk missing
26 person.

1 (3) The local law enforcement agencies that receive
2 the notification from the Illinois State Police shall
3 notify officers to be on the lookout for the missing
4 person or a suspected abductor.

5 (4) Pursuant to any applicable State criteria, local
6 law enforcement agencies shall also provide for the prompt
7 use of an Amber Alert in cases involving abducted
8 children; or use of the Endangered Missing Person Advisory
9 in appropriate high-risk missing person cases.

10 (Source: P.A. 104-339, eff. 1-1-26; revised 11-20-25.)

11 (50 ILCS 722/20)

12 Sec. 20. Unidentified persons or human remains
13 identification responsibilities.

14 (a) In this Section, "assisting law enforcement agency"
15 means a law enforcement agency with jurisdiction acting under
16 the request and direction of the medical examiner or coroner
17 to assist with human remains identification.

18 (a-5) If the official with custody of the human remains is
19 not a coroner or medical examiner, the official shall
20 immediately notify the coroner or medical examiner of the
21 county in which the remains were found. The coroner or medical
22 examiner shall go to the scene and take charge of the remains.

23 (b) Notwithstanding any other action deemed appropriate
24 for the handling of the human remains, the assisting law
25 enforcement agency, medical examiner, or coroner shall make

1 reasonable attempts to promptly identify human remains. This
2 does not include historic or prehistoric skeletal remains.
3 These actions shall include, but are not limited to, obtaining
4 the following when possible:

5 (1) photographs of the human remains (prior to an
6 autopsy);

7 (2) dental and skeletal radiographs;

8 (3) photographs of items found on or with the human
9 remains;

10 (4) fingerprints from the remains;

11 (5) tissue samples suitable for DNA analysis;

12 (6) (blank); and

13 (7) any other information that may support
14 identification efforts.

15 (c) No medical examiner or coroner or any other person
16 shall dispose of, or engage in actions that will materially
17 affect the unidentified human remains before the assisting law
18 enforcement agency, medical examiner, or coroner obtains items
19 essential for human identification efforts listed in
20 subsection (b) of this Section.

21 (d) Cremation of unidentified human remains is prohibited.

22 (e) (Blank).

23 (f) The assisting law enforcement agency, medical
24 examiner, or coroner shall seek support from appropriate State
25 and federal agencies, including National Missing and
26 Unidentified Persons System resources to facilitate prompt

1 identification of human remains. This support may include, but
2 is not limited to, fingerprint comparison; forensic
3 odontology; nuclear or mitochondrial DNA analysis, or both;
4 and forensic anthropology.

5 (f-5) In this subsection, "local, State, and federal
6 automated fingerprint identification system databases"
7 includes:

8 (1) local criminal history repositories;

9 (2) the Illinois State Police Automated Biometric
10 Identification System (ABIS), both criminal and civil, and
11 any successor databases; and

12 (3) the Next Generation Integrated Automated
13 Fingerprint Identification System (NGI) and other federal
14 fingerprint databases, including immigration and military
15 databases and the Repository for Individuals of Special
16 Concern (RISC), and any successor databases.

17 It is the responsibility of the submitting agency to
18 ensure the following steps are completed in the following
19 order:

20 (1) Fingerprints from unidentified human remains,
21 including partial prints, if any, shall be submitted for
22 analysis within 7 days of recovery of the remains by the
23 assisting law enforcement agency, medical examiner, or
24 coroner to all local, State, and federal automated
25 fingerprint identification system databases.

26 (2) The submitting agency shall ensure fingerprints

1 are appropriately searched for identification purposes.

2 If there are no matches in any of the local, State, and
3 federal automated fingerprint identification system databases,
4 the unidentified fingerprint records shall be uploaded to the
5 National Missing and Unidentified Persons System (NamUs)
6 within 60 days after recovery of the remains. If no matches are
7 made in the local, State, and federal automated fingerprint
8 identification system databases, the submitting agency may
9 contact the International Criminal Police Organization
10 (INTERPOL) to search through the automated fingerprint
11 identification system databases of member countries if remains
12 are believed to have an international nexus. If the
13 fingerprint analysis does not aid in the identification of the
14 remains, then the assisting law enforcement agency, coroner,
15 or medical examiner shall cause a dental examination to be
16 performed by a forensic odontologist within 45 days of
17 recovery of the remains for the purpose of dental charting,
18 direct comparison to missing person dental records, and
19 uploading to the National Crime Information Center (NCIC) and
20 National Missing and Unidentified Persons System (NamUs). If
21 the fingerprint and dental analysis does not aid in the
22 identification of the remains, then blood, tissue, or bone
23 samples from the unidentified remains shall be submitted for
24 DNA analysis within 90 days of the recovery of the remains to a
25 Combined DNA Index System (CODIS) accredited laboratory where
26 DNA profiles are entered into the National DNA Index System

1 upon completion of testing. In the case of markedly decomposed
2 or skeletal remains, a forensic anthropological analysis of
3 the remains, authorized by the coroner or medical examiner,
4 shall also be performed within 60 days from the recovery and
5 preparation of the remains for the analysis.

6 (g) (Blank).

7 (g-2) The medical examiner~~7~~ or coroner shall cause the
8 entry of a National Crime Information Center Unidentified
9 Person record within 5 days of the discovery of the remains. In
10 the case of markedly decomposed or skeletal remains, the
11 creation of a National Crime Information Center (NCIC)
12 Unidentified Person File shall be made upon receipt of the
13 anthropological analysis report. The medical examiner or
14 coroner shall provide the assisting law enforcement agency
15 with all information required for the National Crime
16 Information Center (NCIC) entry. Upon receipt of this
17 information, the assisting law enforcement agency shall create
18 the Unidentified Person record without unnecessary delay. In
19 the case of markedly decomposed or skeletal remains, the
20 creation of a National Crime Information Center (NCIC)
21 Unidentified Person File shall be made upon receipt of the
22 anthropological analysis report. If an anthropological
23 analysis report determines the remains to be historic or
24 prehistoric, then no NCIC entry is required.

25 (g-5) The medical examiner or coroner shall obtain a
26 National Crime Information Center number from the assisting

1 law enforcement agency to verify entry and maintain this
2 number within the unidentified human remains case file. A
3 National Crime Information Center Unidentified Person record
4 shall remain on file indefinitely or until action is taken by
5 the originating agency to clear or cancel the record. The
6 medical examiner or coroner shall notify the assisting law
7 enforcement agency of necessary record modifications or
8 cancellation if identification is made.

9 (h) (Blank).

10 (h-5) No later than 60 days following the discovery of the
11 remains, the assisting law enforcement agency, medical
12 examiner, or coroner shall create an unidentified person
13 record in the National Missing and Unidentified Persons System
14 if no identification has been made. The entry shall include
15 all available case information, including fingerprint data and
16 dental radiographs and charts. A notation of DNA submission
17 shall be made within the National Missing and Unidentified
18 Persons System Unidentified Person record.

19 (i) Nothing in this Act shall be interpreted to preclude
20 any assisting law enforcement agency, medical examiner,
21 coroner, or the Illinois State Police from pursuing other
22 efforts to identify human remains including efforts to
23 publicize information, descriptions, or photographs related to
24 the investigation. An assisting law enforcement agency, a
25 medical examiner, a coroner, or the Illinois State Police may
26 not close an unidentified person case until the individual has

1 been identified. Law enforcement agencies, medical examiners,
2 and coroners shall keep such cases under active investigation
3 until the person is identified. Reasons for closing an
4 unidentified person case may not include exhaustion of leads
5 or termination of the anticipated life span of the missing
6 person's next of kin.

7 (j) For historic or prehistoric human skeletal remains
8 determined by an anthropologist to be older than 100 years,
9 jurisdiction shall be transferred to the Department of Natural
10 Resources for further investigation under the Archaeological
11 and Paleontological Resources Protection Act.

12 (Source: P.A. 104-339, eff. 1-1-26; revised 11-20-25.)

13 Section 345. The Emergency Telephone System Act is amended
14 by changing Sections 2, 7.1, and 15.9 as follows:

15 (50 ILCS 750/2) (from Ch. 134, par. 32)

16 (Section scheduled to be repealed on December 31, 2027)

17 Sec. 2. Definitions. As used in this Act, unless the
18 context otherwise requires:

19 "9-1-1 network" means the network used for the delivery of
20 9-1-1 calls and messages over dedicated and redundant
21 facilities to a primary or backup 9-1-1 PSAP that meets the
22 appropriate grade of service.

23 "9-1-1 system" means the geographic area that has been
24 granted an order of authority by the Commission or the

1 Statewide 9-1-1 Administrator to use "9-1-1" as the primary
2 emergency telephone number, including, but not limited to, the
3 network, software applications, databases, CPE components and
4 operational and management procedures required to provide
5 9-1-1 service.

6 "9-1-1 Authority" means an Emergency Telephone System
7 Board or Joint Emergency Telephone System Board that provides
8 for the management and operation of a 9-1-1 system. "9-1-1
9 Authority" includes the Illinois State Police only to the
10 extent it provides 9-1-1 services under this Act.

11 "9-1-1 System Manager" means the manager, director,
12 administrator, or coordinator who at the direction of his or
13 her Emergency Telephone System Board is responsible for the
14 implementation and execution of the order of authority issued
15 by the Commission or the Statewide 9-1-1 Administrator through
16 the programs, policies, procedures, and daily operations of
17 the 9-1-1 system consistent with the provisions of this Act.

18 "Administrator" means the Statewide 9-1-1 Administrator.

19 "Advanced service" means any telecommunications service
20 with or without dynamic bandwidth allocation, including, but
21 not limited to, ISDN Primary Rate Interface (PRI), that,
22 through the use of a DS-1, T-1, or other un-channelized or
23 multi-channel transmission facility, is capable of
24 transporting either the subscriber's inter-premises voice
25 telecommunications services to the public switched network or
26 the subscriber's 9-1-1 calls to the public agency.

1 "Aggregator" means an entity that ingresses 9-1-1 calls of
2 multiple traffic types or 9-1-1 calls from multiple
3 originating service providers and combines them on a trunk
4 group or groups (or equivalent egress connection arrangement
5 to a 9-1-1 system provider's NG9-1-1 network or system), and
6 that uses the routing information provided in the received
7 call setup signaling to select the appropriate trunk group and
8 proceeds to signal call setup toward the 9-1-1 system
9 provider. "Aggregator" includes an originating service
10 provider that provides aggregation functions for its own 9-1-1
11 calls. "Aggregator" also includes an aggregation network or an
12 aggregation entity that provides aggregator services for other
13 types of system providers, such as cloud-based services or
14 enterprise networks as its client.

15 "ALI" or "automatic location identification" means the
16 automatic display at the public safety answering point of the
17 address or location of the caller's telephone and
18 supplementary emergency services information of the location
19 from which a call originates.

20 "ANI" or "automatic number identification" means the
21 automatic display of the 10-digit telephone number associated
22 with the caller's telephone number.

23 "Automatic alarm" and "automatic alerting device" mean any
24 device that will access the 9-1-1 system for emergency
25 services upon activation and does not provide for two-way
26 communication.

1 "Answering point" means a PSAP, SAP, Backup PSAP, Unmanned
2 Backup Answering Point, or VAP.

3 "Authorized entity" means an answering point or
4 participating agency other than a decommissioned PSAP.

5 "Backup PSAP" means an answering point that meets the
6 appropriate standards of service and serves as an alternate to
7 the PSAP operating independently from the PSAP at a different
8 location that has the capability to direct dispatch for the
9 PSAP or otherwise transfer emergency calls directly to an
10 authorized entity. A backup PSAP may accept overflow calls
11 from the PSAP or be activated if the primary PSAP is disabled.

12 "Board" means an Emergency Telephone System Board or a
13 Joint Emergency Telephone System Board created pursuant to
14 Section 15.4.

15 "Bylaws" means a set of regulations that ensure consistent
16 and agreed upon voting and decision-making procedures.

17 "Call back number" means a number used by a PSAP to
18 recontact a location from which a 9-1-1 call was placed,
19 regardless of whether that number is a direct-dial number for
20 a station used to originate a 9-1-1 call.

21 "Carrier" includes a telecommunications carrier and a
22 wireless carrier.

23 "Commission" means the Illinois Commerce Commission.

24 "Computer aided dispatch" or "CAD" means a computer-based
25 system that aids public safety telecommunicators or
26 telecommunicator supervisors by automating selected

1 dispatching and recordkeeping activities.

2 "Direct dispatch" means a 9-1-1 service wherein upon
3 receipt of an emergency call, a public safety telecommunicator
4 or telecommunicator supervisors transmits, without delay,
5 transfer, relay, or referral, all relevant available
6 information to the appropriate public safety personnel or
7 emergency responders.

8 "Dispatchable location" means a location delivered to the
9 PSAP with a 9-1-1 call that consists of the validated street
10 address of the calling party, plus additional information,
11 such as a suite or apartment identifier, uncertainty data, or
12 similar information, necessary to accurately identify the
13 location of the calling party.

14 "Decommissioned" means the revocation of a PSAPs authority
15 to handle 9-1-1 calls as an answering point within the 9-1-1
16 network.

17 "Diversions" means the obligation or expenditure of a 9-1-1
18 fee or charge for a purpose or function other than the purposes
19 and functions designated by the Federal Communications
20 Commission as acceptable under 47 CFR 9.23. "Diversions"
21 includes distribution of a 9-1-1 fee or charge to a political
22 subdivision that obligates or expends such fees for a purpose
23 or function other than those designated as acceptable by the
24 Federal Communications Commission under 47 CFR 9.23.

25 "DS-1, T-1, or similar un-channelized or multi-channel
26 transmission facility" means a facility that can transmit and

1 receive a bit rate of at least 1.544 megabits per second
2 (Mbps).

3 "Dynamic bandwidth allocation" means the ability of the
4 facility or customer to drop and add channels, or adjust
5 bandwidth, when needed in real time for voice or data
6 purposes.

7 "Emergency call" means any type of request for emergency
8 assistance through a 9-1-1 network either to the digits 9-1-1
9 or the emergency 24/7 10-digit telephone number for all
10 answering points. An emergency call is not limited to a voice
11 telephone call. It could be a two-way video call, an
12 interactive text, Teletypewriter (TTY), an SMS, an Instant
13 Message, or any new mechanism for communications available in
14 the future. An emergency call occurs when the request for
15 emergency assistance is received by a public safety
16 telecommunicator.

17 "Emergency Telephone System Board" or "ETSB" means (i) a
18 board appointed by the corporate authorities of any county or
19 municipality to provide for the management and operation of a
20 9-1-1 system within the scope of the duties and powers
21 prescribed by this Act or (ii) a joint Emergency Telephone
22 System Board.

23 "EMS personnel" has the meaning given to that term in
24 Section 3.5 of the Emergency Medical Services (EMS) Systems
25 Act.

26 "First responder" means someone designated by a public

1 safety agency who is charged with responding to emergency
2 service requests, including emergency communications
3 professionals, public safety telecommunicators, public safety
4 telecommunicator supervisors, and police, fire, and EMS
5 personnel who operate in the field.

6 "Grade of service" means the NENA Baseline NG9-1-1 as set
7 forth in the NENA i3 Solution prevailing national standard.

8 "Hearing-impaired individual" means a person with a
9 permanent hearing loss who can regularly and routinely
10 communicate by telephone only through the aid of devices which
11 can send and receive written messages over the telephone
12 network.

13 "Hosted supplemental 9-1-1 service" means a database
14 service that:

15 (1) electronically provides information for 9-1-1 call
16 takers when a call is placed to 9-1-1;

17 (2) allows telephone subscribers to provide
18 information to 9-1-1 to be used in emergency scenarios;

19 (3) collects a variety of formatted data relevant to
20 9-1-1 and first responder needs, which may include, but is
21 not limited to, photographs of the telephone subscribers,
22 physical descriptions, medical information, household
23 data, and emergency contacts;

24 (4) allows for information to be entered by telephone
25 subscribers through a secure website where they can elect
26 to provide as little or as much information as they

1 choose;

2 (5) automatically displays data provided by telephone
3 subscribers to 9-1-1 call takers for all types of
4 telephones when a call is placed to 9-1-1 from a
5 registered and confirmed phone number;

6 (6) (blank);

7 (7) (blank);

8 (8) (blank);

9 (9) supports the delivery of telephone subscriber
10 information through a secure internet connection to all
11 emergency telephone system boards;

12 (10) works across all 9-1-1 call-taking equipment and
13 allows for the easy transfer of information into a
14 computer aided dispatch system; and

15 (11) may be used to collect information pursuant to an
16 Illinois Premise Alert Program as defined in the Illinois
17 Premise Alert Program (PAP) Act.

18 "Interconnected voice service" means a telecommunications
19 service that:

20 (1) allows users to make and receive calls to and from
21 the public switched telephone network or other phone
22 lines, including both traditional landline and mobile
23 services;

24 (2) enables users to make or receive voice calls to or
25 from telephone numbers assigned to the public switched
26 telephone network, including calls to and from emergency

1 services;

2 (3) requires a connection to the public switched
3 telephone network (PSTN) either directly or through other
4 interconnected services;

5 (4) supports standard telephone functions, such as
6 making and receiving calls, voicemail, and the ability to
7 connect with other telephone networks;

8 (5) complies with various FCC regulations to ensure
9 user safety, including the requirement to support 9-1-1
10 services, allowing emergency responders to locate the
11 caller; and

12 (6) can be provided over various technologies,
13 including traditional telephone lines, broadband Internet
14 connections via VoIP, and mobile networks.

15 "Interconnected voice service" includes voice over
16 Internet protocol (VoIP) services that are integrated into the
17 public telephone system and the availability of other
18 essential services like number portability and accessibility
19 for people with disabilities.

20 "Interconnected voice over Internet protocol provider" or
21 "Interconnected VoIP provider" has the meaning given to that
22 term under Section 13-235 of the Public Utilities Act.

23 "Joint Emergency Telephone System Board" or "Joint ETSB"
24 means a Joint Emergency Telephone System Board established by
25 intergovernmental agreement of two or more municipalities or
26 counties, or a combination thereof, to provide for the

1 management and operation of a 9-1-1 system.

2 "Key telephone system" means a type of MLTS designed to
3 provide shared access to several outside lines through buttons
4 or keys typically offering identified access lines with direct
5 line appearance or termination on a given telephone set.

6 "Local public agency" means any unit of local government
7 or special purpose district located in whole or in part within
8 this State that provides or has authority to provide
9 firefighting, police, ambulance, medical, or other emergency
10 services.

11 "Mechanical dialer" means any device that accesses the
12 9-1-1 system without human intervention and does not provide
13 for two-way communication.

14 "Master Street Address Guide" or "MSAG" is a database of
15 street names and house ranges within their associated
16 communities defining emergency service zones (ESZs) and their
17 associated emergency service numbers (ESNs) to enable proper
18 routing of 9-1-1 calls.

19 "Mobile telephone number" or "MTN" means the telephone
20 number assigned to a wireless telephone at the time of initial
21 activation.

22 "Multi-line telephone system" or "MLTS" means a system
23 composed of common control units, telephone sets, control
24 hardware and software, and adjunct systems, including network
25 and premises-based systems, such as Centrex and VoIP, as well
26 as PBX, hybrid, and key telephone systems ~~as~~ classified by

1 the Federal Communications Commission under 47 CFR Part 68,
2 which includes systems owned or leased by governmental
3 agencies, nonprofit entities, and for-profit businesses.
4 "Multi-line telephone system" or "MLTS" includes the full
5 range of networked communication systems that serve
6 enterprises, including IP-based and cloud-based systems.
7 "Multi-line telephone system" or "MLTS" also includes
8 outbound-only MLTS that allow users to make 9-1-1 calls but do
9 not enable PSAPs to place a return call directly to the 9-1-1
10 caller.

11 "Network connections" means the number of voice grade
12 communications channels directly between a subscriber and a
13 telecommunications carrier's public switched network, without
14 the intervention of any other telecommunications carrier's
15 switched network, which would be required to carry the
16 subscriber's inter-premises traffic and which connection
17 either (1) is capable of providing access through the public
18 switched network to a 9-1-1 Emergency Telephone System, if one
19 exists, or (2) if no system exists at the time a surcharge is
20 imposed under Section 15.3 or 20, that would be capable of
21 providing access through the public switched network to the
22 local 9-1-1 Emergency Telephone System if one existed. Where
23 multiple voice grade communications channels are connected to
24 a telecommunications carrier's public switched network through
25 a private branch exchange (PBX) service, there shall be
26 determined to be one network connection for each trunk line

1 capable of transporting either the subscriber's inter-premises
2 traffic to the public switched network or the subscriber's
3 9-1-1 calls to the public agency. Where multiple voice grade
4 communications channels are connected to an OSP's public
5 switched network through Centrex type service, the number of
6 network connections shall be equal to the number of PBX trunk
7 equivalents for the subscriber's service or other multiple
8 voice grade communication channels facility, as determined by
9 reference to any generally applicable exchange access service
10 tariff filed by the subscriber's telecommunications carrier
11 with the Commission.

12 "Network costs" means those recurring costs that directly
13 relate to the operation of the 9-1-1 network as determined by
14 the Statewide 9-1-1 Administrator with the advice of the
15 Statewide 9-1-1 Advisory Board, which may include, but need
16 not be limited to, some or all of the following: costs for
17 interoffice trunks, selective routing charges, transfer lines
18 and toll charges for 9-1-1 services, Automatic Location
19 Information (ALI) database charges, independent local exchange
20 carrier charges and non-system provider charges, carrier
21 charges for third party database for on-site customer premises
22 equipment, backup ~~back-up~~ PSAP trunks for non-system
23 providers, periodic database updates as provided by carrier
24 (also known as "ALI data dump"), regional ALI storage charges,
25 circuits for call delivery (fiber or circuit connection),
26 NG9-1-1 costs, and all associated fees, taxes, and surcharges

1 on each invoice. "Network costs" shall not include radio
2 circuits or toll charges that are other than for 9-1-1
3 services.

4 "Next generation 9-1-1" or "NG9-1-1" means a secure
5 Internet Protocol-based (IP-based) open-standards system
6 comprised of hardware, software, data, and operational
7 policies and procedures that:

8 (A) provides standardized interfaces from
9 emergency call and message services to support
10 emergency communications;

11 (B) processes all types of emergency calls,
12 including voice, text, data, and multimedia
13 information;

14 (C) acquires and integrates additional emergency
15 call data useful to call routing and handling;

16 (D) delivers the emergency calls, messages, and
17 data to the appropriate public safety answering point
18 and other appropriate emergency entities based on the
19 location of the caller;

20 (E) supports data, video, and other communications
21 needs for coordinated incident response and
22 management; and

23 (F) interoperates with services and networks used
24 by first responders to facilitate emergency response.

25 "Next generation 9-1-1 costs" or "NG9-1-1 costs" means
26 those recurring costs that directly relate to the next

1 generation 9-1-1 service as determined by the Statewide 9-1-1
2 Administrator with the advice of the Statewide 9-1-1 Advisory
3 Board, which may include, but need not be limited to, costs for
4 NENA i3 Core Components (Border Control Function (BCF),
5 Emergency Call Routing Function (ECRF), Location Validation
6 Function (LVF), Emergency Services Routing Proxy (ESRP),
7 Policy Store/Policy Routing Functions (PSPRF), Location
8 Information Servers (LIS)), Statewide ESInet, and software
9 external to the PSAP (data collection, identity management,
10 aggregation, and GIS functionality).

11 "Next generation 9-1-1 core services" or "NGCS" means a
12 set of services needed to process a 9-1-1 call on an ESInet.
13 "Next generation 9-1-1 core services" or "NGCS" includes, but
14 is not limited to, the ESRP, ECRF, LVF, BCF, bridge, policy
15 store, logging services, and typical IP services, including
16 DNS and DHCP. "Next generation 9-1-1 core services" or "NGCS"
17 does not include the network on which the services operate.

18 "Originating service provider" or "OSP" means the entity
19 that provides services to end users that may be used to
20 originate voice or nonvoice 9-1-1 requests for assistance and
21 who would interconnect, in any of various fashions, to the
22 9-1-1 system provider for purposes of delivering 9-1-1 traffic
23 to the public safety answering points.

24 "Primary place of use" or "PPU" means the residential
25 street address or the primary business street address where a
26 customer primarily uses the mobile telecommunications service.

1 "Primary place of use" or "PPU" does not include a post office
2 box address.

3 "Public agency" means the State, and any unit of local
4 government or special purpose district located in whole or in
5 part within this State, that provides or has authority to
6 provide firefighting, police, ambulance, medical, or other
7 emergency services.

8 "Public safety agency" means a functional division of a
9 public agency that provides firefighting, police, medical, or
10 other emergency services to respond to and manage emergency
11 incidents. For the purpose of providing wireless service to
12 users of 9-1-1 emergency services, as expressly provided for
13 in this Act, the Illinois State Police may be considered a
14 public safety agency.

15 "Public safety answering point" or "PSAP" means the
16 primary answering location of an emergency call that meets the
17 appropriate standards of service and is responsible for
18 receiving and processing those calls and events according to a
19 specified operational policy.

20 "PSAP representative" means the manager or supervisor of a
21 Public Safety Answering Point (PSAP) who oversees the daily
22 operational functions and is responsible for the overall
23 management and administration of the PSAP.

24 "Public safety telecommunicator" means any person employed
25 in a full-time or part-time capacity at an answering point
26 whose duties or responsibilities include answering, receiving,

1 or transferring an emergency call for dispatch to the
2 appropriate emergency responder.

3 "Public safety telecommunicator supervisor" means any
4 person employed in a full-time or part-time capacity at an
5 answering point or by a 9-1-1 Authority, whose primary duties
6 or responsibilities are to direct, administer, or manage any
7 public safety telecommunicator and whose responsibilities
8 include answering, receiving, or transferring an emergency
9 call for dispatch to the appropriate emergency responders.

10 "Referral" means a 9-1-1 service in which the public
11 safety telecommunicator provides the calling party with the
12 telephone number of the appropriate public safety agency or
13 other provider of emergency services.

14 "Regular service" means any telecommunications service,
15 other than advanced service, that is capable of transporting
16 either the subscriber's inter-premises voice
17 telecommunications services to the public switched network or
18 the subscriber's 9-1-1 calls to the public agency.

19 "Relay" means a 9-1-1 service in which the public safety
20 telecommunicator takes the pertinent information from a caller
21 and relays that information to the appropriate public safety
22 agency or other provider of emergency services.

23 "Remit period" means the billing period, one month in
24 duration, for which a wireless carrier remits a surcharge and
25 provides subscriber information by zip code to the Illinois
26 State Police, in accordance with Section 20 of this Act.

1 "Secondary Answering Point" or "SAP" means a location,
2 other than a PSAP, that is able to receive the voice, data, and
3 call back number of NG9-1-1 emergency calls transferred from a
4 PSAP and completes the call taking process by dispatching
5 police, medical, fire, or other emergency responders.

6 "Shared telecommunications services" means the provision
7 of telecommunications and information management services and
8 equipment within a user group located in discrete private
9 premises in building complexes, campuses, or high-rise
10 buildings by a commercial shared services provider or by a
11 user association, through privately owned customer premises
12 equipment and associated data processing and information
13 management services. The term "shared telecommunications
14 services" includes the provisioning of connections to the
15 facilities of a local exchange carrier or an interexchange
16 carrier.

17 "Subscriber" means an individual or entity to whom a
18 wireless, wireline, or VoIP service account or number has been
19 assigned by a carrier, other than an account or number
20 associated with prepaid wireless telecommunication service.

21 "System" means the communications equipment, related
22 software applications, and databases required to produce a
23 response by the appropriate emergency public safety agency or
24 other provider of emergency services as a result of an
25 emergency call being placed to 9-1-1.

26 "System provider" means the contracted entity providing

1 9-1-1 network and database services.

2 "Telecommunications carrier" means those entities included
3 within the definition specified in Section 13-202 of the
4 Public Utilities Act, and includes those carriers acting as
5 resellers of telecommunications services. "Telecommunications
6 carrier" includes telephone systems operating as mutual
7 concerns. "Telecommunications carrier" does not include a
8 wireless carrier.

9 "Telecommunications technology" means equipment that can
10 send and receive written messages over the telephone network.

11 "Transfer" means a 9-1-1 service in which the public
12 safety telecommunicator, who receives an emergency call,
13 transmits, redirects, or conferences that call to the
14 appropriate public safety agency or other provider of
15 emergency services. "Transfer" includes calls transferred,
16 within the statewide NG9-1-1 system and to surrounding states
17 NG9-1-1 Systems using a SIP URI. "Transfer" shall not include
18 (1) a relay or referral of the information without
19 transferring the caller or (2) calls transferred to a 10-digit
20 number where a SIP URI is available.

21 "Transmitting messages" shall have the meaning given to
22 that term under Section 8-11-2 of the Illinois Municipal Code.

23 "Trunk line" means a transmission path, or group of
24 transmission paths, connecting a subscriber's PBX to a
25 telecommunications carrier's public switched network. In the
26 case of regular service, each voice grade communications

1 channel or equivalent amount of bandwidth capable of
2 transporting either the subscriber's inter-premises voice
3 telecommunications services to the public switched network or
4 the subscriber's 9-1-1 calls to the public agency shall be
5 considered a trunk line, even if it is bundled with other
6 channels or additional bandwidth. In the case of advanced
7 service, each DS-1, T-1, or other un-channelized or
8 multi-channel transmission facility that is capable of
9 transporting either the subscriber's inter-premises voice
10 telecommunications services to the public switched network or
11 the subscriber's 9-1-1 calls to the public agency shall be
12 considered a single trunk line, even if it contains multiple
13 voice grade communications channels or otherwise supports 2 or
14 more voice grade calls at a time; provided, however, that each
15 additional increment of up to 24 voice grade channels of
16 transmission capacity that is capable of transporting either
17 the subscriber's inter-premises voice telecommunications
18 services to the public switched network or the subscriber's
19 9-1-1 calls to the public agency shall be considered an
20 additional trunk line.

21 "Unmanned backup answering point" means an answering point
22 that serves as an alternate to the PSAP at an alternate
23 location and is typically unmanned but can be activated if the
24 primary PSAP is disabled.

25 "Virtual answering point" or "VAP" means a temporary or
26 nonpermanent location that is capable of receiving an

1 emergency call, contains a fully functional worksite that is
2 not bound to a specific location, but rather is portable and
3 scalable, connecting public safety telecommunicators to the
4 work process, and is capable of completing the call
5 dispatching process.

6 "Voice grade ~~Voice grade~~ call" or "VGC" means a
7 telecommunications service that allows for the transmission of
8 voice signals with sufficient quality for effective
9 communication.

10 "Voice-impaired individual" means a person with a
11 permanent speech disability which precludes oral
12 communication, who can regularly and routinely communicate by
13 telephone only through the aid of devices which can send and
14 receive written messages over the telephone network.

15 "Wireless" means the delivery of a wireless 9-1-1 call in
16 accordance with applicable Federal Communications Commission
17 regulations.

18 "Wireless carrier" means a provider of two-way cellular,
19 broadband PCS, geographic area 800 MHZ and 900 MHZ Commercial
20 Mobile Radio Service (CMRS), Wireless Communications Service
21 (WCS), or other Commercial Mobile Radio Service (CMRS), as
22 defined by the Federal Communications Commission, offering
23 radio communications that may provide fixed, mobile, radio
24 location, or satellite communication services to individuals
25 or businesses within its assigned spectrum block and
26 geographical area or that offers real-time, two-way voice

1 service that is interconnected with the public switched
2 network, including a reseller of such service.

3 (Source: P.A. 103-366, eff. 1-1-24; 104-204, eff. 8-15-25;
4 revised 12-12-25.)

5 (50 ILCS 750/7.1)

6 (Section scheduled to be repealed on December 31, 2027)

7 Sec. 7.1. Training.

8 (a) Each 9-1-1 Authority, as well as its answering points,
9 shall ensure its public safety telecommunicators and public
10 safety telecommunicator supervisors comply with the training,
11 testing, and certification requirements established pursuant
12 to Section 2605-53 of the Illinois State Police Law.

13 (b) Each 9-1-1 Authority, as well as its answering points,
14 shall review the training records for its public safety
15 telecommunicators and public safety telecommunicator
16 supervisors to ensure that they are compliant with this
17 Section and shall make the continuing education training
18 records available for inspection by the Administrator upon
19 request.

20 (c) (Blank).**T**

21 (Source: P.A. 104-204, eff. 8-15-25; 104-417, eff. 8-15-25;
22 revised 9-12-25.)

23 (50 ILCS 750/15.9)

24 (Section scheduled to be repealed on December 31, 2027)

1 Sec. 15.9. Configuration of multi-line telephone systems.

2 (a) An entity engaged in the business of installing,
3 managing, or operating multi-line telephone systems in the
4 State shall comply with applicable federal laws, including,
5 but not limited to, 47 CFR 9.15 through 9.17 and Section 506 of
6 RAY BAUM'S Act of 2018. The requirements apply to any
7 multi-line telephone system that is manufactured, imported,
8 offered for sale or lease, or first sold, leased, or installed
9 after February 16, 2020. All multi-line telephone systems are
10 required to dial 9-1-1 directly.

11 (b) Alternative location information may be
12 coordinate-based, and it must be sufficient to identify the
13 caller's civic address and approximate in-building location,
14 including floor level, in large buildings.

15 (Source: P.A. 104-204, eff. 8-15-25; revised 12-12-25.)

16 Section 350. The Community Emergency Services and Support
17 Act is amended by changing Section 25 as follows:

18 (50 ILCS 754/25)

19 Sec. 25. State goals.

20 (a) 9-1-1 PSAPs, emergency services dispatched through
21 9-1-1 PSAPs, and the mobile mental and behavioral health
22 service established by the Division of Mental Health must
23 coordinate their services so that the State goals listed in
24 this Section are achieved. Appropriate mobile response service

1 for mental and behavioral health emergencies shall be
2 available regardless of whether the initial contact was with
3 9-8-8, with 9-1-1, or directly with an emergency service
4 dispatched through 9-1-1. Appropriate mobile response services
5 must:

6 (1) whenever possible, ensure that individuals
7 experiencing mental or behavioral health crises are
8 diverted from hospitalization or incarceration and are
9 instead linked with available appropriate community
10 services;

11 (2) include the option of on-site care if that type of
12 care is appropriate and does not override the care
13 decisions of the individual receiving care. Providing care
14 in the community, through methods like mobile crisis
15 units, is encouraged. If effective care is provided on
16 site, and if it is consistent with the care decisions of
17 the individual receiving the care, further transportation
18 to other medical providers is not required by this Act;

19 (3) recommend appropriate referrals for available
20 community services if the individual receiving on-site
21 care is not already in a treatment relationship with a
22 service provider or is unsatisfied with their current
23 service providers. The referrals shall take into
24 consideration waiting lists and copayments, which may
25 present barriers to access; and

26 (4) subject to the care decisions of the individual

1 receiving care, coordinate transportation for any
2 individual experiencing a mental or behavioral health
3 emergency to the most integrated and least restrictive
4 setting feasible. A mobile crisis response team may
5 provide transportation if the mobile crisis response team
6 is appropriately equipped and staffed to do so.

7 (b) Prioritize requests for emergency assistance. 9-1-1
8 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and
9 the mobile mental and behavioral health service established by
10 the Division of Mental Health must provide guidance for
11 prioritizing calls for assistance and maximum response time in
12 relation to the type of emergency reported.

13 (c) Provide appropriate response times. From the time of
14 first notification, 9-1-1 PSAPs, emergency services dispatched
15 through 9-1-1 PSAPs, and the mobile mental and behavioral
16 health service established by the Division of Mental Health
17 must provide the response within a response time appropriate
18 to the care requirements of the individual with an emergency.

19 (d) Require appropriate mobile mental health relief
20 provider training. Mobile mental health relief providers must
21 have adequate training to address the needs of individuals
22 experiencing a mental or behavioral health emergency. Adequate
23 training at least includes:

24 (1) training in de-escalation techniques;

25 (2) knowledge of local community services and
26 supports;

1 (3) training in respectful interaction with people
2 experiencing mental or behavioral health crises, including
3 the concepts of stigma and respectful language;

4 (4) training in recognizing and working with people
5 with neurodivergent and developmental disability diagnoses
6 and in the techniques available to help stabilize and
7 connect them to further services; and

8 (5) training in the involuntary commitment process, in
9 identification of situations that meet the standards for
10 involuntary commitment, and in cultural competencies and
11 social biases to guard against any group being
12 disproportionately subjected to the involuntary commitment
13 process or the use of the process not warranted under the
14 legal standard for involuntary commitment.

15 (e) Require minimum team staffing. The Division of Mental
16 Health, in consultation with the Regional Advisory Committees
17 created in Section 40, shall determine the appropriate
18 credentials for the mental health providers responding to
19 calls, including to what extent the mobile mental health
20 relief providers must have certain credentials and licensing,
21 and to what extent the mobile mental health relief providers
22 can be peer support professionals.

23 (f) Require training from individuals with lived
24 experience. Training shall be provided by individuals with
25 lived experience to the extent available.

26 (g) Adopt guidelines directing referral to restrictive

1 care settings. Mobile mental health relief providers must have
2 guidelines to follow when considering whether to refer an
3 individual to more restrictive forms of care, like emergency
4 room or hospital settings.

5 (h) Specify regional best practices. Mobile mental health
6 relief providers providing these services must do so
7 consistently with best practices, which include respecting the
8 care choices of the individuals receiving assistance. Regional
9 best practices may be broken down into sub-regions, as
10 appropriate to reflect local resources and conditions. With
11 the agreement of the impacted EMS Regions, providers of
12 emergency response to physical emergencies may participate in
13 another EMS Region for mental and behavioral response, if that
14 participation shall provide a better service to individuals
15 experiencing a mental or behavioral health emergency.

16 (i) Adopt a system for directing care in advance of an
17 emergency. The Division of Mental Health shall select and
18 publicly identify a system that allows individuals who
19 voluntarily chose to do so to provide confidential advanced
20 care directions to individuals providing services under this
21 Act. No system for providing advanced care direction may be
22 implemented unless the Division of Mental Health approves it
23 as confidential, available to individuals at all economic
24 levels, and non-stigmatizing. The Division of Mental Health
25 may defer this requirement for providing a system for advanced
26 care direction if it determines that no existing systems can

1 currently meet these requirements.

2 (j) Train dispatching staff. The personnel staffing 9-1-1,
3 3-1-1, or other emergency response intake systems must be
4 provided with adequate training to assess whether coordinating
5 with 9-8-8 is appropriate.

6 (k) Establish protocol for emergency responder
7 coordination. The Division of Mental Health shall establish a
8 protocol for mobile mental health relief providers, law
9 enforcement, and fire and ambulance services to request
10 assistance from each other, and train these groups on the
11 protocol.

12 (l) Integrate law enforcement. The Division of Mental
13 Health shall provide for law enforcement to request mobile
14 mental health relief provider assistance whenever law
15 enforcement engages an individual appropriate for services
16 under this Act. If law enforcement would typically request EMS
17 assistance when it encounters an individual with a physical
18 health emergency, law enforcement shall similarly dispatch
19 mental or behavioral health personnel or medical
20 transportation when it encounters an individual in a mental or
21 behavioral health emergency.

22 (Source: P.A. 103-105, eff. 6-27-23; 104-155, eff. 8-1-25;
23 revised 12-12-25.)

24 Section 355. The Counties Code is amended by changing
25 Sections 3-4006, 5-1006.5, and 5-1069.3 and by setting forth

1 and renumbering multiple versions of Section 5-1192 as
2 follows:

3 (55 ILCS 5/3-4006) (from Ch. 34, par. 3-4006)

4 Sec. 3-4006. Duties of public defender. The public
5 defender ~~Public Defender~~, as directed by the court, shall act
6 as attorney, without fee, before any court within any county
7 for all persons who are held in custody or who are charged with
8 the commission of any criminal offense, and who the court
9 finds are unable to employ counsel.

10 The public defender ~~Public Defender~~ shall be the attorney,
11 without fee, when so appointed by the court under Section 1-5
12 of the Juvenile Court Act of 1987.

13 In cases subject to Section 5-170 of the Juvenile Court
14 Act of 1987 involving a minor who was under 15 years of age at
15 the time of the commission of the offense, that occurs in a
16 county with a full-time public defender office, a public
17 defender, without fee or appointment, may represent and have
18 access to a minor during a custodial interrogation. In cases
19 subject to Section 5-170 of the Juvenile Court Act of 1987
20 involving a minor who was under 15 years of age at the time of
21 the commission of the offense, that occurs in a county without
22 a full-time public defender, the law enforcement agency
23 conducting the custodial interrogation shall ensure that the
24 minor is able to consult with an attorney who is under contract
25 with the county to provide public defender services.

1 Representation by the public defender shall terminate at the
2 first court appearance if the court determines that the minor
3 is not indigent.

4 Every court shall, with the consent of the defendant and
5 where the court finds that the rights of the defendant would be
6 prejudiced by the appointment of the public defender, appoint
7 counsel other than the public defender, except as otherwise
8 provided in Section 113-3 of the "Code of Criminal Procedure
9 of 1963". That counsel shall be compensated as is provided by
10 law. He shall also, in the case of the conviction of any such
11 person, prosecute any proceeding in review which in his
12 judgment the interests of justice require.

13 In counties with a population over 3,000,000, the public
14 defender, without fee or appointment and with the concurrence
15 of the county board, may act as attorney to noncitizens in
16 immigration cases. Representation by the public defender in
17 immigration cases shall be limited to those arising or being
18 heard within the geographical boundaries of the county where
19 the public defender has been appointed to office and to those
20 of county residents with immigration cases outside of the
21 county unless the board authorizes the public defender to
22 provide representation beyond those limits.

23 (Source: P.A. 104-225, eff. 8-15-25; revised 12-12-25.)

24 (55 ILCS 5/5-1006.5)

25 Sec. 5-1006.5. Special County Retailers' Occupation Tax

1 For Public Safety, Public Facilities, Mental Health, Substance
2 Abuse, or Transportation.

3 (a) The county board of any county may impose a tax upon
4 all persons engaged in the business of selling tangible
5 personal property, other than personal property titled or
6 registered with an agency of this State's government, at
7 retail in the county on the gross receipts from the sales made
8 in the course of business to provide revenue to be used
9 exclusively for public safety, public facility, mental health,
10 substance abuse, or transportation purposes in that county
11 (except as otherwise provided in this Section), if a
12 proposition for the tax has been submitted to the electors of
13 that county and approved by a majority of those voting on the
14 question. If imposed, this tax shall be imposed only in
15 one-quarter percent increments. By resolution, the county
16 board may order the proposition to be submitted at any
17 election. If the tax is imposed for transportation purposes
18 for expenditures for public highways or as authorized under
19 the Illinois Highway Code, the county board must publish
20 notice of the existence of its long-range highway
21 transportation plan as required or described in Section 5-301
22 of the Illinois Highway Code and must make the plan publicly
23 available prior to approval of the ordinance or resolution
24 imposing the tax. If the tax is imposed for transportation
25 purposes for expenditures for passenger rail transportation,
26 the county board must publish notice of the existence of its

1 long-range passenger rail transportation plan and must make
2 the plan publicly available prior to approval of the ordinance
3 or resolution imposing the tax.

4 If a tax is imposed for public facilities purposes, then
5 the name of the project may be included in the proposition at
6 the discretion of the county board as determined in the
7 enabling resolution. For example, the "XXX Nursing Home" or
8 the "YYY Museum".

9 The county clerk shall certify the question to the proper
10 election authority, who shall submit the proposition at an
11 election in accordance with the general election law.

12 (1) The proposition for public safety purposes shall
13 be in substantially the following form:

14 "To pay for public safety purposes, shall (name of
15 county) be authorized to impose an increase on its share
16 of local sales taxes by (insert rate)?"

17 As additional information on the ballot below the
18 question shall appear the following:

19 "This would mean that a consumer would pay an
20 additional (insert amount) in sales tax for every \$100 of
21 tangible personal property bought at retail."

22 The county board may also opt to establish a sunset
23 provision at which time the additional sales tax would
24 cease being collected, if not terminated earlier by a vote
25 of the county board. If the county board votes to include a
26 sunset provision, the proposition for public safety

1 purposes shall be in substantially the following form:

2 "To pay for public safety purposes, shall (name of
3 county) be authorized to impose an increase on its share
4 of local sales taxes by (insert rate) for a period not to
5 exceed (insert number of years)?"

6 As additional information on the ballot below the
7 question shall appear the following:

8 "This would mean that a consumer would pay an
9 additional (insert amount) in sales tax for every \$100 of
10 tangible personal property bought at retail. If imposed,
11 the additional tax would cease being collected at the end
12 of (insert number of years), if not terminated earlier by
13 a vote of the county board."

14 For the purposes of the paragraph, "public safety
15 purposes" means crime prevention, detention, fire
16 fighting, police, medical, ambulance, or other emergency
17 services.

18 Votes shall be recorded as "Yes" or "No".

19 Beginning on the January 1 or July 1, whichever is
20 first, that occurs not less than 30 days after May 31, 2015
21 (the effective date of Public Act 99-4), Adams County may
22 impose a public safety retailers' occupation tax and
23 service occupation tax at the rate of 0.25%, as provided
24 in the referendum approved by the voters on April 7, 2015,
25 notwithstanding the omission of the additional information
26 that is otherwise required to be printed on the ballot

1 below the question pursuant to this item (1).

2 (2) The proposition for transportation purposes shall
3 be in substantially the following form:

4 "To pay for improvements to roads and other
5 transportation purposes, shall (name of county) be
6 authorized to impose an increase on its share of local
7 sales taxes by (insert rate)?"

8 As additional information on the ballot below the
9 question shall appear the following:

10 "This would mean that a consumer would pay an
11 additional (insert amount) in sales tax for every \$100 of
12 tangible personal property bought at retail."

13 The county board may also opt to establish a sunset
14 provision at which time the additional sales tax would
15 cease being collected, if not terminated earlier by a vote
16 of the county board. If the county board votes to include a
17 sunset provision, the proposition for transportation
18 purposes shall be in substantially the following form:

19 "To pay for road improvements and other transportation
20 purposes, shall (name of county) be authorized to impose
21 an increase on its share of local sales taxes by (insert
22 rate) for a period not to exceed (insert number of
23 years)?"

24 As additional information on the ballot below the
25 question shall appear the following:

26 "This would mean that a consumer would pay an

1 additional (insert amount) in sales tax for every \$100 of
2 tangible personal property bought at retail. If imposed,
3 the additional tax would cease being collected at the end
4 of (insert number of years), if not terminated earlier by
5 a vote of the county board."

6 For the purposes of this paragraph, transportation
7 purposes means construction, maintenance, operation, and
8 improvement of public highways, any other purpose for
9 which a county may expend funds under the Illinois Highway
10 Code, and passenger rail transportation.

11 The votes shall be recorded as "Yes" or "No".

12 (3) The proposition for public facilities purposes
13 shall be in substantially the following form:

14 "To pay for public facilities purposes, shall (name of
15 county) be authorized to impose an increase on its share
16 of local sales taxes by (insert rate)?"

17 As additional information on the ballot below the
18 question shall appear the following:

19 "This would mean that a consumer would pay an
20 additional (insert amount) in sales tax for every \$100 of
21 tangible personal property bought at retail."

22 The county board may also opt to establish a sunset
23 provision at which time the additional sales tax would
24 cease being collected, if not terminated earlier by a vote
25 of the county board. If the county board votes to include a
26 sunset provision, the proposition for public facilities

1 purposes shall be in substantially the following form:

2 "To pay for public facilities purposes, shall (name of
3 county) be authorized to impose an increase on its share
4 of local sales taxes by (insert rate) for a period not to
5 exceed (insert number of years)?"

6 As additional information on the ballot below the
7 question shall appear the following:

8 "This would mean that a consumer would pay an
9 additional (insert amount) in sales tax for every \$100 of
10 tangible personal property bought at retail. If imposed,
11 the additional tax would cease being collected at the end
12 of (insert number of years), if not terminated earlier by
13 a vote of the county board."

14 For purposes of this Section, "public facilities
15 purposes" means the acquisition, development,
16 construction, reconstruction, rehabilitation,
17 improvement, financing, architectural planning, and
18 installation of capital facilities consisting of
19 buildings, structures, and durable equipment and for the
20 acquisition and improvement of real property and interest
21 in real property required, or expected to be required, in
22 connection with the public facilities, for use by the
23 county for the furnishing of governmental services to its
24 citizens, including, but not limited to, museums and
25 nursing homes.

26 The votes shall be recorded as "Yes" or "No".

1 (4) The proposition for mental health purposes shall
2 be in substantially the following form:

3 "To pay for mental health purposes, shall (name of
4 county) be authorized to impose an increase on its share
5 of local sales taxes by (insert rate)?"

6 As additional information on the ballot below the
7 question shall appear the following:

8 "This would mean that a consumer would pay an
9 additional (insert amount) in sales tax for every \$100 of
10 tangible personal property bought at retail."

11 The county board may also opt to establish a sunset
12 provision at which time the additional sales tax would
13 cease being collected, if not terminated earlier by a vote
14 of the county board. If the county board votes to include a
15 sunset provision, the proposition for public facilities
16 purposes shall be in substantially the following form:

17 "To pay for mental health purposes, shall (name of
18 county) be authorized to impose an increase on its share
19 of local sales taxes by (insert rate) for a period not to
20 exceed (insert number of years)?"

21 As additional information on the ballot below the
22 question shall appear the following:

23 "This would mean that a consumer would pay an
24 additional (insert amount) in sales tax for every \$100 of
25 tangible personal property bought at retail. If imposed,
26 the additional tax would cease being collected at the end

1 of (insert number of years), if not terminated earlier by
2 a vote of the county board."

3 The votes shall be recorded as "Yes" or "No".

4 (5) The proposition for substance abuse purposes shall
5 be in substantially the following form:

6 "To pay for substance abuse purposes, shall (name of
7 county) be authorized to impose an increase on its share
8 of local sales taxes by (insert rate)?"

9 As additional information on the ballot below the
10 question shall appear the following:

11 "This would mean that a consumer would pay an
12 additional (insert amount) in sales tax for every \$100 of
13 tangible personal property bought at retail."

14 The county board may also opt to establish a sunset
15 provision at which time the additional sales tax would
16 cease being collected, if not terminated earlier by a vote
17 of the county board. If the county board votes to include a
18 sunset provision, the proposition for public facilities
19 purposes shall be in substantially the following form:

20 "To pay for substance abuse purposes, shall (name of
21 county) be authorized to impose an increase on its share
22 of local sales taxes by (insert rate) for a period not to
23 exceed (insert number of years)?"

24 As additional information on the ballot below the
25 question shall appear the following:

26 "This would mean that a consumer would pay an

1 additional (insert amount) in sales tax for every \$100 of
2 tangible personal property bought at retail. If imposed,
3 the additional tax would cease being collected at the end
4 of (insert number of years), if not terminated earlier by
5 a vote of the county board."

6 The votes shall be recorded as "Yes" or "No".

7 If a majority of the electors voting on the proposition
8 vote in favor of it, the county may impose the tax. A county
9 may not submit more than one proposition authorized by this
10 Section to the electors at any one time.

11 This additional tax may not be imposed on tangible
12 personal property taxed at the 1% rate under the Retailers'
13 Occupation Tax Act (or at the 0% rate imposed under Public Act
14 102-700 ~~this amendatory Act of the 102nd General Assembly~~).
15 Beginning December 1, 2019 and through December 31, 2020, this
16 tax is not imposed on sales of aviation fuel unless the tax
17 revenue is expended for airport-related purposes. If the
18 county does not have an airport-related purpose to which it
19 dedicates aviation fuel tax revenue, then aviation fuel is
20 excluded from the tax. The county must comply with the
21 certification requirements for airport-related purposes under
22 Section 2-22 of the Retailers' Occupation Tax Act. For
23 purposes of this Section, "airport-related purposes" has the
24 meaning ascribed in Section 6z-20.2 of the State Finance Act.
25 Beginning January 1, 2021, this tax is not imposed on sales of
26 aviation fuel for so long as the revenue use requirements of 49

1 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the county.
2 The tax imposed by a county under this Section and all civil
3 penalties that may be assessed as an incident of the tax shall
4 be collected and enforced by the Illinois Department of
5 Revenue and deposited into a special fund created for that
6 purpose. The certificate of registration that is issued by the
7 Department to a retailer under the Retailers' Occupation Tax
8 Act shall permit the retailer to engage in a business that is
9 taxable without registering separately with the Department
10 under an ordinance or resolution under this Section. The
11 Department has full power to administer and enforce this
12 Section, to collect all taxes and penalties due under this
13 Section, to dispose of taxes and penalties so collected in the
14 manner provided in this Section, and to determine all rights
15 to credit memoranda arising on account of the erroneous
16 payment of a tax or penalty under this Section. In the
17 administration of and compliance with this Section, the
18 Department and persons who are subject to this Section shall
19 (i) have the same rights, remedies, privileges, immunities,
20 powers, and duties, (ii) be subject to the same conditions,
21 restrictions, limitations, penalties, and definitions of
22 terms, and (iii) employ the same modes of procedure as are
23 prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m,
24 1n, 2 through 2-70 (in respect to all provisions contained in
25 those Sections other than the State rate of tax), 2a, 2b, 2c, 3
26 (except provisions relating to transaction returns and quarter

1 monthly payments, and except that the retailer's discount is
2 not allowed for taxes paid on aviation fuel that are deposited
3 into the Local Government Aviation Trust Fund), 4, 5, 5a, 5b,
4 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d, 7,
5 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax
6 Act and Section 3-7 of the Uniform Penalty and Interest Act as
7 if those provisions were set forth in this Section.

8 Persons subject to any tax imposed under the authority
9 granted in this Section may reimburse themselves for their
10 sellers' tax liability by separately stating the tax as an
11 additional charge, which charge may be stated in combination,
12 in a single amount, with State tax which sellers are required
13 to collect under the Use Tax Act, pursuant to such bracketed
14 schedules as the Department may prescribe.

15 Whenever the Department determines that a refund should be
16 made under this Section to a claimant instead of issuing a
17 credit memorandum, the Department shall notify the State
18 Comptroller, who shall cause the order to be drawn for the
19 amount specified and to the person named in the notification
20 from the Department. The refund shall be paid by the State
21 Treasurer out of the County Public Safety, Public Facilities,
22 Mental Health, Substance Abuse, or Transportation Retailers'
23 Occupation Tax Fund or the Local Government Aviation Trust
24 Fund, as appropriate.

25 (b) If a tax has been imposed under subsection (a), a
26 service occupation tax shall also be imposed at the same rate

1 upon all persons engaged, in the county, in the business of
2 making sales of service, who, as an incident to making those
3 sales of service, transfer tangible personal property within
4 the county as an incident to a sale of service. This tax may
5 not be imposed on tangible personal property taxed at the 1%
6 rate under the Service Occupation Tax Act (or at the 0% rate
7 imposed under Public Act 102-700 ~~this amendatory Act of the~~
8 ~~102nd General Assembly~~). Beginning December 1, 2019 and
9 through December 31, 2020, this tax is not imposed on sales of
10 aviation fuel unless the tax revenue is expended for
11 airport-related purposes. If the county does not have an
12 airport-related purpose to which it dedicates aviation fuel
13 tax revenue, then aviation fuel is excluded from the tax. The
14 county must comply with the certification requirements for
15 airport-related purposes under Section 2-22 of the Retailers'
16 Occupation Tax Act. For purposes of this Section,
17 "airport-related purposes" has the meaning ascribed in Section
18 6z-20.2 of the State Finance Act. Beginning January 1, 2021,
19 this tax is not imposed on sales of aviation fuel for so long
20 as the revenue use requirements of 49 U.S.C. 47107(b) and 49
21 U.S.C. 47133 are binding on the county. The tax imposed under
22 this subsection and all civil penalties that may be assessed
23 as an incident thereof shall be collected and enforced by the
24 Department of Revenue. The Department has full power to
25 administer and enforce this subsection; to collect all taxes
26 and penalties due hereunder; to dispose of taxes and penalties

1 so collected in the manner hereinafter provided; and to
2 determine all rights to credit memoranda arising on account of
3 the erroneous payment of tax or penalty hereunder. In the
4 administration of and compliance with this subsection, the
5 Department and persons who are subject to this paragraph shall
6 (i) have the same rights, remedies, privileges, immunities,
7 powers, and duties, (ii) be subject to the same conditions,
8 restrictions, limitations, penalties, exclusions, exemptions,
9 and definitions of terms, and (iii) employ the same modes of
10 procedure as are prescribed in Sections 2 (except that the
11 reference to State in the definition of supplier maintaining a
12 place of business in this State shall mean the county), 2a, 2b,
13 2c, 3 through 3-50 (in respect to all provisions therein other
14 than the State rate of tax), 4 (except that the reference to
15 the State shall be to the county), 5, 7, 8 (except that the
16 jurisdiction to which the tax shall be a debt to the extent
17 indicated in that Section 8 shall be the county), 9 (except as
18 to the disposition of taxes and penalties collected, and
19 except that the retailer's discount is not allowed for taxes
20 paid on aviation fuel that are deposited into the Local
21 Government Aviation Trust Fund), 10, 11, 12 (except the
22 reference therein to Section 2b of the Retailers' Occupation
23 Tax Act), 13 (except that any reference to the State shall mean
24 the county), Section 15, 16, 17, 18, 19, and 20 of the Service
25 Occupation Tax Act, and Section 3-7 of the Uniform Penalty and
26 Interest Act, as fully as if those provisions were set forth

1 herein.

2 Persons subject to any tax imposed under the authority
3 granted in this subsection may reimburse themselves for their
4 serviceman's tax liability by separately stating the tax as an
5 additional charge, which charge may be stated in combination,
6 in a single amount, with State tax that servicemen are
7 authorized to collect under the Service Use Tax Act, in
8 accordance with such bracket schedules as the Department may
9 prescribe.

10 Whenever the Department determines that a refund should be
11 made under this subsection to a claimant instead of issuing a
12 credit memorandum, the Department shall notify the State
13 Comptroller, who shall cause the warrant to be drawn for the
14 amount specified, and to the person named, in the notification
15 from the Department. The refund shall be paid by the State
16 Treasurer out of the County Public Safety, Public Facilities,
17 Mental Health, Substance Abuse, or Transportation Retailers'
18 Occupation Tax Fund or the Local Government Aviation Trust
19 Fund, as appropriate.

20 Nothing in this subsection shall be construed to authorize
21 the county to impose a tax upon the privilege of engaging in
22 any business which under the Constitution of the United States
23 may not be made the subject of taxation by the State.

24 (b-5) If, on January 1, 2025, a unit of local government
25 has in effect a tax under this Section, or if, after January 1,
26 2025, a unit of local government imposes a tax under this

1 Section, then that tax applies to leases of tangible personal
2 property in effect, entered into, or renewed on or after that
3 date in the same manner as the tax under this Section and in
4 accordance with the changes made by Public Act 103-592 ~~this~~
5 ~~amendatory Act of the 103rd General Assembly.~~

6 (c) Except as otherwise provided in this paragraph, the
7 Department shall immediately pay over to the State Treasurer,
8 ex officio, as trustee, all taxes and penalties collected
9 under this Section to be deposited into the County Public
10 Safety, Public Facilities, Mental Health, Substance Abuse, or
11 Transportation Retailers' Occupation Tax Fund, which shall be
12 an unappropriated trust fund held outside of the State
13 treasury. Taxes and penalties collected on aviation fuel sold
14 on or after December 1, 2019 and through December 31, 2020,
15 shall be immediately paid over by the Department to the State
16 Treasurer, ex officio, as trustee, for deposit into the Local
17 Government Aviation Trust Fund. The Department shall only pay
18 moneys into the Local Government Aviation Trust Fund under
19 this Act for so long as the revenue use requirements of 49
20 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the county.

21 As soon as possible after the first day of each month,
22 beginning January 1, 2011, upon certification of the
23 Department of Revenue, the Comptroller shall order
24 transferred, and the Treasurer shall transfer, to the STAR
25 Bonds Revenue Fund the local sales tax increment, as defined
26 in the Innovation Development and Economy Act, collected under

1 this Section during the second preceding calendar month for
2 sales within a STAR bond district.

3 After the monthly transfer to the STAR Bonds Revenue Fund,
4 on or before the 25th day of each calendar month, the
5 Department shall prepare and certify to the Comptroller the
6 disbursement of stated sums of money to the counties from
7 which retailers have paid taxes or penalties to the Department
8 during the second preceding calendar month. The amount to be
9 paid to each county, and deposited by the county into its
10 special fund created for the purposes of this Section, shall
11 be the amount (not including credit memoranda and not
12 including taxes and penalties collected on aviation fuel sold
13 on or after December 1, 2019 and through December 31, 2020)
14 collected under this Section during the second preceding
15 calendar month by the Department plus an amount the Department
16 determines is necessary to offset any amounts that were
17 erroneously paid to a different taxing body, and not including
18 (i) an amount equal to the amount of refunds made during the
19 second preceding calendar month by the Department on behalf of
20 the county, (ii) any amount that the Department determines is
21 necessary to offset any amounts that were payable to a
22 different taxing body but were erroneously paid to the county,
23 (iii) any amounts that are transferred to the STAR Bonds
24 Revenue Fund, and (iv) 1.5% of the remainder, which shall be
25 transferred into the Tax Compliance and Administration Fund.
26 The Department, at the time of each monthly disbursement to

1 the counties, shall prepare and certify to the State
2 Comptroller the amount to be transferred into the Tax
3 Compliance and Administration Fund under this subsection.
4 Within 10 days after receipt by the Comptroller of the
5 disbursement certification to the counties and the Tax
6 Compliance and Administration Fund provided for in this
7 Section to be given to the Comptroller by the Department, the
8 Comptroller shall cause the orders to be drawn for the
9 respective amounts in accordance with directions contained in
10 the certification.

11 In addition to the disbursement required by the preceding
12 paragraph, an allocation shall be made in March of each year to
13 each county that received more than \$500,000 in disbursements
14 under the preceding paragraph in the preceding calendar year.
15 The allocation shall be in an amount equal to the average
16 monthly distribution made to each such county under the
17 preceding paragraph during the preceding calendar year
18 (excluding the 2 months of highest receipts). The distribution
19 made in March of each year subsequent to the year in which an
20 allocation was made pursuant to this paragraph and the
21 preceding paragraph shall be reduced by the amount allocated
22 and disbursed under this paragraph in the preceding calendar
23 year. The Department shall prepare and certify to the
24 Comptroller for disbursement the allocations made in
25 accordance with this paragraph.

26 (d) For the purpose of determining the local governmental

1 unit whose tax is applicable, a retail sale by a producer of
2 coal or another mineral mined in Illinois is a sale at retail
3 at the place where the coal or other mineral mined in Illinois
4 is extracted from the earth. This paragraph does not apply to
5 coal or another mineral when it is delivered or shipped by the
6 seller to the purchaser at a point outside Illinois so that the
7 sale is exempt under the United States Constitution as a sale
8 in interstate or foreign commerce.

9 (e) Nothing in this Section shall be construed to
10 authorize a county to impose a tax upon the privilege of
11 engaging in any business that under the Constitution of the
12 United States may not be made the subject of taxation by this
13 State.

14 (e-5) If a county imposes a tax under this Section, the
15 county board may, by ordinance, discontinue or lower the rate
16 of the tax. If the county board lowers the tax rate or
17 discontinues the tax, a referendum must be held in accordance
18 with subsection (a) of this Section in order to increase the
19 rate of the tax or to reimpose the discontinued tax.

20 (f) Beginning April 1, 1998 and through December 31, 2013,
21 the results of any election authorizing a proposition to
22 impose a tax under this Section or effecting a change in the
23 rate of tax, or any ordinance lowering the rate or
24 discontinuing the tax, shall be certified by the county clerk
25 and filed with the Illinois Department of Revenue either (i)
26 on or before the first day of April, whereupon the Department

1 shall proceed to administer and enforce the tax as of the first
2 day of July next following the filing; or (ii) on or before the
3 first day of October, whereupon the Department shall proceed
4 to administer and enforce the tax as of the first day of
5 January next following the filing.

6 Beginning January 1, 2014, the results of any election
7 authorizing a proposition to impose a tax under this Section
8 or effecting an increase in the rate of tax, along with the
9 ordinance adopted to impose the tax or increase the rate of the
10 tax, or any ordinance adopted to lower the rate or discontinue
11 the tax, shall be certified by the county clerk and filed with
12 the Illinois Department of Revenue either (i) on or before the
13 first day of May, whereupon the Department shall proceed to
14 administer and enforce the tax as of the first day of July next
15 following the adoption and filing; or (ii) on or before the
16 first day of October, whereupon the Department shall proceed
17 to administer and enforce the tax as of the first day of
18 January next following the adoption and filing.

19 (g) When certifying the amount of a monthly disbursement
20 to a county under this Section, the Department shall increase
21 or decrease the amounts by an amount necessary to offset any
22 miscalculation of previous disbursements. The offset amount
23 shall be the amount erroneously disbursed within the previous
24 6 months from the time a miscalculation is discovered.

25 (g-5) Every county authorized to levy a tax under this
26 Section shall, before it levies such tax, establish a 7-member

1 mental health board, which shall have the same powers and
2 duties and be constituted in the same manner as a community
3 mental health board established under the Community Mental
4 Health Act. Proceeds of the tax under this Section that are
5 earmarked for mental health or substance abuse purposes shall
6 be deposited into a special county occupation tax fund for
7 mental health and substance abuse. The 7-member mental health
8 board established under this subsection shall administer the
9 special county occupation tax fund for mental health and
10 substance abuse in the same manner as the community mental
11 health board administers the community mental health fund
12 under the Community Mental Health Act.

13 (h) This Section may be cited as the "Special County
14 Occupation Tax For Public Safety, Public Facilities, Mental
15 Health, Substance Abuse, or Transportation Law".

16 (i) For purposes of this Section, "public safety"
17 includes, but is not limited to, crime prevention, detention,
18 fire fighting, police, medical, ambulance, or other emergency
19 services. The county may share tax proceeds received under
20 this Section for public safety purposes, including proceeds
21 received before August 4, 2009 (the effective date of Public
22 Act 96-124), with any fire protection district located in the
23 county. For the purposes of this Section, "transportation"
24 includes, but is not limited to, the construction,
25 maintenance, operation, and improvement of public highways,
26 any other purpose for which a county may expend funds under the

1 Illinois Highway Code, and passenger rail transportation. For
2 the purposes of this Section, "public facilities purposes"
3 includes, but is not limited to, the acquisition, development,
4 construction, reconstruction, rehabilitation, improvement,
5 financing, architectural planning, and installation of capital
6 facilities consisting of buildings, structures, and durable
7 equipment and for the acquisition and improvement of real
8 property and interest in real property required, or expected
9 to be required, in connection with the public facilities, for
10 use by the county for the furnishing of governmental services
11 to its citizens, including, but not limited to, museums and
12 nursing homes.

13 (j) The Department may promulgate rules to implement
14 Public Act 95-1002 only to the extent necessary to apply the
15 existing rules for the Special County Retailers' Occupation
16 Tax for Public Safety to this new purpose for public
17 facilities.

18 (Source: P.A. 102-379, eff. 1-1-22; 102-700, eff. 4-19-22;
19 103-592, eff. 1-1-25; revised 7-7-25.)

20 (55 ILCS 5/5-1069.3)

21 (Text of Section before amendment by P.A. 104-446)

22 Sec. 5-1069.3. Required health benefits. If a county,
23 including a home rule county, is a self-insurer for purposes
24 of providing health insurance coverage for its employees, the
25 coverage shall include coverage for the post-mastectomy care

1 benefits required to be covered by a policy of accident and
2 health insurance under Section 356t and the coverage required
3 under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u,
4 356u.10, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9,
5 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22,
6 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33, 356z.36,
7 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51,
8 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61,
9 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71, 356z.74,
10 ~~and 356z.77, 356z.79, and 356z.80, 356z.81, 356z.82, 356z.83,~~
11 356z.84, and 356z.85 of the Illinois Insurance Code. The
12 coverage shall comply with Sections 155.22a, 355b, 356z.19,
13 and 370c of the Illinois Insurance Code. The Department of
14 Insurance shall enforce the requirements of this Section. The
15 requirement that health benefits be covered as provided in
16 this Section is an exclusive power and function of the State
17 and is a denial and limitation under Article VII, Section 6,
18 subsection (h) of the Illinois Constitution. A home rule
19 county to which this Section applies must comply with every
20 provision of this Section.

21 Rulemaking authority to implement Public Act 95-1045, if
22 any, is conditioned on the rules being adopted in accordance
23 with all provisions of the Illinois Administrative Procedure
24 Act and all rules and procedures of the Joint Committee on
25 Administrative Rules; any purported rule not so adopted, for
26 whatever reason, is unauthorized.

(Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25; revised 1-7-26.)

(Text of Section after amendment by P.A. 104-446)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, ~~and 356z.77, 356z.79, and 356z.80~~, 356z.81, 356z.82, 356z.83, 356z.84, and 356z.85 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19,

1 370c, and 370c.4 of the Illinois Insurance Code. The
2 Department of Insurance shall enforce the requirements of this
3 Section. The requirement that health benefits be covered as
4 provided in this Section is an exclusive power and function of
5 the State and is a denial and limitation under Article VII,
6 Section 6, subsection (h) of the Illinois Constitution. A home
7 rule county to which this Section applies must comply with
8 every provision of this Section.

9 Rulemaking authority to implement Public Act 95-1045, if
10 any, is conditioned on the rules being adopted in accordance
11 with all provisions of the Illinois Administrative Procedure
12 Act and all rules and procedures of the Joint Committee on
13 Administrative Rules; any purported rule not so adopted, for
14 whatever reason, is unauthorized.

15 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
16 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
17 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
18 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
19 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
20 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
21 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
22 eff. 1-1-26; 104-417, eff. 8-15-25; 104-446, eff. 6-1-26;
23 revised 1-7-26.)

24 (55 ILCS 5/5-1192)

25 Sec. 5-1192. County use of utility pole for county public

1 safety.

2 (a) As used in this Section:

3 "Communications space" has the meaning given to that term
4 in the National Electric Safety Code as published by the
5 Institute of Electrical and Electronics Engineers.

6 "Communication worker safety zone" has the meaning given
7 to that term in the National Electric Safety Code as published
8 by the Institute of Electrical and Electronics Engineers.

9 "Electric supply zone" has the meaning given to that term
10 in the National Electric Safety Code as published by the
11 Institute of Electrical and Electronics Engineers.

12 "Public utility" has the meaning given to that term in
13 Section 3-105 of the Public Utilities Act.

14 (b) Subject to the provisions of subsection (c), a county
15 may use a utility pole that is owned by the State or a unit of
16 local government or a public right-of-way that is owned by the
17 State or a unit of local government for county public safety
18 purposes, including, but not limited to, the placement of
19 equipment associated with public safety. The equipment may not
20 be located within or interfere with part of an electric
21 distribution or transmission system within the communication
22 worker safety zone of the pole or the electric supply zone of
23 the pole. The use of the equipment must comply with the
24 applicable codes and local code provisions or regulations that
25 concern public safety.

26 (c) A State agency may, by rule, or a unit of local

1 government may, by ordinance or resolution, create a
2 permitting process to allow a utility pole or a public
3 right-of-way that it owns to be used by a county for public
4 safety purposes.

5 (d) Any fee charged by the owner of a utility pole or
6 right-of-way for use by a county under this Section shall be at
7 the lowest rate charged by the owner and shall not exceed the
8 owner's costs.

9 (e) Nothing in this Section authorizes a county to use
10 property or infrastructure that is owned by a public utility.

11 (Source: P.A. 104-97, eff. 1-1-26.)

12 (55 ILCS 5/5-1193)

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

15 Sec. 5-1193 ~~5-1192~~. Building inspector requirements.

16 (a) In this Section, "building inspector" means (i) a
17 State or county employee whose duties include the inspection
18 or examination of structures or property in a county to
19 determine if zoning or other code violations exist or (ii) a
20 third party contracting with the county whose duties include
21 the inspection or examination of structures or property in a
22 county to determine if zoning or other code violations exist.
23 "Building inspector" includes a code enforcement officer, as
24 defined in Section 5-41005.

25 (b) A building inspector who performs inspections or

1 examinations under this Code must hold certification from the
2 International Code Council in the area in which the inspector
3 is inspecting or examining. The county must keep on file a copy
4 of the certifications of the persons doing inspections or
5 examinations on its behalf. A building inspector under this
6 Section may have a grace period of one year from the date of
7 hire to acquire the certification required under this Section.
8 (Source: P.A. 104-262, eff. 1-1-27; revised 10-2-25.)

9 (55 ILCS 5/5-1194)

10 Sec. 5-1194 ~~5-1192~~. Web-based signature. A county may
11 allow a person to sign any document with a web-based signature
12 if the county uses a secure web-based platform. This Section
13 does not apply to a nominating or candidate petition or a
14 referendum petition.

15 (Source: P.A. 104-406, eff. 1-1-26; revised 10-2-25.)

16 Section 360. The Illinois Municipal Code is amended by
17 changing Sections 8-8-3, 10-2.1-6, 10-4-2.3, 11-13-15,
18 11-42-11.1, 11-74.4-3.5, and 11-101-3 as follows:

19 (65 ILCS 5/8-8-3) (from Ch. 24, par. 8-8-3)

20 Sec. 8-8-3. Audit requirements.

21 (a) The corporate authorities of each municipality coming
22 under the provisions of this Division 8 shall cause an audit of
23 the funds and accounts of the municipality to be made by an

1 auditor or auditors employed by such municipality or by an
2 auditor or auditors retained by the Comptroller, as
3 hereinafter provided.

4 (b) Until Fiscal Year 2027, the accounts and funds of each
5 municipality having a population of 800 or more or having a
6 bonded debt or owning or operating any type of public utility
7 shall be audited annually. The audit herein required shall
8 include all of the accounts and funds of the municipality.
9 Such audit shall be begun as soon as possible after the close
10 of the fiscal year, and shall be completed and the report
11 submitted within 180 days after the close of such fiscal year,
12 unless an extension of time shall be granted by the
13 Comptroller in writing. The auditor or auditors performing
14 ~~perform~~ the audit shall submit not less than 2 copies of the
15 audit report to the corporate authorities of the municipality
16 being audited. Municipalities not operating utilities may
17 cause audits of the accounts of municipalities to be made more
18 often than herein provided~~7~~ by an auditor or auditors. The
19 audit report of such audit when filed with the Comptroller
20 together with an audit report covering the remainder of the
21 period for which an audit is required to be filed hereunder
22 shall satisfy the requirements of this Section ~~section~~. This
23 subsection (b) becomes inoperative ~~inoperable~~ in Fiscal Year
24 2027.

25 (c) Until Fiscal Year 2027, municipalities of less than
26 800 population which do not own or operate public utilities

1 and do not have bonded debt, shall file annually with the
2 Comptroller a financial report containing information required
3 by the Comptroller. Such annual financial report shall be on
4 forms devised by the Comptroller in such manner as to not
5 require professional accounting services for its preparation.
6 This subsection (c) becomes inoperative ~~inoperable~~ in Fiscal
7 Year 2027.

8 (d) Until Fiscal Year 2027, in addition to any audit
9 report required, all municipalities, except municipalities of
10 less than 800 population which do not own or operate public
11 utilities and do not have bonded debt, shall file annually
12 with the Comptroller a supplemental report on forms devised
13 and approved by the Comptroller. This subsection (d) becomes
14 inoperative ~~inoperable~~ in Fiscal Year 2027.

15 (e) Until Fiscal Year 2027, notwithstanding any provision
16 of law to the contrary, if a municipality (i) has a population
17 of less than 200, (ii) has bonded debt in the amount of \$50,000
18 or less, and (iii) owns or operates a public utility, then the
19 municipality shall cause an audit of the funds and accounts of
20 the municipality to be performed by an auditor employed by the
21 municipality or retained by the Comptroller for fiscal year
22 2011 and every fourth fiscal year thereafter or until the
23 municipality has a population of 200 or more, has bonded debt
24 in excess of \$50,000, or no longer owns or operates a public
25 utility. Nothing in this subsection shall be construed as
26 limiting the municipality's duty to file an annual financial

1 report with the Comptroller or to comply with the filing
2 requirements concerning the county clerk. This subsection (e)
3 becomes inoperative ~~inoperable~~ in Fiscal Year 2027.

4 (f) All audits and reports to be filed with the
5 Comptroller under this Section must be submitted
6 electronically and the Comptroller must post the audits and
7 reports on the Internet no later than 45 days after they are
8 received. If the municipality provides the Comptroller's
9 Office with sufficient evidence that the audit or report
10 cannot be filed electronically, the Comptroller may waive this
11 requirement. The Comptroller must also post a list of
12 municipalities that are not in compliance with the reporting
13 requirements set forth in this Section.

14 (g) Subsection (f) of this Section is a limitation under
15 subsection (i) of Section 6 of Article VII of the Illinois
16 Constitution on the concurrent exercise by home rule
17 municipalities of powers and functions exercised by the State.

18 (h) Any financial report under this Section shall include
19 the name of the purchasing agent who oversees all
20 competitively bid contracts. If there is no purchasing agent,
21 the name of the person responsible for oversight of all
22 competitively bid contracts shall be listed.

23 (i) Beginning in Fiscal Year 2027, if a municipality has a
24 population of less than 1,000, does not own or operate public
25 utilities, and does not have bonded debt, then the
26 municipality shall file annually with the Comptroller an

1 annual financial report.

2 (j) Beginning in Fiscal Year 2027, a municipality with a
3 population of less than 1,000 shall annually file an annual
4 financial report with the Comptroller if the municipality owns
5 or operates public utilities or has bonded debt. Additionally,
6 the municipality shall file an audit report once every 4 years
7 unless the latest audit report filed with the Comptroller
8 contains an adverse opinion or disclaimer of opinion. If the
9 audit report contains an adverse opinion or disclaimer of
10 opinion, then the municipality shall file an audit report
11 annually until the audit report shows no adverse opinion or
12 disclaimer of opinion.

13 (k) Beginning in Fiscal Year 2027, if a municipality has a
14 population of 1,000 or more, then the municipality shall file
15 annually with the Comptroller an audit report and annual
16 financial report.

17 (l) Beginning in Fiscal Year 2027, municipalities shall
18 submit completed audit reports and annual financial reports
19 within 180 days after the close of such fiscal year, unless an
20 extension is granted by the Comptroller in writing. The
21 auditor performing the audit shall submit not less than 2
22 copies of the audit report to the corporate authorities of the
23 municipality being audited. The audit report of such audit
24 when filed with the Comptroller together with an audit report
25 covering the remainder of the period for which an audit is
26 required to be filed under this Section shall satisfy the

1 requirements of this Section.

2 (Source: P.A. 104-167, eff. 1-1-26; revised 12-12-25.)

3 (65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)

4 Sec. 10-2.1-6. Examination of applicants;
5 disqualifications.

6 (a) All applicants for a position in either the fire or
7 police department of the municipality shall be under 35 years
8 of age, shall be subject to an examination that shall be
9 public, competitive, and open to all applicants (unless the
10 council or board of trustees by ordinance limits ~~limit~~
11 applicants to electors of the municipality, county, state, or
12 nation) and shall be subject to reasonable limitations as to
13 residence, health, habits, and moral character. An individual
14 who is not a citizen but is legally authorized to work in the
15 United States under federal law or is an individual against
16 whom immigration action has been deferred by the U.S.
17 Citizenship and Immigration Services under the federal
18 Deferred Action for Childhood Arrivals (DACA) process is
19 authorized to apply for the position of police officer,
20 subject to (i) all requirements and limitations, other than
21 citizenship, to which other applicants are subject and (ii)
22 the individual being authorized under federal law to obtain,
23 carry, or purchase or otherwise possess a firearm. The
24 municipality may not charge or collect any fee from an
25 applicant who has met all prequalification standards

1 established by the municipality for any such position. With
2 respect to a police department, a veteran shall be allowed to
3 exceed the maximum age provision of this Section by the number
4 of years served on active military duty, but by no more than 10
5 years of active military duty.

6 (b) Residency requirements in effect at the time an
7 individual enters the fire or police service of a municipality
8 (other than a municipality that has more than 1,000,000
9 inhabitants) cannot be made more restrictive for that
10 individual during his period of service for that municipality,
11 or be made a condition of promotion, except for the rank or
12 position of Fire or Police Chief.

13 (c) No person with a record of misdemeanor convictions
14 except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14,
15 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15,
16 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4,
17 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions
18 (a)(1) and (a)(2)(C) of Section 11-14.3, and paragraphs (1),
19 (6), and (8) of subsection (a) of Section 24-1 of the Criminal
20 Code of 1961 or the Criminal Code of 2012, or arrested for any
21 cause but not convicted on that cause shall be disqualified
22 from taking the examination to qualify for a position in the
23 fire department on grounds of habits or moral character.

24 (d) The age limitation in subsection (a) does not apply
25 (i) to any person previously employed as a policeman or
26 fireman in a regularly constituted police or fire department

1 of (I) any municipality, regardless of whether the
2 municipality is located in Illinois or in another state, or
3 (II) a fire protection district whose obligations were assumed
4 by a municipality under Section 21 of the Fire Protection
5 District Act, (ii) to any person who has served a municipality
6 as a regularly enrolled volunteer fireman for 5 years
7 immediately preceding the time that municipality begins to use
8 full time firemen to provide all or part of its fire protection
9 service, or (iii) to any person who has served as an auxiliary
10 police officer under Section 3.1-30-20 for at least 5 years
11 and is under 40 years of age, (iv) to any person who has served
12 as a deputy under Section 3-6008 of the Counties Code and
13 otherwise meets necessary training requirements, or (v) to any
14 person who has served as a sworn officer as a member of the
15 Illinois State Police.

16 (e) Applicants who are 20 years of age and who have
17 successfully completed 2 years of law enforcement studies at
18 an accredited college or university may be considered for
19 appointment to active duty with the police department. An
20 applicant described in this subsection (e) who is appointed to
21 active duty shall not have power of arrest, nor shall the
22 applicant be permitted to carry firearms, until he or she
23 reaches 21 years of age.

24 (f) Applicants who are 18 years of age and who have
25 successfully completed 2 years of study in fire techniques,
26 amounting to a total of 4 high school credits, within the cadet

1 program of a municipality may be considered for appointment to
2 active duty with the fire department of any municipality.

3 (g) The council or board of trustees may by ordinance
4 provide that persons residing outside the municipality are
5 eligible to take the examination.

6 (h) The examinations shall be practical in character and
7 relate to those matters that will fairly test the capacity of
8 the persons examined to discharge the duties of the positions
9 to which they seek appointment. No person shall be appointed
10 to the police or fire department if he or she does not possess
11 a high school diploma or an equivalent high school education.
12 A board of fire and police commissioners may, by its rules,
13 require police applicants to have obtained an associate's
14 degree or a bachelor's degree as a prerequisite for
15 employment. The examinations shall include tests of physical
16 qualifications and health. A board of fire and police
17 commissioners may, by its rules, waive portions of the
18 required examination for police applicants who have previously
19 been full-time sworn officers of a regular police department
20 in any municipal, county, university, or State law enforcement
21 agency, provided they are certified by the Illinois Law
22 Enforcement Training Standards Board and have been with their
23 respective law enforcement agency within the State for at
24 least 2 years. No person shall be appointed to the police or
25 fire department if he or she has suffered the amputation of any
26 limb unless the applicant's duties will be only clerical or as

1 a radio operator. No applicant shall be examined concerning
2 his or her political or religious opinions or affiliations.
3 The examinations shall be conducted by the board of fire and
4 police commissioners of the municipality as provided in this
5 Division 2.1.

6 The requirement that a police applicant possess an
7 associate's degree under this subsection may be waived if one
8 or more of the following applies: (1) the applicant has served
9 for 24 months of honorable active duty in the United States
10 Armed Forces and has not been discharged dishonorably or under
11 circumstances other than honorable; (2) the applicant has
12 served for 180 days of active duty in the United States Armed
13 Forces in combat duty recognized by the Department of Defense
14 and has not been discharged dishonorably or under
15 circumstances other than honorable; or (3) the applicant has
16 successfully received credit for a minimum of 60 credit hours
17 toward a bachelor's degree from an accredited college or
18 university.

19 The requirement that a police applicant possess a
20 bachelor's degree under this subsection may be waived if one
21 or more of the following applies: (1) the applicant has served
22 for 36 months of honorable active duty in the United States
23 Armed Forces and has not been discharged dishonorably or under
24 circumstances other than honorable or (2) the applicant has
25 served for 180 days of active duty in the United States Armed
26 Forces in combat duty recognized by the Department of Defense

1 and has not been discharged dishonorably or under
2 circumstances other than honorable.

3 (i) No person who is classified by his local selective
4 service draft board as a conscientious objector, or who has
5 ever been so classified, may be appointed to the police
6 department.

7 (j) No person shall be appointed to the police or fire
8 department unless he or she is a person of good character and
9 not an habitual drunkard, gambler, or a person who has been
10 convicted of a felony or a crime involving moral turpitude. No
11 person, however, shall be disqualified from appointment to the
12 fire department because of his or her record of misdemeanor
13 convictions except those under Sections 11-1.50, 11-6, 11-7,
14 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2,
15 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3,
16 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8,
17 subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and
18 paragraphs (1), (6), and (8) of subsection (a) of Section 24-1
19 of the Criminal Code of 1961 or the Criminal Code of 2012, or
20 arrest for any cause without conviction on that cause. Any
21 such person who is in the department may be removed on charges
22 brought and after a trial as provided in this Division 2.1.

23 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
24 103-357, eff. 1-1-24; revised 7-7-25.)

1 (Text of Section before amendment by P.A. 104-446)

2 Sec. 10-4-2.3. Required health benefits. If a
3 municipality, including a home rule municipality, is a
4 self-insurer for purposes of providing health insurance
5 coverage for its employees, the coverage shall include
6 coverage for the post-mastectomy care benefits required to be
7 covered by a policy of accident and health insurance under
8 Section 356t and the coverage required under Sections 356g,
9 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
10 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,
11 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,
12 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,
13 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54,
14 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,
15 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77,
16 356z.79, and 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, and
17 356z.85 of the Illinois Insurance Code. The coverage shall
18 comply with Sections 155.22a, 355b, 356z.19, and 370c of the
19 Illinois Insurance Code. The Department of Insurance shall
20 enforce the requirements of this Section. The requirement that
21 health benefits be covered as provided in this Section is an
22 exclusive power and function of the State and is a denial and
23 limitation under Article VII, Section 6, subsection (h) of the
24 Illinois Constitution. A home rule municipality to which this
25 Section applies must comply with every provision of this
26 Section.

1 Rulemaking authority to implement Public Act 95-1045, if
2 any, is conditioned on the rules being adopted in accordance
3 with all provisions of the Illinois Administrative Procedure
4 Act and all rules and procedures of the Joint Committee on
5 Administrative Rules; any purported rule not so adopted, for
6 whatever reason, is unauthorized.

7 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
8 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
9 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
10 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
11 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
12 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
13 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
14 eff. 1-1-26; 104-417, eff. 8-15-25; revised 1-8-26.)

15 (Text of Section after amendment by P.A. 104-446)

16 Sec. 10-4-2.3. Required health benefits. If a
17 municipality, including a home rule municipality, is a
18 self-insurer for purposes of providing health insurance
19 coverage for its employees, the coverage shall include
20 coverage for the post-mastectomy care benefits required to be
21 covered by a policy of accident and health insurance under
22 Section 356t and the coverage required under Sections 356g,
23 356g.5, 356g.5-1, 356m, 356q, 356u, 356u.10, 356w, 356x,
24 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11,
25 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26,

1 356z.29, 356z.30, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,
2 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54,
3 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64,
4 356z.67, 356z.68, 356z.70, 356z.71, 356z.74, ~~and~~ 356z.77,
5 356z.79, ~~and~~ 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, and
6 356z.85 of the Illinois Insurance Code. The coverage shall
7 comply with Sections 155.22a, 355b, 356z.19, 370c, and 370c.4
8 of the Illinois Insurance Code. The Department of Insurance
9 shall enforce the requirements of this Section. The
10 requirement that health benefits be covered as provided in
11 this Section is an exclusive power and function of the State
12 and is a denial and limitation under Article VII, Section 6,
13 subsection (h) of the Illinois Constitution. A home rule
14 municipality to which this Section applies must comply with
15 every provision of this Section.

16 Rulemaking authority to implement Public Act 95-1045, if
17 any, is conditioned on the rules being adopted in accordance
18 with all provisions of the Illinois Administrative Procedure
19 Act and all rules and procedures of the Joint Committee on
20 Administrative Rules; any purported rule not so adopted, for
21 whatever reason, is unauthorized.

22 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
23 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
24 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
25 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
26 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.

1 6-9-25; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff.
2 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-379,
3 eff. 1-1-26; 104-417, eff. 8-15-25; 104-446, eff. 6-1-26;
4 revised 1-8-26.)

5 (65 ILCS 5/11-13-15) (from Ch. 24, par. 11-13-15)

6 Sec. 11-13-15. In case any building or structure,
7 including fixtures, is constructed, reconstructed, altered,
8 repaired, converted, or maintained, or any building or
9 structure, including fixtures, or land, is used in violation
10 of an ordinance or ordinances adopted under Division 13, 31,
11 or 31.1 of Article 11 of the Illinois Municipal Code, or of any
12 ordinance or other regulation made under the authority
13 conferred thereby, the proper local authorities of the
14 municipality, or any owner or tenant of real property, within
15 1200 feet in any direction of the property on which the
16 building or structure in question is located who shows that
17 his property or person will be substantially affected by the
18 alleged violation, in addition to other remedies, may
19 institute any appropriate action or proceeding (1) to prevent
20 the unlawful construction, reconstruction, alteration, repair,
21 conversion, maintenance, or use, (2) to prevent the occupancy
22 of the building, structure, or land, (3) to prevent any
23 illegal act, conduct, business, or use in or about the
24 premises, or (4) to restrain, correct, or abate the violation.
25 When any such action is instituted by an owner or tenant,

1 notice of such action shall be served upon the municipality at
2 the time suit is begun, by serving a copy of the complaint on
3 the chief executive officer of the municipality, no such
4 action may be maintained until such notice has been given.

5 In any action or proceeding for a purpose mentioned in
6 this section, the court with jurisdiction of such action or
7 proceeding has the power and in its discretion may issue a
8 restraining order, or a preliminary injunction, as well as a
9 permanent injunction, upon such terms and under such
10 conditions as will do justice and enforce the purposes set
11 forth above.

12 If an owner or tenant files suit hereunder and the court
13 finds that the defendant has engaged in any of the foregoing
14 prohibited activities, then the court shall allow the
15 plaintiff a reasonable sum of money for the services of the
16 plaintiff's attorney. This allowance shall be a part of the
17 costs of the litigation assessed against the defendant, and
18 may be recovered as such.

19 An owner or tenant need not prove any specific, special or
20 unique damages to himself or his property or any adverse
21 effect upon his property from the alleged violation in order
22 to maintain a suit under the foregoing provisions.

23 Except in relation to municipality-owned property, this
24 Section does not authorize any suit against a municipality or
25 its officials for any act relating to the administration,
26 enforcement, or implementation of this Division or any

1 ordinance, resolution, or other regulation adopted pursuant to
2 this Division.

3 (Source: P.A. 100-595, eff. 6-29-18; revised 7-7-25.)

4 (65 ILCS 5/11-42-11.1) (from Ch. 24, par. 11-42-11.1)

5 Sec. 11-42-11.1. (a) In any instance in which a
6 municipality has (i) granted a franchise to any community
7 antenna television company or (ii) decided for the
8 municipality itself to construct, operate or maintain a cable
9 television system within a designated area, no property owner,
10 condominium association, managing agent, lessee, or other
11 person in possession or control of any residential building
12 located within the designated area shall forbid or prevent any
13 occupant, tenant, or lessee of any such building from
14 receiving cable television service from such franchisee or
15 municipality, nor demand or accept payment from any such
16 occupant, tenant, or lessee in any form as a condition of
17 permitting the installation of cable television facilities or
18 the maintenance of cable television service in any such
19 building or any portion thereof occupied or leased by such
20 occupant, tenant, or lessee, nor shall any such property
21 owner, condominium association, managing agent, lessee, or
22 other person discriminate in rental charges or otherwise
23 against any occupant, tenant, or lessee receiving cable
24 service; provided, however, that the owner of such building
25 may require, in exchange and as compensation for permitting

1 the installation of cable television facilities within and
2 upon such building, the payment of just compensation by the
3 cable television franchisee which provides such cable
4 television service, said sum to be determined in accordance
5 with the provisions of subsections ~~subparagraphs~~ (c) and (d)
6 ~~hereof~~, and provided further that the cable television
7 franchisee installing such cable television facilities shall
8 agree to indemnify the owner of such building for any damage
9 caused by the installation, operation, or removal of such
10 cable television facilities and service.

11 No community antenna television company shall install
12 cable television facilities within a residential building
13 pursuant to this subsection ~~subparagraph~~ (a) unless an
14 occupant, tenant, or lessee of such residential building
15 requests the delivery of cable television services. In any
16 instance in which a request for service is made by more than 3
17 occupants, tenants, or lessees of a residential building, the
18 community antenna television company may install cable
19 television facilities throughout the building in a manner
20 which enables the community antenna television company to
21 provide cable television services to occupants, tenants, or
22 lessees of other residential units without requiring the
23 installation of additional cable television facilities other
24 than within the residential units occupied by such other
25 occupants, tenants, or lessees.

26 (b) In any instance in which a municipality has (i)

1 granted a franchise to any community antenna television
2 company or (ii) decided for the municipality itself to
3 construct, operate, or maintain a cable television system
4 within a designated area, no property owner, condominium
5 association, managing agent, lessee, or other person in
6 possession and control of any improved or unimproved real
7 estate located within such designated area shall forbid or
8 prevent such cable television franchisee or municipality from
9 entering upon such real estate for the purpose of and in
10 connection with the construction or installation of such cable
11 television system and cable television facilities, nor shall
12 any such property owner, condominium association, managing
13 agent, lessee, or other person in possession or control of
14 such real estate forbid or prevent such cable television
15 franchisee or municipality from constructing or installing
16 upon, beneath, or over such real estate, including any
17 buildings or other structures located thereon, hardware,
18 cable, equipment, materials, or other cable television
19 facilities utilized by such cable franchisee or municipality
20 in the construction and installation of such cable television
21 system; provided, however, that the owner of any such real
22 estate may require, in exchange and as compensation for
23 permitting the construction or installation of cable
24 television facilities upon, beneath, or over such real estate,
25 the payment of just compensation by the cable television
26 franchisee which provides such cable television service, said

1 sum to be determined in accordance with the provisions of
2 subsections ~~subparagraphs~~ (c) and (d) ~~hereof~~, and provided
3 further that the cable television franchisee constructing or
4 installing such cable television facilities shall agree to
5 indemnify the owner of such real estate for any damage caused
6 by the installation, operation or removal of such cable
7 television facilities and service.

8 (c) In any instance in which the owner of a residential
9 building or the owner of improved or unimproved real estate
10 intends to require the payment of just compensation in excess
11 of \$1 in exchange for permitting the installation of cable
12 television facilities in and upon such building, or upon,
13 beneath, or over such real estate, the owner shall serve
14 written notice thereof upon the cable television franchisee.
15 Any such notice shall be served within 20 days of the date on
16 which such owner is notified of the cable television
17 franchisee's intention to construct or install cable
18 television facilities in and upon such building, or upon,
19 beneath, or over such real estate. Unless timely notice as
20 herein provided is given by the owner to the cable television
21 franchisee, it will be conclusively presumed that the owner of
22 any such building or real estate does not claim or intend to
23 require a payment of more than \$1 in exchange and as just
24 compensation for permitting the installation of cable
25 television facilities within and upon such building, or upon,
26 beneath, or over such real estate. In any instance in which a

1 cable television franchisee intends to install cable
2 television facilities as herein provided, written notice of
3 such intention shall be sent by the cable television
4 franchisee to the property owner or to such person,
5 association or managing agent as shall have been appointed or
6 otherwise designated to manage or operate the property. Such
7 notice shall include the address of the property, the name of
8 the cable television franchisee, and information as to the
9 time within which the owner may give notice, demand payment as
10 just compensation and initiate legal proceedings as provided
11 in this subsection ~~subparagraph~~ (c) and subsection
12 ~~subparagraph~~ (d). In any instance in which a community antenna
13 television company intends to install cable television
14 facilities within a residential building containing 12 or more
15 residential units or upon, beneath, or over real estate that
16 is used as a site for 12 or more manufactured housing units, 12
17 or more mobile homes, or a combination of 12 or more
18 manufactured housing units and mobile homes, the written
19 notice shall further provide that the property owner may
20 require that the community antenna television company submit
21 to the owner written plans identifying the manner in which
22 cable television facilities are to be installed, including the
23 proposed location of coaxial cable. Approval of such plans by
24 the property owner shall not be unreasonably withheld and such
25 owners' consent to and approval of such plans shall be
26 presumed unless, within 30 days after receipt thereof, or in

1 the case of a condominium association, 90 days after receipt
2 thereof, the property owner identifies in writing the specific
3 manner in which such plans deviate from generally accepted
4 construction or safety standards, and unless the property
5 owner contemporaneously submits an alternative construction
6 plan providing for the installation of cable television
7 facilities in an economically feasible manner. The community
8 antenna television company may proceed with the plans
9 originally submitted if an alternative plan is not submitted
10 by the property owner within 30 days, or in the case of a
11 condominium association, 90 days, or if an alternative plan
12 submitted by the property owner fails to comply with generally
13 accepted construction and safety standards or does not provide
14 for the installation of cable television facilities in an
15 economically feasible manner. For purposes of this subsection,
16 "mobile home" and "manufactured housing unit" have the same
17 meaning as in the Illinois Manufactured Housing and Mobile
18 Home Safety Act.

19 (d) Any owner of a residential building described in
20 subsection ~~subparagraph~~ (a), and any owner of improved or
21 unimproved real estate described in subsection ~~subparagraph~~
22 (b), who shall have given timely written notice to the cable
23 television franchisee as provided in subsection ~~subparagraph~~
24 (c), may assert a claim for just compensation in excess of \$1
25 for permitting the installation of cable television facilities
26 within and upon such building, or upon, beneath, or over such

1 real estate. Within 30 days after notice has been given in
2 accordance with subsection ~~subparagraph~~ (c), the owner shall
3 advise the cable television franchisee in writing of the
4 amount claimed as just compensation. If within 60 days after
5 the receipt of the owner's claim, the cable television
6 franchisee has not agreed to pay the amount claimed or some
7 other amount acceptable to the owner, the owner may bring suit
8 to enforce such claim for just compensation in any court of
9 competent jurisdiction and, upon timely demand, may require
10 that the amount of just compensation be determined by a jury.
11 Any such action shall be commenced within 6 months of the
12 notice given by the cable television franchisee pursuant to
13 subsection ~~subparagraph~~ (c) ~~hereof~~. In any action brought to
14 determine such amount, the owner may submit evidence of a
15 decrease in the fair market value of the property occasioned
16 by the installation or location of the cable on the property,
17 that the owner has a specific alternative use for the space
18 occupied by cable television facilities, the loss of which
19 will result in a monetary loss to the owner, or that
20 installation of cable television facilities within and upon
21 such building or upon, beneath or over such real estate
22 otherwise substantially interferes with the use and occupancy
23 of such building to an extent which causes a decrease in the
24 fair market value of such building or real estate.

25 (e) Neither the giving of a notice by the owner under
26 subsection ~~subparagraph~~ (c), nor the assertion of a specific

1 claim, nor the initiation of legal action to enforce such
2 claim, as provided under subsection ~~subparagraph~~ (d), shall
3 delay or impair the right of the cable television franchisee
4 to construct or install cable television facilities and
5 maintain cable television services within or upon any building
6 described in subsection ~~subparagraph~~ (a) or upon, beneath, or
7 over real estate described in subsection ~~subparagraph~~ (b).

8 (f) Notwithstanding the foregoing, no community antenna
9 television company or municipality shall enter upon any real
10 estate or rights-of-way ~~rights of way~~ in the possession or
11 control of any public utility, railroad, or owner or operator
12 of an oil, petroleum product, chemical, or gas pipeline to
13 install or remove cable television facilities or to provide
14 underground maintenance or repair services with respect
15 thereto, prior to delivery to the public utility, railroad, or
16 pipeline owner or operator of written notice of intent to
17 enter, install, maintain, or remove. For the purposes of this
18 subsection (f), and only in the case of real estate or
19 rights-of-way in possession of or in control of a railroad,
20 the right to enter upon includes the installation,
21 construction, operation, repair, maintenance, or removal of
22 wire, cable, fiber, conduit, or related facilities that are
23 at, above, or below grade and that cross the real estate or
24 rights-of-way in a manner that runs generally perpendicular to
25 the railroad tracks or railroad right-of-way. For the purposes
26 of this subsection (f), and only in the case of real estate or

1 rights-of-way in possession of or in the control of a
2 railroad, the right to enter upon does not apply to wire,
3 cable, fiber, conduit, or related facilities that run along,
4 within, and generally parallel to, but do not cross, the
5 railroad tracks or railroad right-of-way. No entry shall be
6 made until at least 30 days after receipt of such written
7 notice. Such written notice, which shall be delivered to the
8 registered agent of such public utility, railroad, or pipeline
9 owner or operator shall include the following information:

10 (i) The date of the proposed installation,
11 maintenance, repair, or removal and projected length of
12 time required to complete such installation, maintenance,
13 repair or removal;

14 (ii) The manner and method of, and the detailed design
15 and construction plans that conform to the applicable
16 published and publicly available American Railway
17 Engineering and Maintenance-of-Way Association standards
18 and the published and publicly available standards for the
19 appropriate railroad for, such installation, maintenance,
20 repair, or removal;

21 (iii) The location of the proposed entry and path of
22 cable television facilities proposed to be placed,
23 repaired, maintained, or removed upon the real estate or
24 right-of-way ~~right of way~~;

25 (iv) The written agreement of the community antenna
26 television company to indemnify and hold harmless such

1 public utility, railroad, or pipeline owner or operator
2 from the costs of any damages directly or indirectly
3 caused by the installation, maintenance, repair,
4 operation, or removal of cable television facilities. Upon
5 request of the public utility, railroad, or owner or
6 operator of an oil, petroleum product, chemical, or gas
7 pipeline, the community antenna television company shall
8 provide proof that it has purchased and will maintain a
9 policy or policies of insurance in amounts sufficient to
10 provide coverage for personal injury and property damage
11 losses caused by or resulting from the installation,
12 maintenance, repair, or removal of cable television
13 facilities. The written agreement shall provide that the
14 community antenna television company shall maintain such
15 policies of insurance in full force and effect as long as
16 cable television facilities remain on the real estate or
17 right-of-way ~~right of way~~; and

18 (v) A statement, based upon information available to
19 the community antenna television company, confirming that
20 the proposed installation, maintenance, repair, or removal
21 does not create a dangerous condition or threaten public
22 or employee safety and will not adversely impact railroad
23 operations or disrupt vital transportation services.

24 For purposes of this subsection (f), and only in the case
25 of real estate or rights-of-way in possession of or in control
26 of a railroad, "community antenna television company" includes

1 a holder, cable operator, or broadband service provider, as
2 those terms are defined in Section 21-201 of the Public
3 Utilities Act.

4 Within 30 days of receipt of the written prior notice of
5 entry the public utility, railroad, or pipeline owner or
6 operator shall investigate and determine whether or not the
7 proposed entry and installation or repair, maintenance, or
8 removal would create a dangerous condition threatening the
9 safety of the public or the safety of its employees or
10 threatening to cause an interruption of the furnishing of
11 vital transportation, utility, or pipeline services and upon
12 so finding shall so notify the community antenna television
13 company or municipality of such decision in writing. Initial
14 determination of the existence of such a dangerous condition
15 or interruption of services shall be made by the public
16 utility, railroad, or pipeline owner or operator whose real
17 estate or right-of-way ~~right of way~~ is involved. In the event
18 that the community antenna television company or municipality
19 disagrees with such determination, a determination of whether
20 such entry and installation, maintenance, repair, or removal
21 would create such a dangerous condition or interrupt services
22 shall, upon application of the community antenna television
23 company, be made by the Illinois Commerce Commission
24 Transportation Division in accordance with the Commission's
25 Rail Safety Program. An initial written determination of a
26 public utility, railroad, or pipeline owner or operator timely

1 made and transmitted to the community antenna television
2 company or municipality, in the absence of a determination by
3 the Illinois Commerce Commission Transportation Division, in
4 accordance with the Commission's Rail Safety Program, or a
5 court of competent jurisdiction finding to the contrary, bars
6 the entry of the community antenna television company or
7 municipality upon the real estate or right-of-way ~~right-of-way~~
8 for any purpose.

9 Any public utility, railroad or pipeline owner or operator
10 may assert a written claim against any community antenna
11 television company for just compensation within 30 days after
12 written notice has been given in accordance with this
13 subsection ~~subparagraph~~ (f). If, within 60 days after the
14 receipt of such claim for compensation, the community antenna
15 television company has not agreed to the amount claimed or
16 some other amount acceptable to the public utility, railroad,
17 or pipeline owner or operator, the public utility, railroad,
18 or pipeline owner or operator may bring suit to enforce such
19 claim for just compensation in any court of competent
20 jurisdiction and, upon timely demand, may require that the
21 amount of just compensation be determined by a jury. Any such
22 action shall be commenced within 6 months of the notice
23 provided for in this subsection ~~subparagraph~~ (f). In any
24 action brought to determine such just compensation, the public
25 utility, railroad, or pipeline owner or operator may submit
26 such evidence as may be relevant to the issue of just

1 compensation. Neither the assertion of a claim for
2 compensation nor the initiation of legal action to enforce
3 such claim shall delay or impair the right of the community
4 antenna television company to construct or install cable
5 television facilities upon any real estate or rights-of-way
6 ~~rights-of-way~~ of any public utility, railroad, or pipeline
7 owner or operator.

8 To the extent that the public utility, railroad, or owner
9 or operator of an oil, petroleum product, chemical, or gas
10 pipeline deems it appropriate to supervise, monitor, or
11 otherwise assist the community antenna television company in
12 connection with the installation, maintenance, repair, or
13 removal of cable television facilities upon such real estate
14 or rights-of-way ~~rights-of-way~~, the community antenna
15 television company shall reimburse the public utility,
16 railroad, or owner or operator of an oil, petroleum product,
17 chemical, or gas pipeline for costs reasonable and actually
18 incurred in connection therewith.

19 The provisions of this subsection ~~subparagraph~~ (f) shall
20 not be applicable to any easements, rights-of-way, ~~rights-of~~
21 ~~way~~ or ways for public service facilities in which public
22 utilities, other than railroads, have any interest pursuant to
23 the Plat Act ~~"An Act to revise the law in relation to plats",~~
24 ~~approved March 21, 1874, as amended,~~ and all ordinances
25 enacted pursuant thereto. Such easements, rights-of-way ~~rights~~
26 ~~of way~~, and ways for public service facilities are hereby

1 declared to be apportionable and upon written request by a
2 community antenna television company, public utilities shall
3 make such easements, rights-of-way, ~~rights of way~~ and ways for
4 public service facilities available for the construction,
5 maintenance, repair, or removal of cable television facilities
6 provided that such construction, maintenance, repair, or
7 removal does not create a dangerous condition threatening the
8 safety of the public or the safety of such public utility
9 employees or threatening to cause an interruption of the
10 furnishing of vital utility service. Initial determination of
11 the existence of such a dangerous condition or interruption of
12 services shall be made by the public utility whose easement,
13 right-of-way, ~~right of way~~ or way for public service facility
14 is involved. In the event the community antenna television
15 company or municipality disagrees with such determination, a
16 determination of whether such construction, maintenance,
17 repair, or removal would create such a dangerous condition or
18 threaten to interrupt vital utility services, shall be made by
19 a court of competent jurisdiction upon the application of such
20 community antenna television company.

21 If a municipality notifies or a municipality requires a
22 developer to notify a public utility before or after issuing a
23 permit or other authorization for the construction of
24 residential buildings, then the municipality or developer
25 shall, at the same time, similarly notify any community
26 antenna television system franchised by or within that

1 municipality.

2 In addition to such other notices as may be required by
3 this subsection ~~subparagraph~~ (f), a community antenna
4 television company or municipality shall not enter upon the
5 real estate or rights-of-way ~~rights-of-way~~ of any public
6 utility, railroad or pipeline owner or operator for the
7 purposes of above-ground maintenance or repair of its
8 television cable facilities without giving 96 hours prior
9 written notice to the registered agent of the public utility,
10 railroad or pipeline owner or operator involved, or in the
11 case of a public utility, notice may be given through the
12 statewide one-call notice system provided for by General Order
13 of the Illinois Commerce Commission or, if in Chicago, through
14 the system known as the Chicago Utility Alert Network.

15 (Source: P.A. 100-251, eff. 8-22-17; revised 7-7-25.)

16 (65 ILCS 5/11-74.4-3.5)

17 Sec. 11-74.4-3.5. Completion dates for redevelopment
18 projects.

19 (a) Unless otherwise stated in this Section, the estimated
20 dates of completion of the redevelopment project and
21 retirement of obligations issued to finance redevelopment
22 project costs (including refunding bonds under Section
23 11-74.4-7) may not be later than December 31 of the year in
24 which the payment to the municipal treasurer, as provided in
25 subsection (b) of Section 11-74.4-8 of this Act, is to be made

1 with respect to ad valorem taxes levied in the 23rd calendar
2 year after the year in which the ordinance approving the
3 redevelopment project area was adopted if the ordinance was
4 adopted on or after January 15, 1981.

5 (a-5) If the redevelopment project area is located within
6 a transit facility improvement area established pursuant to
7 Section 11-74.4-3, the estimated dates of completion of the
8 redevelopment project and retirement of obligations issued to
9 finance redevelopment project costs (including refunding bonds
10 under Section 11-74.4-7) may not be later than December 31 of
11 the year in which the payment to the municipal treasurer, as
12 provided in subsection (b) of Section 11-74.4-8 of this Act,
13 is to be made with respect to ad valorem taxes levied in the
14 35th calendar year after the year in which the ordinance
15 approving the redevelopment project area was adopted.

16 (a-7) A municipality may adopt tax increment financing for
17 a redevelopment project area located in a transit facility
18 improvement area that also includes real property located
19 within an existing redevelopment project area established
20 prior to August 12, 2016 (the effective date of Public Act
21 99-792). In such case: (i) the provisions of this Division
22 shall apply with respect to the previously established
23 redevelopment project area until the municipality adopts, as
24 required in accordance with applicable provisions of this
25 Division, an ordinance dissolving the special tax allocation
26 fund for such redevelopment project area and terminating the

1 designation of such redevelopment project area as a
2 redevelopment project area; and (ii) after the effective date
3 of the ordinance described in (i), the provisions of this
4 Division shall apply with respect to the subsequently
5 established redevelopment project area located in a transit
6 facility improvement area.

7 (b) The estimated dates of completion of the redevelopment
8 project and retirement of obligations issued to finance
9 redevelopment project costs (including refunding bonds under
10 Section 11-74.4-7) may not be later than December 31 of the
11 year in which the payment to the municipal treasurer as
12 provided in subsection (b) of Section 11-74.4-8 of this Act is
13 to be made with respect to ad valorem taxes levied in the 32nd
14 calendar year after the year in which the ordinance approving
15 the redevelopment project area was adopted if the ordinance
16 was adopted on September 9, 1999 by the Village of Downs.

17 The estimated dates of completion of the redevelopment
18 project and retirement of obligations issued to finance
19 redevelopment project costs (including refunding bonds under
20 Section 11-74.4-7) may not be later than December 31 of the
21 year in which the payment to the municipal treasurer as
22 provided in subsection (b) of Section 11-74.4-8 of this Act is
23 to be made with respect to ad valorem taxes levied in the 33rd
24 calendar year after the year in which the ordinance approving
25 the redevelopment project area was adopted if the ordinance
26 was adopted on May 20, 1985 by the Village of Wheeling.

1 The estimated dates of completion of the redevelopment
2 project and retirement of obligations issued to finance
3 redevelopment project costs (including refunding bonds under
4 Section 11-74.4-7) may not be later than December 31 of the
5 year in which the payment to the municipal treasurer as
6 provided in subsection (b) of Section 11-74.4-8 of this Act is
7 to be made with respect to ad valorem taxes levied in the 28th
8 calendar year after the year in which the ordinance approving
9 the redevelopment project area was adopted if the ordinance
10 was adopted on October 12, 1989 by the City of Lawrenceville.

11 (b-5) The estimated dates of completion of the
12 redevelopment project and retirement of obligations issued to
13 finance redevelopment project costs (including refunding bonds
14 under Section 11-74.4-7) may not be later than December 31 of
15 the year in which the payment to the municipal treasurer as
16 provided in subsection (b) of Section 11-74.4-8 of this Act is
17 to be made with respect to ad valorem taxes levied in the 32nd
18 calendar year after the year in which the ordinance approving
19 the redevelopment project area was adopted if the ordinance
20 was adopted on April 19, 2004 by the Village of Tremont.

21 (c) The estimated dates of completion of the redevelopment
22 project and retirement of obligations issued to finance
23 redevelopment project costs (including refunding bonds under
24 Section 11-74.4-7) may not be later than December 31 of the
25 year in which the payment to the municipal treasurer as
26 provided in subsection (b) of Section 11-74.4-8 of this Act is

1 to be made with respect to ad valorem taxes levied in the 35th
2 calendar year after the year in which the ordinance approving
3 the redevelopment project area was adopted:

4 (1) If the ordinance was adopted before January 15,
5 1981.

6 (2) If the ordinance was adopted in December 1983,
7 April 1984, July 1985, or December 1989.

8 (3) If the ordinance was adopted in December 1987 and
9 the redevelopment project is located within one mile of
10 Midway Airport.

11 (4) If the ordinance was adopted before January 1,
12 1987 by a municipality in Mason County.

13 (5) If the municipality is subject to the Local
14 Government Financial Planning and Supervision Act or the
15 Financially Distressed City Law.

16 (6) If the ordinance was adopted in December 1984 by
17 the Village of Rosemont.

18 (7) If the ordinance was adopted on December 31, 1986
19 by a municipality located in Clinton County for which at
20 least \$250,000 of tax increment bonds were authorized on
21 June 17, 1997, or if the ordinance was adopted on December
22 31, 1986 by a municipality with a population in 1990 of
23 less than 3,600 that is located in a county with a
24 population in 1990 of less than 34,000 and for which at
25 least \$250,000 of tax increment bonds were authorized on
26 June 17, 1997.

1 (8) If the ordinance was adopted on October 5, 1982 by
2 the City of Kankakee, or if the ordinance was adopted on
3 December 29, 1986 by East St. Louis.

4 (9) If the ordinance was adopted on November 12, 1991
5 by the Village of Sauget.

6 (10) If the ordinance was adopted on February 11, 1985
7 by the City of Rock Island.

8 (11) If the ordinance was adopted before December 18,
9 1986 by the City of Moline.

10 (12) If the ordinance was adopted in September 1988 by
11 Sauk Village.

12 (13) If the ordinance was adopted in October 1993 by
13 Sauk Village.

14 (14) If the ordinance was adopted on December 29, 1986
15 by the City of Galva.

16 (15) If the ordinance was adopted in March 1991 by the
17 City of Centreville.

18 (16) If the ordinance was adopted on January 23, 1991
19 by the City of East St. Louis.

20 (17) If the ordinance was adopted on December 22, 1986
21 by the City of Aledo.

22 (18) If the ordinance was adopted on February 5, 1990
23 by the City of Clinton.

24 (19) If the ordinance was adopted on September 6, 1994
25 by the City of Freeport.

26 (20) If the ordinance was adopted on December 22, 1986

1 by the City of Tuscola.

2 (21) If the ordinance was adopted on December 23, 1986
3 by the City of Sparta.

4 (22) If the ordinance was adopted on December 23, 1986
5 by the City of Beardstown.

6 (23) If the ordinance was adopted on April 27, 1981,
7 October 21, 1985, or December 30, 1986 by the City of
8 Belleville.

9 (24) If the ordinance was adopted on December 29, 1986
10 by the City of Collinsville.

11 (25) If the ordinance was adopted on September 14,
12 1994 by the City of Alton.

13 (26) If the ordinance was adopted on November 11, 1996
14 by the City of Lexington.

15 (27) If the ordinance was adopted on November 5, 1984
16 by the City of LeRoy.

17 (28) If the ordinance was adopted on April 3, 1991 or
18 June 3, 1992 by the City of Markham.

19 (29) If the ordinance was adopted on November 11, 1986
20 by the City of Pekin.

21 (30) If the ordinance was adopted on December 15, 1981
22 by the City of Champaign.

23 (31) If the ordinance was adopted on December 15, 1986
24 by the City of Urbana.

25 (32) If the ordinance was adopted on December 15, 1986
26 by the Village of Heyworth.

1 (33) If the ordinance was adopted on February 24, 1992
2 by the Village of Heyworth.

3 (34) If the ordinance was adopted on March 16, 1995 by
4 the Village of Heyworth.

5 (35) If the ordinance was adopted on December 23, 1986
6 by the Town of Cicero.

7 (36) If the ordinance was adopted on December 30, 1986
8 by the City of Effingham.

9 (37) If the ordinance was adopted on May 9, 1991 by the
10 Village of Tilton.

11 (38) If the ordinance was adopted on October 20, 1986
12 by the City of Elmhurst.

13 (39) If the ordinance was adopted on January 19, 1988
14 by the City of Waukegan.

15 (40) If the ordinance was adopted on September 21,
16 1998 by the City of Waukegan.

17 (41) If the ordinance was adopted on December 31, 1986
18 by the City of Sullivan.

19 (42) If the ordinance was adopted on December 23, 1991
20 by the City of Sullivan.

21 (43) If the ordinance was adopted on December 31, 1986
22 by the City of Oglesby.

23 (44) If the ordinance was adopted on July 28, 1987 by
24 the City of Marion.

25 (45) If the ordinance was adopted on April 23, 1990 by
26 the City of Marion.

1 (46) If the ordinance was adopted on August 20, 1985
2 by the Village of Mount Prospect.

3 (47) If the ordinance was adopted on February 2, 1998
4 by the Village of Woodhull.

5 (48) If the ordinance was adopted on April 20, 1993 by
6 the Village of Princeville.

7 (49) If the ordinance was adopted on July 1, 1986 by
8 the City of Granite City.

9 (50) If the ordinance was adopted on February 2, 1989
10 by the Village of Lombard.

11 (51) If the ordinance was adopted on December 29, 1986
12 by the Village of Gardner.

13 (52) If the ordinance was adopted on July 14, 1999 by
14 the Village of Paw Paw.

15 (53) If the ordinance was adopted on November 17, 1986
16 by the Village of Franklin Park.

17 (54) If the ordinance was adopted on November 20, 1989
18 by the Village of South Holland.

19 (55) If the ordinance was adopted on July 14, 1992 by
20 the Village of Riverdale.

21 (56) If the ordinance was adopted on December 29, 1986
22 by the City of Galesburg.

23 (57) If the ordinance was adopted on April 1, 1985 by
24 the City of Galesburg.

25 (58) If the ordinance was adopted on May 21, 1990 by
26 the City of West Chicago.

1 (59) If the ordinance was adopted on December 16, 1986
2 by the City of Oak Forest.

3 (60) If the ordinance was adopted in 1999 by the City
4 of Villa Grove.

5 (61) If the ordinance was adopted on January 13, 1987
6 by the Village of Mt. Zion.

7 (62) If the ordinance was adopted on December 30, 1986
8 by the Village of Manteno.

9 (63) If the ordinance was adopted on April 3, 1989 by
10 the City of Chicago Heights.

11 (64) If the ordinance was adopted on January 6, 1999
12 by the Village of Rosemont.

13 (65) If the ordinance was adopted on December 19, 2000
14 by the Village of Stone Park.

15 (66) If the ordinance was adopted on December 22, 1986
16 by the City of DeKalb.

17 (67) If the ordinance was adopted on December 2, 1986
18 by the City of Aurora.

19 (68) If the ordinance was adopted on December 31, 1986
20 by the Village of Milan.

21 (69) If the ordinance was adopted on September 8, 1994
22 by the City of West Frankfort.

23 (70) If the ordinance was adopted on December 23, 1986
24 by the Village of Libertyville.

25 (71) If the ordinance was adopted on December 22, 1986
26 by the Village of Hoffman Estates.

1 (72) If the ordinance was adopted on September 17,
2 1986 by the Village of Sherman.

3 (73) If the ordinance was adopted on December 16, 1986
4 by the City of Macomb.

5 (74) If the ordinance was adopted on June 11, 2002 by
6 the City of East Peoria to create the West Washington
7 Street TIF.

8 (75) If the ordinance was adopted on June 11, 2002 by
9 the City of East Peoria to create the Camp Street TIF.

10 (76) If the ordinance was adopted on August 7, 2000 by
11 the City of Des Plaines.

12 (77) If the ordinance was adopted on December 22, 1986
13 by the City of Washington to create the Washington Square
14 TIF #2.

15 (78) If the ordinance was adopted on December 29, 1986
16 by the City of Morris.

17 (79) If the ordinance was adopted on July 6, 1998 by
18 the Village of Steeleville.

19 (80) If the ordinance was adopted on December 29, 1986
20 by the City of Pontiac to create TIF I (the Main St TIF).

21 (81) If the ordinance was adopted on December 29, 1986
22 by the City of Pontiac to create TIF II (the Interstate
23 TIF).

24 (82) If the ordinance was adopted on November 6, 2002
25 by the City of Chicago to create the Madden/Wells TIF
26 District.

1 (83) If the ordinance was adopted on November 4, 1998
2 by the City of Chicago to create the Roosevelt/Racine TIF
3 District.

4 (84) If the ordinance was adopted on June 10, 1998 by
5 the City of Chicago to create the Stony Island
6 Commercial/Burnside Industrial Corridors TIF District.

7 (85) If the ordinance was adopted on November 29, 1989
8 by the City of Chicago to create the Englewood Mall TIF
9 District.

10 (86) If the ordinance was adopted on December 27, 1986
11 by the City of Mendota.

12 (87) If the ordinance was adopted on December 31, 1986
13 by the Village of Cahokia.

14 (88) If the ordinance was adopted on September 20,
15 1999 by the City of Belleville.

16 (89) If the ordinance was adopted on December 30, 1986
17 by the Village of Bellevue to create the Bellevue TIF
18 District 1.

19 (90) If the ordinance was adopted on December 13, 1993
20 by the Village of Crete.

21 (91) If the ordinance was adopted on February 12, 2001
22 by the Village of Crete.

23 (92) If the ordinance was adopted on April 23, 2001 by
24 the Village of Crete.

25 (93) If the ordinance was adopted on December 16, 1986
26 by the City of Champaign.

1 (94) If the ordinance was adopted on December 20, 1986
2 by the City of Charleston.

3 (95) If the ordinance was adopted on June 6, 1989 by
4 the Village of Romeoville.

5 (96) If the ordinance was adopted on October 14, 1993
6 and amended on August 2, 2010 by the City of Venice.

7 (97) If the ordinance was adopted on June 1, 1994 by
8 the City of Markham.

9 (98) If the ordinance was adopted on May 19, 1998 by
10 the Village of Bensenville.

11 (99) If the ordinance was adopted on November 12, 1987
12 by the City of Dixon.

13 (100) If the ordinance was adopted on December 20,
14 1988 by the Village of Lansing.

15 (101) If the ordinance was adopted on October 27, 1998
16 by the City of Moline.

17 (102) If the ordinance was adopted on May 21, 1991 by
18 the Village of Glenwood.

19 (103) If the ordinance was adopted on January 28, 1992
20 by the City of East Peoria.

21 (104) If the ordinance was adopted on December 14,
22 1998 by the City of Carlyle.

23 (105) If the ordinance was adopted on May 17, 2000, as
24 subsequently amended, by the City of Chicago to create the
25 Midwest Redevelopment TIF District.

26 (106) If the ordinance was adopted on September 13,

1 1989 by the City of Chicago to create the Michigan/Cermak
2 Area TIF District.

3 (107) If the ordinance was adopted on March 30, 1992
4 by the Village of Ohio.

5 (108) If the ordinance was adopted on July 6, 1998 by
6 the Village of Orangeville.

7 (109) If the ordinance was adopted on December 16,
8 1997 by the Village of Germantown.

9 (110) If the ordinance was adopted on April 28, 2003
10 by Gibson City.

11 (111) If the ordinance was adopted on December 18,
12 1990 by the Village of Washington Park, but only after the
13 Village of Washington Park becomes compliant with the
14 reporting requirements under subsection (d) of Section
15 11-74.4-5, and after the State Comptroller's certification
16 of such compliance.

17 (112) If the ordinance was adopted on February 28,
18 2000 by the City of Harvey.

19 (113) If the ordinance was adopted on January 11, 1991
20 by the City of Chicago to create the Read/Dunning TIF
21 District.

22 (114) If the ordinance was adopted on July 24, 1991 by
23 the City of Chicago to create the Sanitary and Ship Canal
24 TIF District.

25 (115) If the ordinance was adopted on December 4, 2007
26 by the City of Naperville.

1 (116) If the ordinance was adopted on July 1, 2002 by
2 the Village of Arlington Heights.

3 (117) If the ordinance was adopted on February 11,
4 1991 by the Village of Machesney Park.

5 (118) If the ordinance was adopted on December 29,
6 1993 by the City of Ottawa.

7 (119) If the ordinance was adopted on June 4, 1991 by
8 the Village of Lansing.

9 (120) If the ordinance was adopted on February 10,
10 2004 by the Village of Fox Lake.

11 (121) If the ordinance was adopted on December 22,
12 1992 by the City of Fairfield.

13 (122) If the ordinance was adopted on February 10,
14 1992 by the City of Mt. Sterling.

15 (123) If the ordinance was adopted on March 15, 2004
16 by the City of Batavia.

17 (124) If the ordinance was adopted on March 18, 2002
18 by the Village of Lake Zurich.

19 (125) If the ordinance was adopted on September 23,
20 1997 by the City of Granite City.

21 (126) If the ordinance was adopted on May 8, 2013 by
22 the Village of Rosemont to create the Higgins Road/River
23 Road TIF District No. 6.

24 (127) If the ordinance was adopted on November 22,
25 1993 by the City of Arcola.

26 (128) If the ordinance was adopted on September 7,

1 2004 by the City of Arcola.

2 (129) If the ordinance was adopted on November 29,
3 1999 by the City of Paris.

4 (130) If the ordinance was adopted on September 20,
5 1994 by the City of Ottawa to create the U.S. Route 6 East
6 Ottawa TIF.

7 (131) If the ordinance was adopted on May 2, 2002 by
8 the Village of Crestwood.

9 (132) If the ordinance was adopted on October 27, 1992
10 by the City of Blue Island.

11 (133) If the ordinance was adopted on December 23,
12 1993 by the City of Lacon.

13 (134) If the ordinance was adopted on May 4, 1998 by
14 the Village of Bradford.

15 (135) If the ordinance was adopted on June 11, 2002 by
16 the City of Oak Forest.

17 (136) If the ordinance was adopted on November 16,
18 1992 by the City of Pinckneyville.

19 (137) If the ordinance was adopted on March 1, 2001 by
20 the Village of South Jacksonville.

21 (138) If the ordinance was adopted on February 26,
22 1992 by the City of Chicago to create the Stockyards
23 Southeast Quadrant TIF District.

24 (139) If the ordinance was adopted on January 25, 1993
25 by the City of LaSalle.

26 (140) If the ordinance was adopted on December 23,

1 1997 by the Village of Dieterich.

2 (141) If the ordinance was adopted on February 10,
3 2016 by the Village of Rosemont to create the
4 Balmoral/Pearl TIF No. 8 Tax Increment Financing
5 Redevelopment Project Area.

6 (142) If the ordinance was adopted on June 11, 2002 by
7 the City of Oak Forest.

8 (143) If the ordinance was adopted on January 31, 1995
9 by the Village of Milledgeville.

10 (144) If the ordinance was adopted on February 5, 1996
11 by the Village of Pearl City.

12 (145) If the ordinance was adopted on December 21,
13 1994 by the City of Calumet City.

14 (146) If the ordinance was adopted on May 5, 2003 by
15 the Town of Normal.

16 (147) If the ordinance was adopted on June 2, 1998 by
17 the City of Litchfield.

18 (148) If the ordinance was adopted on October 23, 1995
19 by the City of Marion.

20 (149) If the ordinance was adopted on May 24, 2001 by
21 the Village of Hanover Park.

22 (150) If the ordinance was adopted on May 30, 1995 by
23 the Village of Dalzell.

24 (151) If the ordinance was adopted on April 15, 1997
25 by the City of Edwardsville.

26 (152) If the ordinance was adopted on September 5,

1 1995 by the City of Granite City.

2 (153) If the ordinance was adopted on June 21, 1999 by
3 the Village of Table Grove.

4 (154) If the ordinance was adopted on February 23,
5 1995 by the City of Springfield.

6 (155) If the ordinance was adopted on August 11, 1999
7 by the City of Monmouth.

8 (156) If the ordinance was adopted on December 26,
9 1995 by the Village of Posen.

10 (157) If the ordinance was adopted on July 1, 1995 by
11 the Village of Caseyville.

12 (158) If the ordinance was adopted on January 30, 1996
13 by the City of Madison.

14 (159) If the ordinance was adopted on February 2, 1996
15 by the Village of Hartford.

16 (160) If the ordinance was adopted on July 2, 1996 by
17 the Village of Manlius.

18 (161) If the ordinance was adopted on March 21, 2000
19 by the City of Hoopeston.

20 (162) If the ordinance was adopted on March 22, 2005
21 by the City of Hoopeston.

22 (163) If the ordinance was adopted on July 10, 1996 by
23 the City of Chicago to create the Goose Island TIF
24 District.

25 (164) If the ordinance was adopted on December 11,
26 1996 by the City of Chicago to create the Bryn

1 Mawr/Broadway TIF District.

2 (165) If the ordinance was adopted on December 31,
3 1995 by the City of Chicago to create the 95th/Western TIF
4 District.

5 (166) If the ordinance was adopted on October 7, 1998
6 by the City of Chicago to create the 71st and Stony Island
7 TIF District.

8 (167) If the ordinance was adopted on April 19, 1995
9 by the Village of North Utica.

10 (168) If the ordinance was adopted on April 22, 1996
11 by the City of LaSalle.

12 (169) If the ordinance was adopted on June 9, 2008 by
13 the City of Country Club Hills.

14 (170) If the ordinance was adopted on July 3, 1996 by
15 the Village of Phoenix.

16 (171) If the ordinance was adopted on May 19, 1997 by
17 the Village of Swansea.

18 (172) If the ordinance was adopted on August 13, 2001
19 by the Village of Saunemin.

20 (173) If the ordinance was adopted on January 10, 2005
21 by the Village of Romeoville.

22 (174) If the ordinance was adopted on January 28, 1997
23 by the City of Berwyn for the South Berwyn Corridor Tax
24 Increment Financing District.

25 (175) If the ordinance was adopted on January 28, 1997
26 by the City of Berwyn for the Roosevelt Road Tax Increment

1 Financing District.

2 (176) If the ordinance was adopted on May 3, 2001 by
3 the Village of Hanover Park for the Village Center Tax
4 Increment Financing Redevelopment Project Area (TIF # 3).

5 (177) If the ordinance was adopted on January 1, 1996
6 by the City of Savanna.

7 (178) If the ordinance was adopted on January 28, 2002
8 by the Village of Okawville.

9 (179) If the ordinance was adopted on October 4, 1999
10 by the City of Vandalia.

11 (180) If the ordinance was adopted on June 16, 2003 by
12 the City of Rushville.

13 (181) If the ordinance was adopted on December 7, 1998
14 by the City of Quincy for the Central Business District
15 West Tax Increment Redevelopment Project Area.

16 (182) If the ordinance was adopted on March 27, 1997
17 by the Village of Maywood approving the Roosevelt Road TIF
18 District.

19 (183) If the ordinance was adopted on March 27, 1997
20 by the Village of Maywood approving the Madison
21 Street/Fifth Avenue TIF District.

22 (184) If the ordinance was adopted on November 10,
23 1997 by the Village of Park Forest.

24 (185) If the ordinance was adopted on July 30, 1997 by
25 the City of Chicago to create the Near North TIF district.

26 (186) If the ordinance was adopted on December 1, 2000

1 by the Village of Mahomet.

2 (187) If the ordinance was adopted on June 16, 1999 by
3 the Village of Washburn.

4 (188) If the ordinance was adopted on August 19, 1998
5 by the Village of New Berlin.

6 (189) If the ordinance was adopted on February 5, 2002
7 by the City of Highwood.

8 (190) If the ordinance was adopted on June 1, 1997 by
9 the City of Flora.

10 (191) If the ordinance was adopted on August 17, 1999
11 by the City of Ottawa.

12 (192) If the ordinance was adopted on June 13, 2005 by
13 the City of Mount Carroll.

14 (193) If the ordinance was adopted on March 25, 2008
15 by the Village of Elizabeth.

16 (194) If the ordinance was adopted on February 22,
17 2000 by the City of Mount Pulaski.

18 (195) If the ordinance was adopted on November 21,
19 2000 by the City of Effingham.

20 (196) If the ordinance was adopted on January 28, 2003
21 by the City of Effingham.

22 (197) If the ordinance was adopted on February 4, 2008
23 by the City of Polo.

24 (198) If the ordinance was adopted on August 17, 2005
25 by the Village of Bellwood to create the Park Place TIF.

26 (199) If the ordinance was adopted on July 16, 2014 by

1 the Village of Bellwood to create the North-2014 TIF.

2 (200) If the ordinance was adopted on July 16, 2014 by
3 the Village of Bellwood to create the South-2014 TIF.

4 (201) If the ordinance was adopted on July 16, 2014 by
5 the Village of Bellwood to create the Central Metro-2014
6 TIF.

7 (202) If the ordinance was adopted on September 17,
8 2014 by the Village of Bellwood to create the Addison
9 Creek "A" (Southwest)-2014 TIF.

10 (203) If the ordinance was adopted on September 17,
11 2014 by the Village of Bellwood to create the Addison
12 Creek "B" (Northwest)-2014 TIF.

13 (204) If the ordinance was adopted on September 17,
14 2014 by the Village of Bellwood to create the Addison
15 Creek "C" (Northeast)-2014 TIF.

16 (205) If the ordinance was adopted on September 17,
17 2014 by the Village of Bellwood to create the Addison
18 Creek "D" (Southeast)-2014 TIF.

19 (206) If the ordinance was adopted on June 26, 2007 by
20 the City of Peoria.

21 (207) If the ordinance was adopted on October 28, 2008
22 by the City of Peoria.

23 (208) If the ordinance was adopted on April 4, 2000 by
24 the City of Joliet to create the Joliet City Center TIF
25 District.

26 (209) If the ordinance was adopted on July 8, 1998 by

1 the City of Chicago to create the 43rd/Cottage Grove TIF
2 district.

3 (210) If the ordinance was adopted on July 8, 1998 by
4 the City of Chicago to create the 79th Street Corridor TIF
5 district.

6 (211) If the ordinance was adopted on November 4, 1998
7 by the City of Chicago to create the Bronzeville TIF
8 district.

9 (212) If the ordinance was adopted on February 5, 1998
10 by the City of Chicago to create the Homan/Arthington TIF
11 district.

12 (213) If the ordinance was adopted on December 8, 1998
13 by the Village of Plainfield.

14 (214) If the ordinance was adopted on July 17, 2000 by
15 the Village of Homer.

16 (215) If the ordinance was adopted on December 27,
17 2006 by the City of Greenville.

18 (216) If the ordinance was adopted on June 10, 1998 by
19 the City of Chicago to create the Kinzie Industrial TIF
20 district.

21 (217) If the ordinance was adopted on December 2, 1998
22 by the City of Chicago to create the Northwest Industrial
23 TIF district.

24 (218) If the ordinance was adopted on June 10, 1998 by
25 the City of Chicago to create the Pilsen Industrial TIF
26 district.

1 (219) If the ordinance was adopted on January 14, 1997
2 by the City of Chicago to create the 35th/Halsted TIF
3 district.

4 (220) If the ordinance was adopted on June 9, 1999 by
5 the City of Chicago to create the Pulaski Corridor TIF
6 district.

7 (221) If the ordinance was adopted on December 16,
8 1997 by the City of Springfield to create the Enos Park
9 Neighborhood TIF District.

10 (222) If the ordinance was adopted on February 5, 1998
11 by the City of Chicago to create the Roosevelt/Cicero
12 redevelopment project area.

13 (223) If the ordinance was adopted on February 5, 1998
14 by the City of Chicago to create the Western/Ogden
15 redevelopment project area.

16 (224) If the ordinance was adopted on July 21, 1999 by
17 the City of Chicago to create the 24th/Michigan Avenue
18 redevelopment project area.

19 (225) If the ordinance was adopted on January 20, 1999
20 by the City of Chicago to create the Woodlawn
21 redevelopment project area.

22 (226) If the ordinance was adopted on July 7, 1999 by
23 the City of Chicago to create the Clark/Montrose
24 redevelopment project area.

25 (227) If the ordinance was adopted on November 4, 2003
26 by the City of Madison to create the Rivers Edge

1 redevelopment project area.

2 (228) If the ordinance was adopted on August 12, 2003
3 by the City of Madison to create the Caine Street
4 redevelopment project area.

5 (229) If the ordinance was adopted on March 7, 2000 by
6 the City of Madison to create the East Madison TIF.

7 (230) If the ordinance was adopted on August 3, 2001
8 by the Village of Aviston.

9 (231) If the ordinance was adopted on August 22, 2011
10 by the Village of Warren.

11 (232) If the ordinance was adopted on April 8, 1999 by
12 the City of Farmer City.

13 (233) If the ordinance was adopted on August 4, 1999
14 by the Village of Fairmont City.

15 (234) If the ordinance was adopted on October 2, 1999
16 by the Village of Fairmont City.

17 (235) If the ordinance was adopted December 16, 1999
18 by the City of Springfield.

19 (236) If the ordinance was adopted on December 13,
20 1999 by the Village of Palatine to create the Village of
21 Palatine Downtown Area TIF District.

22 (237) If the ordinance was adopted on September 29,
23 1999 by the City of Chicago to create the 111th/Kedzie
24 redevelopment project area.

25 (238) If the ordinance was adopted on November 12,
26 1998 by the City of Chicago to create the Canal/Congress

1 redevelopment project area.

2 (239) If the ordinance was adopted on July 7, 1999 by
3 the City of Chicago to create the Galewood/Armitage
4 Industrial redevelopment project area.

5 (240) If the ordinance was adopted on September 29,
6 1999 by the City of Chicago to create the Madison/Austin
7 Corridor redevelopment project area.

8 (241) If the ordinance was adopted on April 12, 2000
9 by the City of Chicago to create the South Chicago
10 redevelopment project area.

11 (242) If the ordinance was adopted on January 9, 2002
12 by the Village of Elkhart.

13 (243) If the ordinance was adopted on May 23, 2000 by
14 the City of Robinson to create the West Robinson
15 Industrial redevelopment project area.

16 (244) If the ordinance was adopted on October 9, 2001
17 by the City of Robinson to create the Downtown Robinson
18 redevelopment project area.

19 (245) If the ordinance was adopted on September 19,
20 2000 by the Village of Valmeyer.

21 (246) If the ordinance was adopted on April 15, 2002
22 by the City of McHenry to create the Downtown TIF
23 district.

24 (247) If the ordinance was adopted on February 15,
25 1999 by the Village of Channahon.

26 (248) If the ordinance was adopted on December 19,

1 2000 by the City of Peoria.

2 (249) If the ordinance was adopted on July 24, 2000 by
3 the City of Rock Island to create the North 11th Street
4 redevelopment project area.

5 (250) If the ordinance was adopted on February 5, 2002
6 by the City of Champaign to create the North Campustown
7 TIF.

8 (251) If the ordinance was adopted on November 20,
9 2000 by the Village of Evergreen Park.

10 (252) If the ordinance was adopted on February 16,
11 2000 by the City of Chicago to create the
12 Fullerton/Milwaukee redevelopment project area.

13 (253) If the ordinance was adopted on October 23, 2006
14 by the Village of Bourbonnais to create the Bourbonnais
15 Industrial Park Conservation Area.

16 (254) If the ordinance was adopted on February 22,
17 2000 by the City of Geneva to create the East State Street
18 redevelopment project area.

19 (255) If the ordinance was adopted on February 6, 2001
20 by the Village of Downers Grove to create the Ogden Avenue
21 redevelopment project area.

22 (256) If the ordinance was adopted on June 27, 2001 by
23 the City of Chicago to create the Division/Homan
24 redevelopment project area.

25 (257) If the ordinance was adopted on May 17, 2000 by
26 the City of Chicago to create the 63rd/Pulaski

1 redevelopment project area.

2 (258) If the ordinance was adopted on March 10, 1999
3 by the City of Chicago to create the Greater Southwest
4 Industrial (East) redevelopment project area.

5 (259) If the ordinance was adopted on February 16,
6 2000 by the City of Chicago to create the Lawrence/Kedzie
7 redevelopment project area.

8 (260) If the ordinance was adopted on November 3, 1999
9 by the City of Chicago to create the Lincoln Avenue
10 redevelopment project area.

11 (261) If the ordinance was adopted on September 3,
12 2015 by the Village of Fox River Grove to create the
13 Downtown TIF #2 redevelopment project area.

14 (262) If the ordinance was adopted on October 16, 2000
15 by the Village of Franklin Park to create the Downtown
16 Franklin Avenue redevelopment project area.

17 (263) If the ordinance was adopted on September 8,
18 2003 by the City of Jacksonville to create the Downtown
19 Redevelopment Project Area.

20 (264) If the ordinance was adopted on August 13, 2002
21 by the City of Prophetstown to create the Redevelopment
22 Project Area No. 1.

23 (265) If the ordinance was adopted on August 29, 2006
24 by the City of Ottawa to create the Ottawa Dayton
25 Industrial TIF District.

26 (266) If the ordinance was adopted on June 27, 2006 by

1 the City of Ottawa to create the Ottawa Canal TIF
2 District.

3 (267) If the ordinance was adopted on March 5, 2001 by
4 the City of Salem to create the TIF No 2 - Redevelopment
5 Area.

6 (268) If the ordinance was adopted on January 23, 2002
7 by the Village of Malta to create the Harkness Property
8 redevelopment project area.

9 (269) If the ordinance was adopted on June 16, 2008 by
10 the City of Highland to create TIF #1.

11 (270) If the ordinance was adopted on January 3, 2012
12 by the City of Highland to create TIF #2.

13 (271) If the ordinance was adopted on January 1, 2000
14 by the City of Chicago to create the Belmont/Central
15 redevelopment project area.

16 (272) If the ordinance was adopted on June 27, 2001 by
17 the City of Chicago to create the Englewood Neighborhood
18 redevelopment project area.

19 (273) If the ordinance was adopted on December 13,
20 2000 by the City of Chicago to create the Lake Calumet Area
21 Industrial redevelopment project area.

22 (274) If the ordinance was adopted on October 15, 2001
23 by the City of Des Plaines to create TIF No. 6 Mannheim
24 Higgins Road.

25 (275) If the ordinance was adopted on October 22, 2001
26 by the City of Sullivan to create TIF District III.

1 (276) If the ordinance was adopted on November 12,
2 2013 by the City of Oak Forest to create the City of Oak
3 Forest Cicero Avenue Tax Increment Financing District
4 Redevelopment Project Area TIF District #6.

5 (277) If the ordinance was adopted on December 15,
6 2003 by the City of Knoxville.

7 (278) If the ordinance was adopted on February 16,
8 2000 by the City of Chicago to create the Peterson/Pulaski
9 redevelopment project area.

10 (279) If the ordinance was adopted on February 16,
11 2000 by the City of Chicago to create the Central West
12 redevelopment project area.

13 (280) If the ordinance was adopted on June 27, 2001 by
14 the City of Chicago to create the Lawrence/Broadway
15 redevelopment project area.

16 (281) If the ordinance was adopted on March 18, 2002
17 by the City of St. Charles for the First Street District
18 #4.

19 (282) If the ordinance was adopted on April 6, 2001 by
20 the Village of Melrose Park to create the Seniors First
21 TIF.

22 (283) If the ordinance was adopted on April 6, 2001 by
23 the Village of Melrose Park to create the Zenith Opus TIF.

24 (284) If the ordinance was adopted on June 24, 2003 by
25 the City of Lewistown to create Lewistown TIF District 1.

26 (285) If the ordinance was adopted on April 10, 2002

1 by the City of Elgin to create the Central Area TIF
2 Redevelopment Project Area.

3 (286) If the ordinance was adopted on February 17,
4 2004 by the City of Carbondale to create TIF Redevelopment
5 Project Area #1.

6 (287) If the ordinance was adopted on July 1, 2008 by
7 the City of Pittsfield to create Pittsfield TIF District
8 #1.

9 (288) If the ordinance was adopted on June 22, 2005 by
10 the City of Fairview Heights to create the Shoppes of St.
11 Clair Redevelopment Area.

12 (289) If the ordinance was adopted on December 4, 2007
13 by the City of Fairview Heights to create the Lincoln
14 Trail Redevelopment Area.

15 (290) If the ordinance was adopted on May 7, 2008 by
16 the City of Vienna to create Vienna TIF #1.

17 (291) If the ordinance was adopted on August 8, 2000
18 by the Village of Lyons to create Village of Lyons TIF
19 District #1 (North Ogden).

20 (292) If the ordinance was adopted on August 8, 2000
21 by the Village of Lyons to create Village of Lyons TIF
22 District #2 (South Ogden/Joliet).

23 (293) If the ordinance was adopted on March 20, 2002
24 by the Village of Bridgeview to create Bridgeview Harlem
25 Avenue TIF District #1.

26 (294) ~~(284)~~ If the ordinance was adopted on January

1 16, 2002 by the City of Chicago to create the
2 Roseland/Michigan redevelopment project area.

3 (295) ~~(285)~~ If the ordinance was adopted on February
4 27, 2002 by the City of Chicago to create the
5 Chicago/Central Park redevelopment project area.

6 (296) ~~(286)~~ If the ordinance was adopted on July 31,
7 2002 by the City of Chicago to create the Avalon
8 Park/South Shore redevelopment project area.

9 (297) ~~(287)~~ If the ordinance was adopted on November
10 13, 2002 by the City of Chicago to create the Commercial
11 Avenue redevelopment project area.

12 (298) ~~(288)~~ If the ordinance was adopted on December
13 1, 2003 by the Village of Millstadt to create Millstadt
14 TIF District #1.

15 (299) ~~(289)~~ If the ordinance was adopted on December
16 16, 2003 by the City of Mattoon to create the Midtown
17 Mattoon redevelopment project area.

18 (300) ~~(290)~~ If the ordinance was adopted on January
19 21, 2003 by the City of Sterling to create the Rock River
20 Redevelopment.

21 (d) For redevelopment project areas for which bonds were
22 issued before July 29, 1991, or for which contracts were
23 entered into before June 1, 1988, in connection with a
24 redevelopment project in the area within the State Sales Tax
25 Boundary, the estimated dates of completion of the
26 redevelopment project and retirement of obligations to finance

1 redevelopment project costs (including refunding bonds under
2 Section 11-74.4-7) may be extended by municipal ordinance to
3 December 31, 2013. The termination procedures of subsection
4 (b) of Section 11-74.4-8 are not required for these
5 redevelopment project areas in 2009 but are required in 2013.
6 The extension allowed by Public Act 87-1272 shall not apply to
7 real property tax increment allocation financing under Section
8 11-74.4-8.

9 (e) Those dates, for purposes of real property tax
10 increment allocation financing pursuant to Section 11-74.4-8
11 only, shall be not more than 35 years for redevelopment
12 project areas that were adopted on or after December 16, 1986
13 and for which at least \$8 million worth of municipal bonds were
14 authorized on or after December 19, 1989 but before January 1,
15 1990; provided that the municipality elects to extend the life
16 of the redevelopment project area to 35 years by the adoption
17 of an ordinance after at least 14 but not more than 30 days'
18 written notice to the taxing bodies, that would otherwise
19 constitute the joint review board for the redevelopment
20 project area, before the adoption of the ordinance.

21 (f) Those dates, for purposes of real property tax
22 increment allocation financing pursuant to Section 11-74.4-8
23 only, shall be not more than 35 years for redevelopment
24 project areas that were established on or after December 1,
25 1981 but before January 1, 1982 and for which at least
26 \$1,500,000 worth of tax increment revenue bonds were

1 authorized on or after September 30, 1990 but before July 1,
2 1991; provided that the municipality elects to extend the life
3 of the redevelopment project area to 35 years by the adoption
4 of an ordinance after at least 14 but not more than 30 days'
5 written notice to the taxing bodies, that would otherwise
6 constitute the joint review board for the redevelopment
7 project area, before the adoption of the ordinance.

8 (f-1) (Blank).

9 (f-2) (Blank).

10 (f-3) (Blank).

11 (f-5) Those dates, for purposes of real property tax
12 increment allocation financing pursuant to Section 11-74.4-8
13 only, shall be not more than 47 years for redevelopment
14 project areas listed in this subsection; provided that (i) the
15 municipality adopts an ordinance extending the life of the
16 redevelopment project area to 47 years and (ii) the
17 municipality provides notice to the taxing bodies that would
18 otherwise constitute the joint review board for the
19 redevelopment project area not more than 30 and not less than
20 14 days prior to the adoption of that ordinance:

21 (1) If the redevelopment project area was established
22 on December 29, 1981 by the City of Springfield.

23 (2) If the redevelopment project area was established
24 on December 29, 1986 by the City of Morris and that is
25 known as the Morris TIF District 1.

26 (3) If the redevelopment project area was established

1 on December 31, 1986 by the Village of Cahokia.

2 (4) If the redevelopment project area was established
3 on December 20, 1986 by the City of Charleston.

4 (5) If the redevelopment project area was established
5 on December 23, 1986 by the City of Beardstown.

6 (6) If the redevelopment project area was established
7 on December 23, 1986 by the Town of Cicero.

8 (7) If the redevelopment project area was established
9 on December 29, 1986 by the City of East St. Louis.

10 (8) If the redevelopment project area was established
11 on January 23, 1991 by the City of East St. Louis.

12 (9) If the redevelopment project area was established
13 on December 29, 1986 by the Village of Gardner.

14 (10) If the redevelopment project area was established
15 on June 11, 2002 by the City of East Peoria to create the
16 West Washington Street TIF.

17 (11) If the redevelopment project area was established
18 on December 22, 1986 by the City of Washington creating
19 the Washington Square TIF #2.

20 (12) If the redevelopment project area was established
21 on November 11, 1986 by the City of Pekin.

22 (13) If the redevelopment project area was established
23 on December 30, 1986 by the City of Belleville.

24 (14) If the ordinance was adopted on April 3, 1989 by
25 the City of Chicago Heights.

26 (15) If the redevelopment project area was established

1 on December 29, 1986 by the City of Pontiac to create TIF I
2 (the Main St TIF).

3 (16) If the redevelopment project area was established
4 on December 29, 1986 by the City of Pontiac to create TIF
5 II (the Interstate TIF).

6 (17) If the redevelopment project area was established
7 on December 23, 1986 by the City of Sparta to create TIF
8 #1. Any termination procedures provided for in Section
9 11-74.4-8 are not required for this redevelopment project
10 area prior to the 47th calendar year after the year in
11 which the ordinance approving the redevelopment project
12 year was adopted.

13 (18) If the redevelopment project area was established
14 on March 30, 1992 by the Village of Ohio to create the
15 Village of Ohio TIF District.

16 (19) If the redevelopment project area was established
17 on December 13, 1993 by the Village of Crete.

18 (20) If the redevelopment project area was established
19 on February 12, 2001 by the Village of Crete.

20 (21) If the redevelopment project area was established
21 on April 23, 2001 by the Village of Crete.

22 (22) If the redevelopment project area was established
23 on December 29, 1993 by the City of Ottawa to create the
24 Ottawa I-80 North TIF District.

25 (23) If the redevelopment project area was established
26 on September 20, 1994 by the City of Ottawa to create the

Ottawa Rt. 6 East TIF District.

(24) If the redevelopment project area was established on January 6, 1999 by the Village of Rosemont to create the Village of Rosemont TIF 4 South River Road.

(25) If the redevelopment project area was established on December 20, 1988 by the Village of Lansing.

(26) If the redevelopment project area was established on November 20, 1989 by the Village of South Holland.

(27) If the redevelopment project area was established on December 11, 1989 by the Village of Melrose Park to create the Mid-Metros TIF.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section. (Source: P.A. 103-315, eff. 7-28-23; 103-575, eff. 12-8-23; 103-1016, eff. 8-9-24; 103-1058, eff. 12-31-24; 104-322, eff. 8-15-25; 104-452, eff. 12-12-25; revised 1-11-26.)

(65 ILCS 5/11-101-3)

Sec. 11-101-3. Noise mitigation; air quality.

(a) A municipality that has implemented a Residential

1 Sound Insulation Program to mitigate aircraft noise shall
2 perform indoor air quality monitoring and laboratory analysis
3 of windows and doors installed pursuant to the Residential
4 Sound Insulation Program to determine whether there are any
5 adverse health impacts associated with off-gassing from such
6 windows and doors. Such monitoring and analysis shall be
7 consistent with applicable professional and industry
8 standards. The municipality shall make any final reports
9 resulting from such monitoring and analysis available to the
10 public on the municipality's website. The municipality shall
11 develop a science-based mitigation plan to address significant
12 health-related impacts, if any, associated with such windows
13 and doors as determined by the results of the monitoring and
14 analysis. In a municipality that has implemented a Residential
15 Sound Insulation Program to mitigate aircraft noise, if
16 requested by the homeowner pursuant to a process established
17 by the municipality, which process shall include, at a
18 minimum, notification in a newspaper of general circulation
19 and a mailer sent to every address identified as a recipient of
20 windows and doors installed under the Residential Sound
21 Insulation Program, the municipality shall replace all windows
22 and doors installed under the Residential Sound Insulation
23 Program in such homes where one or more windows or doors have
24 been found to have caused offensive odors. Subject to
25 appropriation, the municipality shall replace windows and
26 doors in at least 750 residences a year. Residents who altered

1 or modified a replacement window or accepted a replacement
2 screen for the window shall not be disqualified from
3 compensation or future services. Only those homeowners who
4 request that the municipality perform an odor inspection as
5 prescribed by the process established by the municipality
6 within 6 months of notification being published and mailers
7 being sent shall be eligible for odorous window and odorous
8 door replacement. Residents who are eligible to receive
9 replacement windows shall be allowed to choose the color and
10 type of replacement window. For purposes of aiding in the
11 selection of such replacement windows, a showcase and display
12 of available replacement window types shall be established and
13 located at Chicago Midway International Airport. Homes that
14 have been identified by the municipality as having odorous
15 windows or doors are not required to make said request to the
16 municipality. The right to make a claim for replacement and
17 have it considered pursuant to this Section shall not be
18 affected by the fact of odor-related claims made or
19 odor-related products received pursuant to the Residential
20 Sound Insulation Program prior to June 5, 2019 (the effective
21 date of this Section). The municipality shall also perform
22 in-home air quality testing in residences in which windows and
23 doors are replaced under this Section. In order to receive
24 in-home air quality testing, a homeowner must request such
25 testing from the municipality, and the total number of homes
26 tested in any given year shall not exceed 25% of the total

1 number of homes in which windows and doors were replaced under
2 this Section in the prior calendar year.

3 (b) An advisory committee shall be formed, composed of the
4 following: (i) 2 members of the municipality who reside in
5 homes that have received windows or doors pursuant to the
6 Residential Sound Insulation Program and have been identified
7 by the municipality as having odorous windows or doors,
8 appointed by the Secretary of Transportation; (ii) one
9 employee of the Aeronautics Division of the Department of
10 Transportation who shall only cast votes when breaking a tie;
11 (iii) 2 employees of the municipality that implemented the
12 Residential Sound Insulation Program in question; and (iv) 2
13 members appointed by the Speaker of the House of
14 Representatives, 2 members appointed by the President of the
15 Senate, one member appointed by the Minority Leader of the
16 House of Representatives, and one member appointed by the
17 Minority Leader of the Senate. The advisory committee shall
18 determine by majority vote which homes contain windows or
19 doors that cause offensive odors and thus are eligible for
20 replacement, shall promulgate a list of such homes, and shall
21 develop recommendations as to the order in which homes are to
22 receive window replacement. The recommendations shall include
23 reasonable and objective criteria for determining which
24 windows or doors are odorous, consideration of the date of
25 odor confirmation for prioritization, severity of odor,
26 geography and individual hardship, and shall provide such

1 recommendations to the municipality. The advisory committee
2 shall develop a process in which homeowners can demonstrate
3 extreme hardship. As used in this subsection, "extreme
4 hardship" means: liquid infiltration of the window or door;
5 health and medical condition of the resident; and residents
6 with sensitivities related to smell. At least 10% of the homes
7 receiving a replacement in a year shall be homes that have
8 demonstrated extreme hardship. The advisory committee shall
9 compile a report demonstrating: (i) the number of homes in
10 line to receive a replacement; (ii) the number of homes that
11 received replacement windows or doors, or both; (iii) the
12 number of homes that received financial compensation instead
13 of a replacement; and (iv) the number of homes with confirmed
14 mechanical issues. Until December 31, 2022, the report shall
15 be compiled monthly, after December 31, 2022, the report shall
16 be compiled ~~compiled~~ quarterly. The advisory committee shall
17 accept all public questions and furnish a written response
18 within 2 business days. The advisory committee shall comply
19 with the requirements of the Open Meetings Act. The Chicago
20 Department of Aviation shall provide administrative support to
21 the committee. The municipality shall consider the
22 recommendations of the committee but shall retain final
23 decision-making authority over replacement of windows and
24 doors installed under the Residential Sound Insulation
25 Program, and shall comply with all federal, State, and local
26 laws involving procurement. A municipality administering

1 claims pursuant to this Section shall provide to every address
2 identified as having submitted a valid claim under this
3 Section a quarterly report setting forth the municipality's
4 activities undertaken pursuant to this Section for that
5 quarter. However, the municipality shall replace windows and
6 doors pursuant to this Section only if, and to the extent,
7 grants are distributed to, and received by, the municipality
8 from the Sound-Reducing Windows and Doors Replacement Fund for
9 the costs associated with the replacement of sound-reducing
10 windows and doors installed under the Residential Sound
11 Insulation Program pursuant to Section 6z-20.1 of the State
12 Finance Act. In addition, the municipality shall revise its
13 specifications for procurement of windows for the Residential
14 Sound Insulation Program to address potential off-gassing from
15 such windows in future phases of the program. A municipality
16 subject to the Section shall not legislate or otherwise
17 regulate with regard to indoor air quality monitoring,
18 laboratory analysis or replacement requirements, except as
19 provided in this Section, but the foregoing restriction shall
20 not limit said municipality's taxing power.

21 (c) A home rule unit may not regulate indoor air quality
22 monitoring and laboratory analysis, and related mitigation and
23 mitigation plans, in a manner inconsistent with this Section.
24 This Section is a limitation of home rule powers and functions
25 under subsection (i) of Section 6 of Article VII of the
26 Illinois Constitution on the concurrent exercise by home rule

1 units of powers and functions exercised by the State.

2 (d) This Section shall not be construed to create a
3 private right of action.

4 (Source: P.A. 103-200, eff. 6-30-23; 104-404, eff. 8-15-25;
5 revised 12-12-25.)

6 Section 365. The Revised Cities and Villages Act of 1941
7 is amended by changing Section 21-41 as follows:

8 (65 ILCS 20/21-41) (from Ch. 24, par. 21-41)

9 Sec. 21-41. Redistricting ordinance submitted; form
10 ~~submitted—form~~ of ballot. If the question of the adoption of
11 one of 2 ~~two~~ or more redistricting ordinances is submitted to
12 the voters at any election, the ballots used for the
13 submission of such proposition shall, in addition to the other
14 requirements of law, conform substantially to the following
15 requirements:

16 1. Above the propositions submitted the following words
17 shall be printed in capital letters:

18 "PROPOSITIONS FOR THE REDISTRICTING OF THE CITY OF
19 CHICAGO."

20 2. Immediately below said words shall be printed in small
21 letters the direction to voters:

22 "Vote for One."

23 3. Following thereupon shall be printed each proposition
24 to be voted upon in substantially the following form:

For the adoption of an ordinance for the redistricting of the City of Chicago (here insert "passed by the city council" or "proposed by Alderpersons (here insert names of the alderpersons signing petition)" as the case may require).

For the adoption of an ordinance for the redistricting of the City of Chicago proposed by Alderpersons (here insert names of the alderpersons signing the petition).

Whenever the question of the adoption of but one redistricting ordinance shall be submitted to the voters, the form of the ballot shall be substantially as follows:

Shall the ordinance proposed by Alderpersons (Here insert the names of the alderpersons signing the petition) be adopted?

YES

NO

4. All the propositions shall be printed in uniform type.

1 (Source: P.A. 102-15, eff. 6-17-21; revised 7-7-25.)

2 Section 370. The River Edge Redevelopment Zone Act is
3 amended by changing Section 10-5.4 as follows:

4 (65 ILCS 115/10-5.4)

5 Sec. 10-5.4. Amendment and decertification of River Edge
6 Redevelopment Zones.

7 (a) The terms of a certified zone designating ordinance
8 may be amended to:

9 (1) alter the boundaries of the Zone;

10 (2) expand, limit or repeal tax incentives or benefits
11 provided in the ordinance;

12 (3) alter the termination date of the zone; or

13 (4) make technical corrections in the river edge
14 redevelopment zone designating ordinance.

15 An amendment shall not be effective unless the Department
16 issues an amended certificate for the River Edge Redevelopment
17 Zone, approving the amended designating ordinance. Upon the
18 adoption of any ordinance amending or repealing the terms of a
19 certified river edge redevelopment zone designating ordinance,
20 the municipality shall promptly file with the Department an
21 application for approval thereof, containing substantially the
22 same information as required for an application under Section
23 10-5.1 insofar as material to the proposed changes. The
24 municipality must hold a public hearing on the proposed

1 changes as specified in Section 10-5 and, if the amendment is
2 to effectuate the limitation of tax abatements under Section
3 10-5.4.1, then the public notice of the hearing shall state
4 that property that is in both the zone and a redevelopment
5 project area may not receive tax abatements unless within 60
6 days after the adoption of the amendment to the designating
7 ordinance the municipality has determined that eligibility for
8 tax abatements has been established.

9 (b) The Department shall approve or disapprove a proposed
10 amendment to a certified zone within 90 days after its receipt
11 of the application from the municipality. The Department may
12 not approve changes in a Zone that are not in conformity with
13 this Act, as now or hereafter amended, or with other
14 applicable laws. If the Department issues an amended
15 certificate for a Zone, the amended certificate, together with
16 the amended zone designating ordinance, shall be filed,
17 recorded, and transmitted as provided in Section 10-5.3.

18 (c) A River Edge Redevelopment Zone may be decertified by
19 joint action of the Department and by the municipality in
20 which the River Edge Redevelopment ~~Development~~ Zone is
21 located. The designating municipality shall conduct at least
22 one public hearing within the zone prior to its adoption of an
23 ordinance of decertification. The mayor of the designating
24 municipality shall execute a joint decertification agreement
25 with the Department. A decertification of a River Edge
26 Redevelopment Zone that was initiated by the joint action of

1 the Department and one or more of the municipalities in which
2 the zone is located shall not become effective until at least 6
3 months after the execution of the decertification agreement,
4 which shall be filed in the office of the Secretary of State.

5 (d) A River Edge Redevelopment Zone may be decertified for
6 cause by the Department in accordance with this Section. Prior
7 to decertification:

8 (1) the Department shall notify the chief elected
9 official of the designating municipality in writing of the
10 specific deficiencies that provide cause for
11 decertification;

12 (2) the Department shall place the designating
13 municipality on probationary status for at least 6 months
14 during which time corrective action may be achieved in the
15 zone by the designating municipality; and

16 (3) the Department shall conduct at least one public
17 hearing within the zone.

18 If such corrective action is not achieved during the
19 probationary period, the Department shall issue an amended
20 certificate signed by the Director of the Department
21 decertifying the zone, which certificate shall be filed in the
22 office of the Secretary of State. A certified copy of the
23 amended certificate, or a duplicate original thereof, shall be
24 recorded in the office of recorder of the county in which the
25 River Edge Redevelopment Zone lies, and shall be provided to
26 the chief elected official of the designating municipality.

1 Decertification of a River Edge Redevelopment Zone for cause
2 shall not become effective until 60 days after the date of
3 filing.

4 (e) In the event of a decertification, an amendment
5 reducing the length of the term or the area of a River Edge
6 Redevelopment Zone, or the adoption of an ordinance reducing
7 or eliminating tax benefits in a zone, all benefits previously
8 extended within the zone pursuant to this Act or pursuant to
9 any other Illinois law providing benefits specifically to or
10 within River Edge Redevelopment Zones shall remain in effect
11 for the original stated term of the zone, with respect to
12 business enterprises within the zone on the effective date of
13 such decertification or amendment.

14 (f) With respect to a business enterprise (or expansion
15 thereof) that is proposed or under development within a zone
16 at the time of a decertification or an amendment reducing the
17 length of the term of the zone, or excluding from the zone area
18 the site of the proposed enterprise, or an ordinance reducing
19 or eliminating tax benefits in a zone, such business
20 enterprise is entitled to the benefits previously applicable
21 within the zone for the original stated term of the zone, if
22 the business enterprise establishes:

23 (i) that the proposed business enterprise or expansion
24 has been committed to be located within the zone;

25 (ii) that substantial and binding financial
26 obligations have been made towards the development of such

1 enterprise; and

2 (iii) that such commitments have been made in
3 reasonable reliance on the benefits and programs which
4 were to have been applicable to the enterprise by reason
5 of the zone, including in the case of a reduction in term
6 of a zone, the original length of the term.

7 In declaratory judgment actions under this subsection, the
8 Department and the designating municipality shall be necessary
9 parties defendant.

10 (Source: P.A. 94-1021, eff. 7-12-06; revised 7-7-25.)

11 Section 375. The Metropolitan Pier and Exposition
12 Authority Act is amended by changing Section 25.3 as follows:

13 (70 ILCS 210/25.3) (from Ch. 85, par. 1245.3)

14 Sec. 25.3. (a) No person who is a member of the Board, a
15 Trustee appointed under Section 22, or an officer or employee
16 of the Authority, may be in any manner interested, either
17 directly or indirectly, in his own name or in the name of any
18 other person, partnership, association, trust, or corporation,
19 including any corporation subject to the ~~"The~~ Medical
20 Corporation Act", ~~as now or hereafter amended,~~ and any
21 professional corporation organized under the ~~"The~~ Professional
22 Service Corporation Act", ~~as now or hereafter amended,~~ or
23 organized under any similar law of a sister state applicable
24 to any such corporation, in any contract or the performance of

1 any work of the Authority. No such person may represent,
2 either professionally or as agent or otherwise, any person,
3 partnership, association, trust, or corporation, including any
4 corporation subject to the ~~"The Medical Corporation Act", as~~
5 ~~now or hereafter amended,~~ and any professional corporation
6 organized under the ~~"The Professional Service Corporation~~
7 ~~Act", as now or hereafter amended,~~ or organized under any
8 similar law of a sister state applicable to any such
9 corporation, with respect to any application or bid for any
10 contract or work in regard to which such person may be called
11 upon to vote. Nor may any such person take or receive, or offer
12 to take or receive, either directly or indirectly, any money
13 or other thing of value as a gift or bribe or means of
14 influencing his vote or action in his official character. Any
15 contract made and procured in violation hereof is void. Each
16 person who at any time within 2 years prior to November 15,
17 1985 (the effective date of Public Act 84-1027) ~~this~~
18 ~~amendatory Act of 1985~~ was a member of the Board and who at any
19 time after so becoming a member ceased to be a member of the
20 Board shall in all respects continue to be governed by and
21 subject to the provisions of this subsection (a) for a period
22 of 2 years from and after the date on which he last ceased or
23 ceases to be a member of such Board. In addition, the
24 provisions of this subsection (a) shall continue to apply
25 equally and in all respects to each person who becomes a member
26 of the Board on or after November 15, 1985 (the effective date

1 of Public Act 84-1027) ~~this amendatory Act of 1985~~ and who
2 thereafter ceases to be a member of the Board, and to any
3 Trustee appointed under Section 22 who ceases to be the
4 Trustee, for a period of 2 years from and after the date on
5 which he ceases to be a member of the Board or to be the
6 Trustee. The foregoing provisions of this subsection (a) shall
7 not apply to render void or to interfere with the performance
8 of any contract of the Authority entered into and in effect
9 prior to November 15, 1985 (the effective date of Public Act
10 84-1027) ~~this amendatory Act of 1985~~.

11 However any such person may provide materials,
12 merchandise, property, services or labor, if:

13 (1) the contract is with a person, firm, partnership,
14 association, corporation, or cooperative association in
15 which such interested person has less than a 7 1/2% share
16 in the ownership; and

17 (2) such interested person publicly discloses the
18 nature and extent of his interest prior to or during
19 deliberations concerning the proposed award of the
20 contract; and

21 (3) such interested person, if a Board member,
22 abstains from voting on the award of the contract, though
23 he shall be considered present for the purposes of
24 establishing a quorum; and

25 (4) such contract is approved by a majority vote of
26 those members presently holding office; and

1 (5) the contract is awarded after sealed bids to the
2 lowest responsible bidder if the amount of the contract
3 exceeds \$1500, or awarded without bidding if the amount of
4 the contract is less than \$1500; and

5 (6) the award of the contract would not cause the
6 aggregate amount of all such contracts so awarded to the
7 same person, firm, association, partnership, corporation,
8 or cooperative association in the same fiscal year to
9 exceed \$25,000.

10 In addition to the above exemption, any such person may
11 provide materials, merchandise, property, services, or labor
12 if:

13 (1) the award of the contract is approved by a
14 majority vote of the Board provided that any such
15 interested member shall abstain from voting; and

16 (2) the amount of the contract does not exceed \$1000;
17 and

18 (3) the award of the contract would not cause the
19 aggregate amount of all such contracts so awarded to the
20 same person, firm, association, partnership, corporation,
21 or cooperative association in the same fiscal year to
22 exceed \$2000; and

23 (4) such person publicly discloses the nature and
24 extent of his interest prior to or during deliberations
25 concerning the proposed award of the contract; and

26 (5) such person abstains from voting on the award of

1 the contract, though he shall be considered present for
2 the purposes of establishing a quorum.

3 A contract for the procurement of public utility services
4 with a public utility company is not barred by this Section by
5 any such person being an officer or employee of the public
6 utility company or holding an ownership interest of no more
7 than 7 1/2% in the public utility company. Any such person
8 having such an interest shall be deemed not to have a
9 prohibited interest under this Section.

10 (b) Before any contract relating to the ownership or use
11 of real property is entered into by and between the Authority
12 the identity of every owner and beneficiary having any
13 interest, real or personal, in such property, and every
14 shareholder entitled to receive more than 7 1/2% of the total
15 distributable income of any corporation having any interest,
16 real or personal, in such property must be disclosed. The
17 disclosure shall be in writing and shall be subscribed by an
18 owner, authorized trustee, corporate official, or managing
19 agent under oath. However, if stock in a corporation is
20 publicly traded and there is no readily known individual
21 having greater than a 7 1/2% interest, then a statement to that
22 effect, subscribed to under oath by an officer of the
23 corporation or its managing agent, shall fulfill the
24 disclosure statement requirement of this Section. This Section
25 shall be liberally construed to accomplish the purpose of
26 requiring the identification of the actual parties benefiting

1 from any transaction with the Authority involving the
2 procurement of the ownership or use of real property thereby.

3 (c) Nothing contained in this Section, including the
4 restrictions set forth in subsection (a) ~~above~~, shall preclude
5 a contract of deposit of monies, loans, or other financial
6 services by the Authority with a local bank or local savings
7 and loan association, regardless of whether former Board
8 members, Board members, or officers or employees of the
9 Authority are interested in such bank or savings and loan
10 association as a director, an officer or employee, or ~~as~~ a
11 holder of less than 7 1/2% of the total ownership interest. Any
12 such person holding such an interest in such a contract shall
13 not be deemed to be holding a prohibited interest for purposes
14 of this Act. Any such person must publicly state the nature and
15 extent of their interest during deliberations concerning the
16 proposed award of such a contract, but shall not participate
17 in any further deliberations concerning the proposed award.
18 Such interested member or members shall not vote on such
19 proposed award. Any Board member or members abstaining from
20 participation in deliberations and voting under this Section
21 may be considered present for purposes of establishing a
22 quorum. Award of such a contract shall require approval by a
23 majority vote of those members presently holding office.
24 Consideration and award of any such contract in which a member
25 or members are interested may only be made at a regularly
26 scheduled public meeting of the Board.

1 (d) Any member of the Board, officer or employee of the
2 Authority, or other person, who violates any provision of this
3 Section, is guilty of a Class 4 felony and in addition thereto,
4 any office or official position held by any person so
5 convicted shall become vacant, and shall be so declared as
6 part of the judgment of court.

7 (Source: P.A. 84-1027; revised 7-10-25.)

8 Section 380. The Park District Code is amended by changing
9 Section 8-1 as follows:

10 (70 ILCS 1205/8-1)

11 Sec. 8-1. General corporate powers. Every park district
12 shall, from the time of its organization, be a body corporate
13 and politic by the name set forth in the petition for its
14 organization, the specific name set forth in this Code, or the
15 name it may adopt under Section 8-9 and shall have and exercise
16 the following powers:

17 (a) To adopt a corporate seal and alter the same at
18 pleasure; to sue and be sued; and to contract in
19 furtherance of any of its corporate purposes.

20 (b) (1) To acquire by gift, legacy, grant or purchase,
21 or by condemnation in the manner provided for the exercise
22 of the power of eminent domain under the Eminent Domain
23 Act, any and all real estate, or rights therein necessary
24 for building, laying out, extending, adorning and

1 maintaining any such parks, boulevards and driveways, or
2 for effecting any of the powers or purposes granted under
3 this Code as its board may deem proper, whether such lands
4 be located within or without such district; but no park
5 district, except as provided in paragraph (2) of this
6 subsection, shall have any power of condemnation in the
7 manner provided for the exercise of the power of eminent
8 domain under the Eminent Domain Act or otherwise as to any
9 real estate, lands, riparian rights or estate, or other
10 property situated outside of such district, but shall only
11 have power to acquire the same by gift, legacy, grant or
12 purchase, and such district shall have the same control of
13 and power over lands so acquired without the district as
14 over parks, boulevards and driveways within such district.

15 (2) In addition to the powers granted in paragraph (1)
16 of subsection (b), a park district located in more than
17 one county, the majority of its territory located in a
18 county over 450,000 in population and none of its
19 territory located in a county over 1,000,000 in
20 population, shall have condemnation power in the manner
21 provided for the exercise of the power of eminent domain
22 under the Eminent Domain Act or as otherwise granted by
23 law as to any and all real estate situated up to one mile
24 outside of such district which is not within the
25 boundaries of another park district.

26 (c) To acquire by gift, legacy or purchase any

1 personal property necessary for its corporate purposes
2 provided that all contracts for supplies, materials, or
3 work involving an expenditure in excess of \$60,000 for
4 supplies or materials and \$30,000 for work, or a lower
5 amount for any contract for supplies, material, or work if
6 required by board policy, shall be let to the lowest
7 responsible bidder after due advertisement. No district
8 shall be required to accept a bid that does not meet the
9 district's established specifications, terms of delivery,
10 quality, and serviceability requirements. Contracts which,
11 by their nature, are not adapted to award by competitive
12 bidding, such as contracts for the services of individuals
13 possessing a high degree of professional skill where the
14 ability or fitness of the individual plays an important
15 part, contracts for the printing of finance committee
16 reports and departmental reports, contracts for the
17 printing or engraving of bonds, tax warrants and other
18 evidences of indebtedness, contracts for utility services
19 such as water, light, heat, telephone or telegraph,
20 contracts for fuel (such as diesel, gasoline, oil,
21 aviation, or propane), lubricants, or other petroleum
22 products, contracts for the use, purchase, delivery,
23 movement, or installation of data processing equipment,
24 software, or services and telecommunications and
25 interconnect equipment, software, or services, contracts
26 for duplicating machines and supplies, contracts for goods

1 or services procured from another governmental agency,
2 purchases of equipment previously owned by some entity
3 other than the district itself, and contracts for the
4 purchase of magazines, books, periodicals, pamphlets and
5 reports are not subject to competitive bidding. Contracts
6 for emergency expenditures are also exempt from
7 competitive bidding when the emergency expenditure is
8 approved by 3/4 of the members of the board.

9 All competitive bids for contracts involving an
10 expenditure in excess of \$60,000 for supplies or materials
11 and \$30,000 for work, or a lower amount for any contract
12 for supplies, material, or work if required by board
13 policy, must be sealed by the bidder and must be opened by
14 a member or employee of the park board at a public bid
15 opening at which the contents of the bids must be
16 announced. Each bidder must receive at least 3 days notice
17 of the time and place of the bid opening.

18 For purposes of this subsection, "due advertisement"
19 includes, but is not limited to, at least one public
20 notice at least 10 days before the bid date in a newspaper
21 published in the district or, if no newspaper is published
22 in the district, in a newspaper of general circulation in
23 the area of the district.

24 (d) To pass all necessary ordinances, rules and
25 regulations for the proper management and conduct of the
26 business of the board and district and to establish by

1 ordinance all needful rules and regulations for the
2 government and protection of parks, boulevards and
3 driveways and other property under its jurisdiction, and
4 to effect the objects for which such districts are formed.

5 (e) To prescribe such fines and penalties for the
6 violation of ordinances as it shall deem proper not
7 exceeding \$1,000 for any one offense, which fines and
8 penalties may be recovered by an action in the name of such
9 district in the circuit court for the county in which such
10 violation occurred. The park district may also seek in the
11 action, in addition to or instead of fines and penalties,
12 an order that the offender be required to make restitution
13 for damage resulting from violations, and the court shall
14 grant such relief where appropriate. The procedure in such
15 actions shall be the same as that provided by law for like
16 actions for the violation of ordinances in cities
17 organized under the general laws of this State, and
18 offenders may be imprisoned for non-payment of fines and
19 costs in the same manner as in such cities. All fines when
20 collected shall be paid into the treasury of such
21 district.

22 (f) To manage and control all officers and property of
23 such districts and to provide for joint ownership with one
24 or more cities, villages or incorporated towns of real and
25 personal property used for park purposes by one or more
26 park districts. In case of joint ownership, the terms of

1 the agreement shall be fair, just and equitable to all
2 parties and shall be set forth in a written agreement
3 entered into by the corporate authorities of each
4 participating district, city, village or incorporated
5 town.

6 (g) To secure grants and loans, or either, from the
7 United States Government, or any agency or agencies
8 thereof, for financing the acquisition or purchase of any
9 and all real estate, or rights therein, or for effecting
10 any of the powers or purposes granted under this Code as
11 its Board may deem proper.

12 (h) To establish fees for the use of facilities and
13 recreational programs of the districts and to derive
14 revenue from non-resident fees from their operations. Fees
15 charged non-residents of such district need not be the
16 same as fees charged to residents of the district.
17 Charging fees or deriving revenue from the facilities and
18 recreational programs shall not affect the right to assert
19 or utilize any defense or immunity, common law or
20 statutory, available to the districts or their employees.

21 (i) To make contracts for a term exceeding one year,
22 but not to exceed 3 years, notwithstanding any provision
23 of this Code to the contrary, relating to: (1) the
24 employment of a park director, superintendent,
25 administrator, engineer, health officer, land planner,
26 finance director, attorney, police chief, or other officer

1 who requires technical training or knowledge; (2) the
2 employment of outside professional consultants such as
3 engineers, doctors, land planners, auditors, attorneys, or
4 other professional consultants who require technical
5 training or knowledge; (3) the provision of data
6 processing equipment and services; and (4) the purchase of
7 energy from a utility or an alternative retail electric
8 supplier. With respect to any contract made under this
9 subsection (i), the corporate authorities shall include in
10 the annual appropriation ordinance for each fiscal year an
11 appropriation of a sum of money sufficient to pay the
12 amount which, by the terms of the contract, is to become
13 due and payable during that fiscal year.

14 (j) To enter into licensing or management agreements
15 with not-for-profit corporations organized under the laws
16 of this State to operate park district facilities if the
17 corporation covenants to use the facilities to provide
18 public park or recreational programs for youth.

19 (k) To allow a person to sign any document with a
20 web-based signature if the district uses a secure
21 web-based platform.

22 (Source: P.A. 104-114, eff. 8-1-25; 104-406, eff. 1-1-26;
23 revised 9-12-25.)

24 Section 385. The Illinois Sports Facilities Authority Act
25 is amended by changing Section 2 as follows:

(70 ILCS 3205/2) (from Ch. 85, par. 6002)

Sec. 2. Definitions; ~~general provisions~~. In this Act the following words have the meanings indicated:

(A) "Authority" means the Illinois Sports Facilities Authority.

(B) "Facility" means:

(1) Stadiums, arenas, or other structures for the holding of athletic contests and other events and gatherings, including, without limitation, baseball, football, automobile racing, and all professional sports; musical, dramatic and other artistic, cultural, or social events; public meetings; and other public events; and

(2) Practice fields, or other areas where professional sports teams and other sports teams may practice or perform.

~~(3)~~ "Facility" also means the following types of property if that property is related to or located near an item listed in paragraphs (1) and (2) of this subsection (B) ~~of this Section~~.

(i) Offices, parking lots and garages, access roads, streets, intersections, highway interchanges, pedestrian walkways, tunnels, and bridges, transportation facilities, monuments, restaurants, stores, and other facilities providing goods and services to persons attending meetings, contests, gatherings or events at the facility;

1 (ii) Other recreation areas and recreational
2 facilities;

3 (iii) Other property or structures including all
4 fixtures, furnishings, and appurtenances normally
5 associated with such facilities; and

6 (iv) Landscaping, parks, and open spaces.

7 (C) "Governmental owner ~~owner~~" means a body politic,
8 public corporation, political subdivision, unit of local
9 government, or municipality formed under the laws of the State
10 of Illinois, including, without limitation, the Chicago Park
11 District, that owns or is to own a facility located within the
12 corporate limits of the Authority described in Section 11 of
13 this Act and to which the Authority provides financial
14 assistance. Where the title to all or any part of a facility is
15 held by a public building commission because the public
16 building commission has financed, under the authority of the
17 Public Building Commission Act, the acquisition of real estate
18 or the construction, acquisition, or enlargement of
19 improvements to real estate, or both, for any body politic,
20 public corporation, political subdivision, unit of local
21 government, or municipality formed under the laws of the State
22 of Illinois, the term "governmental owner" when used with
23 respect to that facility means the body politic, public
24 corporation, political subdivision, unit of local government,
25 or municipality rather than the public building commission.

26 (D) "Management agreement ~~Agreement~~" means a legally

1 binding contract between the Authority and a tenant of a
2 facility owned by the Authority, which contains at least the
3 following provisions:

4 (1) a provision requiring the tenant to conduct its
5 complete regular home season schedule and any home playoff
6 events in the facility;

7 (2) a provision requiring the tenant to provide
8 routine maintenance of and to operate the facility with
9 its personnel or contractors;

10 (3) a provision requiring the tenant to advertise and
11 promote events it conducts at the facility;

12 (4) a provision requiring the tenant to operate or
13 contract for concessions for the patrons of the facility,
14 including a stadium club and restaurant where food and
15 beverages will be served; and

16 (5) a provision permitting the Authority or its
17 designee to hold other events in any such facility owned
18 by the Authority at such times as shall not unreasonably
19 interfere with the use of that facility by the tenant.

20 (E) "Assistance agreement ~~Agreement~~" means one or more
21 legally binding contracts, with respect to a facility for
22 which the Authority is to provide financial assistance as
23 provided in this Act, to which the Authority and a
24 governmental owner of a facility or its tenant, or both, and
25 any other appropriate persons are parties, which may be in the
26 form of an intergovernmental agreement.

1 (F) "Financial assistance ~~Assistance~~" means the use by the
2 Authority, pursuant to an assistance agreement, of its powers
3 under this Act, including, without limitation, the power to
4 borrow money, to issue bonds and notes, to impose an
5 occupation tax as provided in Section 19 of this Act and to
6 receive and expend the proceeds of that tax, to assist a
7 governmental owner or its tenant, or both, with one or more of
8 the following: designing, developing, establishing,
9 constructing, erecting, acquiring, repairing, reconstructing,
10 renovating, remodeling, adding to, extending, improving,
11 equipping, operating, and maintaining a facility owned or to
12 be owned by the governmental owner.

13 (G) "Tenant" means any person with which a governmental
14 owner or the Authority has entered into an agreement for the
15 use by a professional sports team or other sports team of any
16 facility. Such an agreement may be a management agreement or
17 an assistance agreement or may be a lease of or a license,
18 permit, or similar agreement with respect to the use of a
19 facility by such team for such period as shall be agreed upon
20 by the person and the governmental owner or the Authority, as
21 the case may be.

22 (Source: P.A. 104-246, eff. 8-15-25; revised 12-12-25.)

23 Section 390. The Regional Transportation Authority Act is
24 amended by changing Sections 4.01 and 4.09 as follows:

1 (70 ILCS 3615/4.01)

2 (Text of Section before amendment by P.A. 104-457)

3 Sec. 4.01. Budget and program.

4 (a) The Board shall control the finances of the Authority.

5 It shall by ordinance adopted by the affirmative vote of at
6 least 12 of its then Directors (i) appropriate money to
7 perform the Authority's purposes and provide for payment of
8 debts and expenses of the Authority, (ii) take action with
9 respect to the budget and two-year financial plan of each
10 Service Board, as provided in Section 4.11, and (iii) adopt an
11 Annual Budget and Two-Year Financial Plan for the Authority
12 that includes the annual budget and two-year financial plan of
13 each Service Board that has been approved by the Authority.
14 The Annual Budget and Two-Year Financial Plan shall contain a
15 statement of the funds estimated to be on hand for the
16 Authority and each Service Board at the beginning of the
17 fiscal year, the funds estimated to be received from all
18 sources for such year, the estimated expenses and obligations
19 of the Authority and each Service Board for all purposes,
20 including expenses for contributions to be made with respect
21 to pension and other employee benefits, and the funds
22 estimated to be on hand at the end of such year. The fiscal
23 year of the Authority and each Service Board shall begin on
24 January 1st and end on the succeeding December 31st. By July
25 1st of each year the Director of the Illinois Governor's
26 Office of Management and Budget (formerly Bureau of the

1 Budget) shall submit to the Authority an estimate of revenues
2 for the next fiscal year of the Authority to be collected from
3 the taxes imposed by the Authority and the amounts to be
4 available in the Public Transportation Fund and the Regional
5 Transportation Authority Occupation and Use Tax Replacement
6 Fund and the amounts otherwise to be appropriated by the State
7 to the Authority for its purposes. The Authority shall file a
8 copy of its Annual Budget and Two-Year Financial Plan with the
9 General Assembly and the Governor after its adoption. Before
10 the proposed Annual Budget and Two-Year Financial Plan is
11 adopted, the Authority shall hold at least one public hearing
12 thereon in the metropolitan region, and shall meet with the
13 county board or its designee of each of the several counties in
14 the metropolitan region. After conducting such hearings and
15 holding such meetings and after making such changes in the
16 proposed Annual Budget and Two-Year Financial Plan as the
17 Board deems appropriate, the Board shall adopt its annual
18 appropriation and Annual Budget and Two-Year Financial Plan
19 ordinance. The ordinance may be adopted only upon the
20 affirmative votes of 12 of its then Directors. The ordinance
21 shall appropriate such sums of money as are deemed necessary
22 to defray all necessary expenses and obligations of the
23 Authority, specifying purposes and the objects or programs for
24 which appropriations are made and the amount appropriated for
25 each object or program. Additional appropriations, transfers
26 between items and other changes in such ordinance may be made

1 from time to time by the Board upon the affirmative votes of 12
2 of its then Directors.

3 (b) The Annual Budget and Two-Year Financial Plan shall
4 show a balance between anticipated revenues from all sources
5 and anticipated expenses including funding of operating
6 deficits or the discharge of encumbrances incurred in prior
7 periods and payment of principal and interest when due, and
8 shall show cash balances sufficient to pay with reasonable
9 promptness all obligations and expenses as incurred.

10 The Annual Budget and Two-Year Financial Plan must show:

11 (i) that the level of fares and charges for mass
12 transportation provided by, or under grant or purchase of
13 service contracts of, the Service Boards is sufficient to
14 cause the aggregate of all projected fare revenues from
15 such fares and charges received in each fiscal year to
16 equal at least 50% of the aggregate costs of providing
17 such public transportation in such fiscal year. However,
18 due to the fiscal impacts of the COVID-19 pandemic, the
19 aggregate of all projected fare revenues from such fares
20 and charges received in fiscal years 2021, 2022, 2023,
21 2024, 2025, and 2026 may be less than 50% of the aggregate
22 costs of providing such public transportation in those
23 fiscal years. "Fare revenues" include the proceeds of all
24 fares and charges for services provided, contributions
25 received in connection with public transportation from
26 units of local government other than the Authority, except

1 for contributions received by the Chicago Transit
2 Authority from a real estate transfer tax imposed under
3 subsection (i) of Section 8-3-19 of the Illinois Municipal
4 Code, and from the State pursuant to subsection (i) of
5 Section 2705-305 of the Department of Transportation Law
6 (20 ILCS 2705/2705-305), and all other operating revenues
7 properly included consistent with generally accepted
8 accounting principles but do not include: the proceeds of
9 any borrowings, and, beginning with the 2007 fiscal year,
10 all revenues and receipts, including but not limited to
11 fares and grants received from the federal, State or any
12 unit of local government or other entity, derived from
13 providing ADA paratransit service pursuant to Section 2.30
14 of the Regional Transportation Authority Act. "Costs"
15 include all items properly included as operating costs
16 consistent with generally accepted accounting principles,
17 including administrative costs, but do not include:
18 depreciation; payment of principal and interest on bonds,
19 notes or other evidences of obligation for borrowed money
20 issued by the Authority; payments with respect to public
21 transportation facilities made pursuant to subsection (b)
22 of Section 2.20 of this Act; any payments with respect to
23 rate protection contracts, credit enhancements or
24 liquidity agreements made under Section 4.14; any other
25 cost to which it is reasonably expected that a cash
26 expenditure will not be made; costs for passenger security

1 including grants, contracts, personnel, equipment and
2 administrative expenses, except in the case of the Chicago
3 Transit Authority, in which case the term does not include
4 costs spent annually by that entity for protection against
5 crime as required by Section 27a of the Metropolitan
6 Transit Authority Act; the payment by the Chicago Transit
7 Authority of Debt Service, as defined in Section 12c of
8 the Metropolitan Transit Authority Act, on bonds or notes
9 issued pursuant to that Section; the payment by the
10 Commuter Rail Division of debt service on bonds issued
11 pursuant to Section 3B.09; expenses incurred by the
12 Suburban Bus Division for the cost of new public
13 transportation services funded from grants pursuant to
14 Section 2.01e of this amendatory Act of the 95th General
15 Assembly for a period of 2 years from the date of
16 initiation of each such service; costs as exempted by the
17 Board for projects pursuant to Section 2.09 of this Act;
18 or, beginning with the 2007 fiscal year, expenses related
19 to providing ADA paratransit service pursuant to Section
20 2.30 of the Regional Transportation Authority Act; and in
21 fiscal years 2008 through 2012 inclusive, costs in the
22 amount of \$200,000,000 in fiscal year 2008, reducing by
23 \$40,000,000 in each fiscal year thereafter until this
24 exemption is eliminated; and

25 (ii) that the level of fares charged for ADA
26 paratransit services is sufficient to cause the aggregate

1 of all projected revenues from such fares charged and
2 received in each fiscal year to equal at least 10% of the
3 aggregate costs of providing such ADA paratransit
4 services. However, due to the fiscal impacts of the
5 COVID-19 pandemic, the aggregate of all projected fare
6 revenues from such fares and charges received in fiscal
7 years 2021, 2022, 2023, 2024, 2025, and 2026 may be less
8 than 10% of the aggregate costs of providing such ADA
9 paratransit services in those fiscal years. For purposes
10 of this Act, the percentages in this subsection (b)(ii)
11 shall be referred to as the "system generated ADA
12 paratransit services revenue recovery ratio". For purposes
13 of the system generated ADA paratransit services revenue
14 recovery ratio, "costs" shall include all items properly
15 included as operating costs consistent with generally
16 accepted accounting principles. However, the Board may
17 exclude from costs an amount that does not exceed the
18 allowable "capital costs of contracting" for ADA
19 paratransit services pursuant to the Federal Transit
20 Administration guidelines for the Urbanized Area Formula
21 Program.

22 The Authority shall file a statement certifying that the
23 Service Boards published the data described in subsection
24 (b-5) with the General Assembly and the Governor after
25 adoption of the Annual Budget and Two-Year Financial Plan
26 required by subsection (a). If the Authority fails to file a

1 statement certifying publication of the data, then the
2 appropriations to the Department of Transportation for grants
3 to the Authority intended to reimburse the Service Boards for
4 providing free and reduced fares shall be withheld.

5 (b-5) For fiscal years 2024 and 2025, the Service Boards
6 must publish a monthly comprehensive set of data regarding
7 transit service and safety. The data included shall include
8 information to track operations including:

9 (1) staffing levels, including numbers of budgeted
10 positions, current positions employed, hired staff,
11 attrition, staff in training, and absenteeism rates;

12 (2) scheduled service and delivered service, including
13 percentage of scheduled service delivered by day, service
14 by mode of transportation, service by route and rail line,
15 total number of revenue miles driven, excess wait times by
16 day, by mode of transportation, by bus route, and by stop;
17 and

18 (3) safety on the system, including the number of
19 incidents of crime and code of conduct violations on
20 system, any performance measures used to evaluate the
21 effectiveness of investments in private security, safety
22 equipment, and other security investments in the system.
23 If no performance measures exist to evaluate the
24 effectiveness of these safety investments, the Service
25 Boards and Authority shall develop and publish these
26 performance measures.

1 The Authority and Service Boards shall solicit input and
2 ideas on publishing data on the service reliability,
3 operations, and safety of the system from the public and
4 groups representing transit riders, workers, and businesses.

5 (c) The actual administrative expenses of the Authority
6 for the fiscal year commencing January 1, 1985 may not exceed
7 \$5,000,000. The actual administrative expenses of the
8 Authority for the fiscal year commencing January 1, 1986, and
9 for each fiscal year thereafter shall not exceed the maximum
10 administrative expenses for the previous fiscal year plus 5%.
11 "Administrative expenses" are defined for purposes of this
12 Section as all expenses except: (1) capital expenses and
13 purchases of the Authority on behalf of the Service Boards;
14 (2) payments to Service Boards; and (3) payment of principal
15 and interest on bonds, notes or other evidence of obligation
16 for borrowed money issued by the Authority; (4) costs for
17 passenger security including grants, contracts, personnel,
18 equipment and administrative expenses; (5) payments with
19 respect to public transportation facilities made pursuant to
20 subsection (b) of Section 2.20 of this Act; and (6) any
21 payments with respect to rate protection contracts, credit
22 enhancements or liquidity agreements made pursuant to Section
23 4.14.

24 (d) This subsection applies only until the Department
25 begins administering and enforcing an increased tax under
26 Section 4.03(m) as authorized by this amendatory Act of the

1 95th General Assembly. After withholding 15% of the proceeds
2 of any tax imposed by the Authority and 15% of money received
3 by the Authority from the Regional Transportation Authority
4 Occupation and Use Tax Replacement Fund, the Board shall
5 allocate the proceeds and money remaining to the Service
6 Boards as follows: (1) an amount equal to 85% of the proceeds
7 of those taxes collected within the City of Chicago and 85% of
8 the money received by the Authority on account of transfers to
9 the Regional Transportation Authority Occupation and Use Tax
10 Replacement Fund from the County and Mass Transit District
11 Fund attributable to retail sales within the City of Chicago
12 shall be allocated to the Chicago Transit Authority; (2) an
13 amount equal to 85% of the proceeds of those taxes collected
14 within Cook County outside the City of Chicago and 85% of the
15 money received by the Authority on account of transfers to the
16 Regional Transportation Authority Occupation and Use Tax
17 Replacement Fund from the County and Mass Transit District
18 Fund attributable to retail sales within Cook County outside
19 of the city of Chicago shall be allocated 30% to the Chicago
20 Transit Authority, 55% to the Commuter Rail Board and 15% to
21 the Suburban Bus Board; and (3) an amount equal to 85% of the
22 proceeds of the taxes collected within the Counties of DuPage,
23 Kane, Lake, McHenry and Will shall be allocated 70% to the
24 Commuter Rail Board and 30% to the Suburban Bus Board.

25 (e) This subsection applies only until the Department
26 begins administering and enforcing an increased tax under

1 Section 4.03(m) as authorized by this amendatory Act of the
2 95th General Assembly. Moneys received by the Authority on
3 account of transfers to the Regional Transportation Authority
4 Occupation and Use Tax Replacement Fund from the State and
5 Local Sales Tax Reform Fund shall be allocated among the
6 Authority and the Service Boards as follows: 15% of such
7 moneys shall be retained by the Authority and the remaining
8 85% shall be transferred to the Service Boards as soon as may
9 be practicable after the Authority receives payment. Moneys
10 which are distributable to the Service Boards pursuant to the
11 preceding sentence shall be allocated among the Service Boards
12 on the basis of each Service Board's distribution ratio. The
13 term "distribution ratio" means, for purposes of this
14 subsection (e) of this Section 4.01, the ratio of the total
15 amount distributed to a Service Board pursuant to subsection
16 (d) of Section 4.01 for the immediately preceding calendar
17 year to the total amount distributed to all of the Service
18 Boards pursuant to subsection (d) of Section 4.01 for the
19 immediately preceding calendar year.

20 (f) To carry out its duties and responsibilities under
21 this Act, the Board shall employ staff which shall: (1)
22 propose for adoption by the Board of the Authority rules for
23 the Service Boards that establish (i) forms and schedules to
24 be used and information required to be provided with respect
25 to a five-year capital program, annual budgets, and two-year
26 financial plans and regular reporting of actual results

1 against adopted budgets and financial plans, (ii) financial
2 practices to be followed in the budgeting and expenditure of
3 public funds, (iii) assumptions and projections that must be
4 followed in preparing and submitting its annual budget and
5 two-year financial plan or a five-year capital program; (2)
6 evaluate for the Board public transportation programs operated
7 or proposed by the Service Boards and transportation agencies
8 in terms of the goals and objectives set out in the Strategic
9 Plan; (3) keep the Board and the public informed of the extent
10 to which the Service Boards and transportation agencies are
11 meeting the goals and objectives adopted by the Authority in
12 the Strategic Plan; and (4) assess the efficiency or adequacy
13 of public transportation services provided by a Service Board
14 and make recommendations for change in that service to the end
15 that the moneys available to the Authority may be expended in
16 the most economical manner possible with the least possible
17 duplication.

18 (g) All Service Boards, transportation agencies,
19 comprehensive planning agencies, including the Chicago
20 Metropolitan Agency for Planning, or transportation planning
21 agencies in the metropolitan region shall furnish to the
22 Authority such information pertaining to public transportation
23 or relevant for plans therefor as it may from time to time
24 require. The Executive Director, or his or her designee,
25 shall, for the purpose of securing any such information
26 necessary or appropriate to carry out any of the powers and

1 responsibilities of the Authority under this Act, have access
2 to, and the right to examine, all books, documents, papers or
3 records of a Service Board or any transportation agency
4 receiving funds from the Authority or Service Board, and such
5 Service Board or transportation agency shall comply with any
6 request by the Executive Director, or his or her designee,
7 within 30 days or an extended time provided by the Executive
8 Director.

9 (h) No Service Board shall undertake any capital
10 improvement which is not identified in the Five-Year Capital
11 Program.

12 (i) Each Service Board shall furnish to the Board access
13 to its financial information including, but not limited to,
14 audits and reports. The Board shall have real-time access to
15 the financial information of the Service Boards; however, the
16 Board shall be granted read-only access to the Service Board's
17 financial information.

18 (Source: P.A. 103-281, eff. 1-1-24; 104-434, eff. 11-21-25.)

19 (Text of Section after amendment by P.A. 104-457)

20 Sec. 4.01. Budget and program.

21 (a) The Board shall control the finances of the Authority.
22 It shall, by ordinance adopted by a supermajority vote:

23 (1) appropriate money to perform the Authority's
24 purposes and provide for payment of debts and expenses of
25 the Authority;

1 (2) until the new budget process under subsection
2 (a-20) is implemented on January 1, 2027, take action with
3 respect to the budget and 2-year financial plan of each
4 Service Board, as provided in Section 4.11; and

5 (3) until the new budget process under subsection
6 (a-20) is implemented on January 1, 2027, adopt an Annual
7 Budget and 2-Year Financial Plan for the Authority that
8 includes the Annual Budget and 2-Year financial plan of
9 each Service Board that has been approved by the
10 Authority.

11 (a-5) The Annual Budget and 2-Year Financial Plan shall
12 contain a statement of the funds estimated to be on hand for
13 the Authority and each Service Board at the beginning of the
14 fiscal year, the funds estimated to be received from all
15 sources for such year, the estimated expenses and obligations
16 of the Authority and each Service Board for all purposes,
17 including expenses for contributions to be made with respect
18 to pension and other employee benefits, and the funds
19 estimated to be on hand at the end of such year.

20 (a-10) The fiscal year of the Authority and each Service
21 Board shall begin on January 1st and end on the succeeding
22 December 31st.

23 (a-15) Until January 1, 2027, the Annual Budget and 2-Year
24 Financial Plan shall be prepared as follows:

25 (1) By July 1st of each year the Director of the
26 Illinois Governor's Office of Management and Budget shall

1 submit to the Authority an estimate of revenues for the
2 next fiscal year of the Authority to be collected from the
3 taxes imposed by the Authority and the amounts to be
4 available in the Public Transportation Fund and the
5 Northern Illinois Transit Authority Occupation and Use Tax
6 Replacement Fund and the amounts otherwise to be
7 appropriated by the State to the Authority for its
8 purposes. Before a proposed Annual Budget and 2-Year
9 Financial Plan is adopted, the Authority shall hold at
10 least one public hearing in the metropolitan region and
11 meet with the county board, or its designee, of each of the
12 counties in the metropolitan region. After an Annual
13 Budget and 2-Year Financial Plan is adopted, the Authority
14 shall file a copy of the Annual Budget and 2-Year
15 Financial Plan with the General Assembly and the Governor.

16 (2) After conducting the hearings and holding the
17 meetings required under this subsection and after making
18 the changes in the proposed Annual Budget and 2-Year
19 Financial Plan that the Authority deems appropriate, the
20 Board shall adopt its annual appropriation and Annual
21 Budget and 2-Year Financial Plan ordinance before November
22 30. The ordinance may be adopted by the Board only upon a
23 supermajority vote. The ordinance shall appropriate the
24 sums of money as are deemed necessary to defray all
25 necessary expenses and obligations of the Authority and
26 the Service Boards, specifying the purposes and the

1 objects or programs for which appropriations are made and
2 the amount appropriated for each object or program.
3 Additional appropriations, transfers between items and
4 other changes in the ordinance may be made from time to
5 time by the Board upon a supermajority vote.

6 (a-20) Beginning January 1, 2027, the Annual Budget and
7 2-Year Financial Plan shall be prepared as follows:

8 (1) By July 1 of each year the Director of the Illinois
9 Governor's Office of Management and Budget shall submit to
10 the Authority an estimate of revenues for the next fiscal
11 year of the Authority to be collected from the taxes
12 imposed by the Authority and the amounts to be available
13 in the Public Transportation Fund and the Northern
14 Illinois Transit Authority Occupation and Use Tax
15 Replacement Fund and the amounts otherwise to be
16 appropriated by the State to the Authority for its
17 purposes. Before the Board may adopt its annual
18 appropriation and Annual Budget and 2-Year Financial Plan
19 ordinance, based on the information provided by the
20 Director of the Illinois Governor's Office of Management
21 and Budget and the estimates of amounts to be available
22 from the State and other sources to the Service Boards,
23 the Board shall advise each Service Board on the amounts
24 estimated to be available for the Service Board during the
25 upcoming fiscal year and the 2 following fiscal years and
26 the times at which the amounts shall be available.

1 (2) Before the Board may adopt its annual
2 appropriation and Annual Budget and 2-Year Financial Plan
3 ordinance, the Board shall provide the Service Boards with
4 a proposed Annual Budget and 2-Year Financial Plan. At the
5 same time that it provides a copy of the proposed Annual
6 Budget and 2-Year Financial Plan to the Service Boards,
7 the Board shall make the proposed Annual Budget and 2-Year
8 Financial Plan budget available to the public on its
9 website. The Authority shall hold at least 3 public
10 hearings on the proposed Annual Budget and 2-Year
11 Financial Plan in Cook County and at least one public
12 hearing in each of the other counties in the metropolitan
13 region. In addition, the Authority shall meet with the
14 county board, or its designee, of each of the counties in
15 the metropolitan region.

16 (3) Before the Board adopts the Authority's annual
17 appropriation and Annual Budget and 2-Year Financial Plan
18 ordinance, the Service Boards shall review the proposed
19 Annual Budget and 2-Year Financial Plan and shall adopt,
20 by the affirmative vote of a majority of each Service
21 Board's then Directors, a budget recommendation ordinance
22 describing any modifications to the Board's proposed
23 Annual Budget and 2-Year Financial Plan that are deemed
24 necessary by the Service Boards to provide the service
25 described in the regionwide Service Plan adopted by the
26 Authority.

1 (4) After conducting the hearings and holding the
2 meetings required under this subsection and after making
3 the changes in the proposed Annual Budget and 2-Year
4 Financial Plan as the Authority deems appropriate, the
5 Authority shall adopt its annual appropriation and Annual
6 Budget and 2-Year Financial Plan ordinance. The ordinance
7 may be adopted only upon a supermajority vote. The
8 ordinance shall appropriate such sums of money as are
9 deemed necessary to defray all necessary expenses and
10 obligations of the Authority and the Service Boards,
11 specifying purposes and the objects or programs for which
12 appropriations are made and the amount appropriated for
13 each object or program. Additional appropriations,
14 transfers between items and other changes in such
15 ordinance may be made from time to time by the Board upon a
16 supermajority vote.

17 (b) The Annual Budget and 2-Year Financial Plan shall show
18 a balance between anticipated revenues from all sources and
19 anticipated expenses including funding of operating deficits
20 or the discharge of encumbrances incurred in prior periods and
21 payment of principal and interest when due, and shall show
22 cash balances sufficient to pay with reasonable promptness all
23 obligations and expenses as incurred.

24 (b-3) The Authority shall file a copy of its Annual Budget
25 and 2-Year Financial Plan with the General Assembly and the
26 Governor after its adoption. ~~, and 2026 , and 2026~~

1 The Authority shall file a statement certifying that the
2 Service Boards published the data described in subsection
3 (b-5) with the General Assembly and the Governor after
4 adoption of the Annual Budget and 2-Year Financial Plan
5 required by subsection (a). If the Authority fails to file a
6 statement certifying publication of the data, then the
7 appropriations to the Department of Transportation for grants
8 to the Authority intended to reimburse the Service Boards for
9 providing free and reduced fares shall be withheld.

10 (b-5) Each fiscal year, the Service Boards must publish a
11 monthly comprehensive set of data regarding transit service
12 and safety. The data included shall include information to
13 track operations including:

14 (1) staffing levels, including numbers of budgeted
15 positions, current positions employed, hired staff,
16 attrition, staff in training, and absenteeism rates;

17 (2) scheduled service and delivered service, including
18 percentage of scheduled service delivered by day, service
19 by mode of transportation, service by route and rail line,
20 total number of revenue miles driven, excess wait times by
21 day, by mode of transportation, by bus route, and by stop;
22 and

23 (3) safety on the system, including the number of
24 incidents of crime and code of conduct violations on
25 system, any performance measures used to evaluate the
26 effectiveness of investments in private security, safety

1 equipment, and other security investments in the system.

2 If no performance measures exist to evaluate the
3 effectiveness of these safety investments, the Service
4 Boards and Authority shall develop and publish these
5 performance measures.

6 The Authority and Service Boards shall solicit input and
7 ideas on publishing data on the service reliability,
8 operations, and safety of the system from the public and
9 groups representing transit riders, workers, and businesses.

10 (c) The actual administrative expenses of the Authority
11 for the fiscal year commencing January 1, 1985 may not exceed
12 \$5,000,000. The actual administrative expenses of the
13 Authority for the fiscal year commencing January 1, 1986, and
14 for each fiscal year thereafter shall not exceed the maximum
15 administrative expenses for the previous fiscal year plus 5%,
16 except that this limitation shall not apply to fiscal years
17 beginning on January 1, 2026, and ending on or before December
18 31, 2027. "Administrative expenses" are defined for purposes
19 of this Section as all expenses except: (1) capital expenses
20 and purchases of the Authority on behalf of the Service
21 Boards; (2) payments to Service Boards; and (3) payment of
22 principal and interest on bonds, notes or other evidence of
23 obligation for borrowed money issued by the Authority; (4)
24 costs for passenger security including grants, contracts,
25 personnel, equipment and administrative expenses; (5) payments
26 with respect to public transportation facilities made pursuant

1 to subsection (b) of Section 2.20 of this Act; and (6) any
2 payments with respect to rate protection contracts, credit
3 enhancements or liquidity agreements made pursuant to Section
4 4.14.

5 (d) This subsection becomes inoperative on January 1,
6 2027. This subsection applies only until the Department begins
7 administering and enforcing an increased tax under Section
8 4.03(m) as authorized by this amendatory Act of the 95th
9 General Assembly. After withholding 15% of the proceeds of any
10 tax imposed by the Authority and 15% of money received by the
11 Authority from the Northern Illinois Transit Authority
12 Occupation and Use Tax Replacement Fund, the Board shall
13 allocate the proceeds and money remaining to the Service
14 Boards as follows: (1) an amount equal to 85% of the proceeds
15 of those taxes collected within the City of Chicago and 85% of
16 the money received by the Authority on account of transfers to
17 the Northern Illinois Transit Authority Occupation and Use Tax
18 Replacement Fund from the County and Mass Transit District
19 Fund attributable to retail sales within the City of Chicago
20 shall be allocated to the Chicago Transit Authority; (2) an
21 amount equal to 85% of the proceeds of those taxes collected
22 within Cook County outside the City of Chicago and 85% of the
23 money received by the Authority on account of transfers to the
24 Northern Illinois Transit Authority Occupation and Use Tax
25 Replacement Fund from the County and Mass Transit District
26 Fund attributable to retail sales within Cook County outside

1 of the city of Chicago shall be allocated 30% to the Chicago
2 Transit Authority, 55% to the Commuter Rail Board and 15% to
3 the Suburban Bus Board; and (3) an amount equal to 85% of the
4 proceeds of the taxes collected within the Counties of DuPage,
5 Kane, Lake, McHenry and Will shall be allocated 70% to the
6 Commuter Rail Board and 30% to the Suburban Bus Board.

7 (e) This subsection becomes inoperative on January 1,
8 2027. This subsection applies only until the Department begins
9 administering and enforcing an increased tax under Section
10 4.03(m) as authorized by this amendatory Act of the 95th
11 General Assembly. Moneys received by the Authority on account
12 of transfers to the Northern Illinois Transit Authority
13 Occupation and Use Tax Replacement Fund from the State and
14 Local Sales Tax Reform Fund shall be allocated among the
15 Authority and the Service Boards as follows: 15% of such
16 moneys shall be retained by the Authority and the remaining
17 85% shall be transferred to the Service Boards as soon as may
18 be practicable after the Authority receives payment. Moneys
19 which are distributable to the Service Boards pursuant to the
20 preceding sentence shall be allocated among the Service Boards
21 on the basis of each Service Board's distribution ratio. The
22 term "distribution ratio" means, for purposes of this
23 subsection (e) of this Section 4.01, the ratio of the total
24 amount distributed to a Service Board pursuant to subsection
25 (d) of Section 4.01 for the immediately preceding calendar
26 year to the total amount distributed to all of the Service

1 Boards pursuant to subsection (d) of Section 4.01 for the
2 immediately preceding calendar year.

3 (f) To carry out its duties and responsibilities under
4 this Act, the Board shall employ staff which shall:

5 (1) propose for adoption by the Board of the Authority
6 rules for the Service Boards that establish (i) forms and
7 schedules to be used and information required to be
8 provided with respect to a 5-Year Capital Program, an
9 Annual Budget and 2-Year Financial Plan, and each Service
10 Board's annual budget and 2-year financial plan, and
11 regular reporting of actual results against adopted
12 budgets and financial plans, (ii) financial practices to
13 be followed in the budgeting and expenditure of public
14 funds, (iii) assumptions and projections that must be
15 followed in preparing and submitting its Annual Budget and
16 2-Year Financial Plan or a 5-Year Capital Program;

17 (2) evaluate for the Board public transportation
18 programs operated or proposed by the Service Boards and
19 Transportation Agencies in terms of the goals and
20 objectives set out in the Strategic Plan;

21 (3) keep the Board and the public informed of the
22 extent to which the Service Boards and Transportation
23 Agencies are meeting the goals and objectives adopted by
24 the Authority in the Strategic Plan; and

25 (4) assess the efficiency or adequacy of public
26 transportation services provided by a Service Board and

1 make recommendations for change in that service to the end
2 that the moneys available to the Authority may be expended
3 in the most economical manner possible with the least
4 possible duplication.

5 (g) All Service Boards, Transportation Agencies,
6 comprehensive planning agencies, including the Chicago
7 Metropolitan Agency for Planning, or transportation planning
8 agencies in the metropolitan region shall furnish to the
9 Authority such information pertaining to public transportation
10 or relevant for plans therefor as it may from time to time
11 require. The Executive Director, or his or her designee,
12 shall, for the purpose of securing any such information
13 necessary or appropriate to carry out any of the powers and
14 responsibilities of the Authority under this Act, have access
15 to, and the right to examine, all books, documents, papers or
16 records of a Service Board or any Transportation Agency
17 receiving funds from the Authority or Service Board, and such
18 Service Board or Transportation Agency shall comply with any
19 request by the Executive Director, or his or her designee,
20 within 30 days or an extended time provided by the Executive
21 Director.

22 (h) No Service Board shall undertake any capital
23 improvement which is not identified in the 5-Year Capital
24 Program.

25 (i) Each Service Board shall furnish to the Board access
26 to its financial information including, but not limited to,

1 audits and reports. The Board shall have real-time access to
2 the financial information of the Service Boards; however, the
3 Board shall be granted read-only access to the Service Board's
4 financial information.

5 (j) Notwithstanding any other provision of this Section,
6 the Authority shall, through the implementation of service
7 efficiencies, realize the following net savings in its annual
8 budget for the fiscal year that begins on October 1, 2026: (i)
9 \$10 million in service-delivery savings; (ii) \$20.1 million in
10 savings from labor optimization, including changes in employee
11 headcounts and position types; and (iii) \$16.8 million in real
12 estate and other property-related savings.

13 (Source: P.A. 103-281, eff. 1-1-24; 104-434, eff. 11-21-25;
14 104-457, eff. 6-1-26; revised 1-7-26.)

15 (70 ILCS 3615/4.09)

16 (Text of Section before amendment by P.A. 104-457)

17 Sec. 4.09. Public Transportation Fund and the Regional
18 Transportation Authority Occupation and Use Tax Replacement
19 Fund.

20 (a)(1) Except as otherwise provided in paragraph (4), as
21 soon as possible after the first day of each month, beginning
22 July 1, 1984, upon certification of the Department of Revenue,
23 the Comptroller shall order transferred and the Treasurer
24 shall transfer from the General Revenue Fund to a special fund
25 in the State Treasury to be known as the Public Transportation

1 Fund an amount equal to 25% of the net revenue, before the
2 deduction of the serviceman and retailer discounts pursuant to
3 Section 9 of the Service Occupation Tax Act and Section 3 of
4 the Retailers' Occupation Tax Act, realized from any tax
5 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
6 and 25% of the amounts deposited into the Regional
7 Transportation Authority tax fund created by Section 4.03 of
8 this Act, from the County and Mass Transit District Fund as
9 provided in Section 6z-20 of the State Finance Act and 25% of
10 the amounts deposited into the Regional Transportation
11 Authority Occupation and Use Tax Replacement Fund from the
12 State and Local Sales Tax Reform Fund as provided in Section
13 6z-17 of the State Finance Act. On the first day of the month
14 following the date that the Department receives revenues from
15 increased taxes under Section 4.03(m) as authorized by Public
16 Act 95-708, in lieu of the transfers authorized in the
17 preceding sentence, upon certification of the Department of
18 Revenue, the Comptroller shall order transferred and the
19 Treasurer shall transfer from the General Revenue Fund to the
20 Public Transportation Fund an amount equal to 25% of the net
21 revenue, before the deduction of the serviceman and retailer
22 discounts pursuant to Section 9 of the Service Occupation Tax
23 Act and Section 3 of the Retailers' Occupation Tax Act,
24 realized from (i) 80% of the proceeds of any tax imposed by the
25 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
26 proceeds of any tax imposed by the Authority at the rate of 1%

1 in Cook County, and (iii) one-third of the proceeds of any tax
2 imposed by the Authority at the rate of 0.75% in the Counties
3 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
4 Section 4.03, and 25% of the net revenue realized from any tax
5 imposed by the Authority pursuant to Section 4.03.1, and 25%
6 of the amounts deposited into the Regional Transportation
7 Authority tax fund created by Section 4.03 of this Act from the
8 County and Mass Transit District Fund as provided in Section
9 6z-20 of the State Finance Act, and 25% of the amounts
10 deposited into the Regional Transportation Authority
11 Occupation and Use Tax Replacement Fund from the State and
12 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
13 State Finance Act. As used in this Section, net revenue
14 realized for a month shall be the revenue collected by the
15 State pursuant to Sections 4.03 and 4.03.1 during the previous
16 month from within the metropolitan region, less the amount
17 paid out during that same month as refunds to taxpayers for
18 overpayment of liability in the metropolitan region under
19 Sections 4.03 and 4.03.1.

20 Notwithstanding any provision of law to the contrary,
21 beginning on July 6, 2017 (the effective date of Public Act
22 100-23), those amounts required under this paragraph (1) of
23 subsection (a) to be transferred by the Treasurer into the
24 Public Transportation Fund from the General Revenue Fund shall
25 be directly deposited into the Public Transportation Fund as
26 the revenues are realized from the taxes indicated.

1 (2) Except as otherwise provided in paragraph (4), on
2 February 1, 2009 (the first day of the month following the
3 effective date of Public Act 95-708) and each month
4 thereafter, upon certification by the Department of Revenue,
5 the Comptroller shall order transferred and the Treasurer
6 shall transfer from the General Revenue Fund to the Public
7 Transportation Fund an amount equal to 5% of the net revenue,
8 before the deduction of the serviceman and retailer discounts
9 pursuant to Section 9 of the Service Occupation Tax Act and
10 Section 3 of the Retailers' Occupation Tax Act, realized from
11 any tax imposed by the Authority pursuant to Sections 4.03 and
12 4.03.1 and certified by the Department of Revenue under
13 Section 4.03(n) of this Act to be paid to the Authority and 5%
14 of the amounts deposited into the Regional Transportation
15 Authority tax fund created by Section 4.03 of this Act from the
16 County and Mass Transit District Fund as provided in Section
17 6z-20 of the State Finance Act, and 5% of the amounts deposited
18 into the Regional Transportation Authority Occupation and Use
19 Tax Replacement Fund from the State and Local Sales Tax Reform
20 Fund as provided in Section 6z-17 of the State Finance Act, and
21 5% of the revenue realized by the Chicago Transit Authority as
22 financial assistance from the City of Chicago from the
23 proceeds of any tax imposed by the City of Chicago under
24 Section 8-3-19 of the Illinois Municipal Code.

25 Notwithstanding any provision of law to the contrary,
26 beginning on July 6, 2017 (the effective date of Public Act

1 100-23), those amounts required under this paragraph (2) of
2 subsection (a) to be transferred by the Treasurer into the
3 Public Transportation Fund from the General Revenue Fund shall
4 be directly deposited into the Public Transportation Fund as
5 the revenues are realized from the taxes indicated.

6 (3) Except as otherwise provided in paragraph (4), as soon
7 as possible after the first day of January, 2009 and each month
8 thereafter, upon certification of the Department of Revenue
9 with respect to the taxes collected under Section 4.03, the
10 Comptroller shall order transferred and the Treasurer shall
11 transfer from the General Revenue Fund to the Public
12 Transportation Fund an amount equal to 25% of the net revenue,
13 before the deduction of the serviceman and retailer discounts
14 pursuant to Section 9 of the Service Occupation Tax Act and
15 Section 3 of the Retailers' Occupation Tax Act, realized from
16 (i) 20% of the proceeds of any tax imposed by the Authority at
17 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
18 tax imposed by the Authority at the rate of 1% in Cook County,
19 and (iii) one-third of the proceeds of any tax imposed by the
20 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
21 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
22 Comptroller shall order transferred and the Treasurer shall
23 transfer from the General Revenue Fund to the Public
24 Transportation Fund (iv) an amount equal to 25% of the revenue
25 realized by the Chicago Transit Authority as financial
26 assistance from the City of Chicago from the proceeds of any

1 tax imposed by the City of Chicago under Section 8-3-19 of the
2 Illinois Municipal Code.

3 Notwithstanding any provision of law to the contrary,
4 beginning on July 6, 2017 (the effective date of Public Act
5 100-23), those amounts required under this paragraph (3) of
6 subsection (a) to be transferred by the Treasurer into the
7 Public Transportation Fund from the General Revenue Fund shall
8 be directly deposited into the Public Transportation Fund as
9 the revenues are realized from the taxes indicated.

10 (4) Notwithstanding any provision of law to the contrary,
11 for the State fiscal year beginning July 1, 2024 and each State
12 fiscal year thereafter, the first \$150,000,000 that would have
13 otherwise been transferred from the General Revenue Fund and
14 deposited into the Public Transportation Fund as provided in
15 paragraphs (1), (2), and (3) of this subsection (a) shall
16 instead be transferred from the Road Fund by the Treasurer
17 upon certification by the Department of Revenue and order of
18 the Comptroller. For the State fiscal year beginning July 1,
19 2024, only, the next \$75,000,000 that would have otherwise
20 been transferred from the General Revenue Fund and deposited
21 into the Public Transportation Fund as provided in paragraphs
22 (1), (2), and (3) of this subsection (a) shall instead be
23 transferred from the Road Fund and deposited into the Public
24 Transportation Fund by the Treasurer upon certification by the
25 Department of Revenue and order of the Comptroller. The funds
26 authorized and transferred pursuant to this amendatory Act of

1 the 103rd General Assembly are not intended or planned for
2 road construction projects. For the State fiscal year
3 beginning July 1, 2024, only, the next \$50,000,000 that would
4 have otherwise been transferred from the General Revenue Fund
5 and deposited into the Public Transportation Fund as provided
6 in paragraphs (1), (2), and (3) of this subsection (a) shall
7 instead be transferred from the Underground Storage Tank Fund
8 and deposited into the Public Transportation Fund by the
9 Treasurer upon certification by the Department of Revenue and
10 order of the Comptroller. The remaining balance shall be
11 deposited each State fiscal year as otherwise provided in
12 paragraphs (1), (2), and (3) of this subsection (a).

13 (5) (Blank).

14 (6) (Blank).

15 (7) For State fiscal year 2020 only, notwithstanding any
16 provision of law to the contrary, the total amount of revenue
17 and deposits under this Section attributable to revenues
18 realized during State fiscal year 2020 shall be reduced by 5%.

19 (8) For State fiscal year 2021 only, notwithstanding any
20 provision of law to the contrary, the total amount of revenue
21 and deposits under this Section attributable to revenues
22 realized during State fiscal year 2021 shall be reduced by 5%.

23 (b)(1) All moneys deposited in the Public Transportation
24 Fund and the Regional Transportation Authority Occupation and
25 Use Tax Replacement Fund, whether deposited pursuant to this
26 Section or otherwise, are allocated to the Authority, except

1 for amounts appropriated to the Office of the Executive
2 Inspector General as authorized by subsection (h) of Section
3 4.03.3 and amounts transferred to the Audit Expense Fund
4 pursuant to Section 6z-27 of the State Finance Act. The
5 Comptroller, as soon as possible after each monthly transfer
6 provided in this Section and after each deposit into the
7 Public Transportation Fund, shall order the Treasurer to pay
8 to the Authority out of the Public Transportation Fund the
9 amount so transferred or deposited. Any Additional State
10 Assistance and Additional Financial Assistance paid to the
11 Authority under this Section shall be expended by the
12 Authority for its purposes as provided in this Act. The
13 balance of the amounts paid to the Authority from the Public
14 Transportation Fund shall be expended by the Authority as
15 provided in Section 4.03.3. The Comptroller, as soon as
16 possible after each deposit into the Regional Transportation
17 Authority Occupation and Use Tax Replacement Fund provided in
18 this Section and Section 6z-17 of the State Finance Act, shall
19 order the Treasurer to pay to the Authority out of the Regional
20 Transportation Authority Occupation and Use Tax Replacement
21 Fund the amount so deposited. Such amounts paid to the
22 Authority may be expended by it for its purposes as provided in
23 this Act. The provisions directing the distributions from the
24 Public Transportation Fund and the Regional Transportation
25 Authority Occupation and Use Tax Replacement Fund provided for
26 in this Section shall constitute an irrevocable and continuing

1 appropriation of all amounts as provided herein. The State
2 Treasurer and State Comptroller are hereby authorized and
3 directed to make distributions as provided in this Section.

4 (2) Provided, however, no moneys deposited under subsection
5 (a) of this Section shall be paid from the Public
6 Transportation Fund to the Authority or its assignee for any
7 fiscal year until the Authority has certified to the Governor,
8 the Comptroller, and the Mayor of the City of Chicago that it
9 has adopted for that fiscal year an Annual Budget and Two-Year
10 Financial Plan meeting the requirements in Section 4.01(b).

11 (c) In recognition of the efforts of the Authority to
12 enhance the mass transportation facilities under its control,
13 the State shall provide financial assistance ("Additional
14 State Assistance") in excess of the amounts transferred to the
15 Authority from the General Revenue Fund under subsection (a)
16 of this Section. Additional State Assistance shall be
17 calculated as provided in subsection (d), but shall in no
18 event exceed the following specified amounts with respect to
19 the following State fiscal years:

20	1990	\$5,000,000;
21	1991	\$5,000,000;
22	1992	\$10,000,000;
23	1993	\$10,000,000;
24	1994	\$20,000,000;
25	1995	\$30,000,000;
26	1996	\$40,000,000;

1 1997 \$50,000,000;
2 1998 \$55,000,000; and
3 each year thereafter \$55,000,000.

4 (c-5) The State shall provide financial assistance
5 ("Additional Financial Assistance") in addition to the
6 Additional State Assistance provided by subsection (c) and the
7 amounts transferred to the Authority from the General Revenue
8 Fund under subsection (a) of this Section. Additional
9 Financial Assistance provided by this subsection shall be
10 calculated as provided in subsection (d), but shall in no
11 event exceed the following specified amounts with respect to
12 the following State fiscal years:

13 2000 \$0;
14 2001 \$16,000,000;
15 2002 \$35,000,000;
16 2003 \$54,000,000;
17 2004 \$73,000,000;
18 2005 \$93,000,000; and
19 each year thereafter \$100,000,000.

20 (d) Beginning with State fiscal year 1990 and continuing
21 for each State fiscal year thereafter, the Authority shall
22 annually certify to the State Comptroller and State Treasurer,
23 separately with respect to each of subdivisions (g)(2) and
24 (g)(3) of Section 4.04 of this Act, the following amounts:

25 (1) The amount necessary and required, during the
26 State fiscal year with respect to which the certification

1 is made, to pay its obligations for debt service on all
2 outstanding bonds or notes issued by the Authority under
3 subdivisions (g)(2) and (g)(3) of Section 4.04 of this
4 Act.

5 (2) An estimate of the amount necessary and required
6 to pay its obligations for debt service for any bonds or
7 notes which the Authority anticipates it will issue under
8 subdivisions (g)(2) and (g)(3) of Section 4.04 during that
9 State fiscal year.

10 (3) Its debt service savings during the preceding
11 State fiscal year from refunding or advance refunding of
12 bonds or notes issued under subdivisions (g)(2) and (g)(3)
13 of Section 4.04.

14 (4) The amount of interest, if any, earned by the
15 Authority during the previous State fiscal year on the
16 proceeds of bonds or notes issued pursuant to subdivisions
17 (g)(2) and (g)(3) of Section 4.04, other than refunding or
18 advance refunding bonds or notes.

19 The certification shall include a specific schedule of
20 debt service payments, including the date and amount of each
21 payment for all outstanding bonds or notes and an estimated
22 schedule of anticipated debt service for all bonds and notes
23 it intends to issue, if any, during that State fiscal year,
24 including the estimated date and estimated amount of each
25 payment.

26 Immediately upon the issuance of bonds for which an

1 estimated schedule of debt service payments was prepared, the
2 Authority shall file an amended certification with respect to
3 item (2) above, to specify the actual schedule of debt service
4 payments, including the date and amount of each payment, for
5 the remainder of the State fiscal year.

6 On the first day of each month of the State fiscal year in
7 which there are bonds outstanding with respect to which the
8 certification is made, the State Comptroller shall order
9 transferred and the State Treasurer shall transfer from the
10 Road Fund to the Public Transportation Fund the Additional
11 State Assistance and Additional Financial Assistance in an
12 amount equal to the aggregate of (i) one-twelfth of the sum of
13 the amounts certified under items (1) and (3) above less the
14 amount certified under item (4) above, plus (ii) the amount
15 required to pay debt service on bonds and notes issued during
16 the fiscal year, if any, divided by the number of months
17 remaining in the fiscal year after the date of issuance, or
18 some smaller portion as may be necessary under subsection (c)
19 or (c-5) of this Section for the relevant State fiscal year,
20 plus (iii) any cumulative deficiencies in transfers for prior
21 months, until an amount equal to the sum of the amounts
22 certified under items (1) and (3) above, plus the actual debt
23 service certified under item (2) above, less the amount
24 certified under item (4) above, has been transferred; except
25 that these transfers are subject to the following limits:

26 (A) In no event shall the total transfers in any State

1 fiscal year relating to outstanding bonds and notes issued
2 by the Authority under subdivision (g)(2) of Section 4.04
3 exceed the lesser of the annual maximum amount specified
4 in subsection (c) or the sum of the amounts certified
5 under items (1) and (3) above, plus the actual debt
6 service certified under item (2) above, less the amount
7 certified under item (4) above, with respect to those
8 bonds and notes.

9 (B) In no event shall the total transfers in any State
10 fiscal year relating to outstanding bonds and notes issued
11 by the Authority under subdivision (g)(3) of Section 4.04
12 exceed the lesser of the annual maximum amount specified
13 in subsection (c-5) or the sum of the amounts certified
14 under items (1) and (3) above, plus the actual debt
15 service certified under item (2) above, less the amount
16 certified under item (4) above, with respect to those
17 bonds and notes.

18 The term "outstanding" does not include bonds or notes for
19 which refunding or advance refunding bonds or notes have been
20 issued.

21 (e) Neither Additional State Assistance nor Additional
22 Financial Assistance may be pledged, either directly or
23 indirectly as general revenues of the Authority, as security
24 for any bonds issued by the Authority. The Authority may not
25 assign its right to receive Additional State Assistance or
26 Additional Financial Assistance, or direct payment of

1 Additional State Assistance or Additional Financial
2 Assistance, to a trustee or any other entity for the payment of
3 debt service on its bonds.

4 (f) The certification required under subsection (d) with
5 respect to outstanding bonds and notes of the Authority shall
6 be filed as early as practicable before the beginning of the
7 State fiscal year to which it relates. The certification shall
8 be revised as may be necessary to accurately state the debt
9 service requirements of the Authority.

10 (g) Within 6 months of the end of each fiscal year, the
11 Authority shall determine:

12 (i) whether the aggregate of all system generated
13 revenues for public transportation in the metropolitan
14 region which is provided by, or under grant or purchase of
15 service contracts with, the Service Boards equals 50% of
16 the aggregate of all costs of providing such public
17 transportation. "System generated revenues" include all
18 the proceeds of fares and charges for services provided,
19 contributions received in connection with public
20 transportation from units of local government other than
21 the Authority, except for contributions received by the
22 Chicago Transit Authority from a real estate transfer tax
23 imposed under subsection (i) of Section 8-3-19 of the
24 Illinois Municipal Code, and from the State pursuant to
25 subsection (i) of Section 2705-305 of the Department of
26 Transportation Law, and all other revenues properly

1 included consistent with generally accepted accounting
2 principles but may not include: the proceeds from any
3 borrowing, and, beginning with the 2007 fiscal year, all
4 revenues and receipts, including but not limited to fares
5 and grants received from the federal, State or any unit of
6 local government or other entity, derived from providing
7 ADA paratransit service pursuant to Section 2.30 of the
8 Regional Transportation Authority Act. "Costs" include all
9 items properly included as operating costs consistent with
10 generally accepted accounting principles, including
11 administrative costs, but do not include: depreciation;
12 payment of principal and interest on bonds, notes or other
13 evidences of obligations for borrowed money of the
14 Authority; payments with respect to public transportation
15 facilities made pursuant to subsection (b) of Section
16 2.20; any payments with respect to rate protection
17 contracts, credit enhancements or liquidity agreements
18 made under Section 4.14; any other cost as to which it is
19 reasonably expected that a cash expenditure will not be
20 made; costs for passenger security including grants,
21 contracts, personnel, equipment and administrative
22 expenses, except in the case of the Chicago Transit
23 Authority, in which case the term does not include costs
24 spent annually by that entity for protection against crime
25 as required by Section 27a of the Metropolitan Transit
26 Authority Act; the costs of Debt Service paid by the

1 Chicago Transit Authority, as defined in Section 12c of
2 the Metropolitan Transit Authority Act, or bonds or notes
3 issued pursuant to that Section; the payment by the
4 Commuter Rail Division of debt service on bonds issued
5 pursuant to Section 3B.09; expenses incurred by the
6 Suburban Bus Division for the cost of new public
7 transportation services funded from grants pursuant to
8 Section 2.01e of this Act for a period of 2 years from the
9 date of initiation of each such service; costs as exempted
10 by the Board for projects pursuant to Section 2.09 of this
11 Act; or, beginning with the 2007 fiscal year, expenses
12 related to providing ADA paratransit service pursuant to
13 Section 2.30 of the Regional Transportation Authority Act;
14 or in fiscal years 2008 through 2012 inclusive, costs in
15 the amount of \$200,000,000 in fiscal year 2008, reducing
16 by \$40,000,000 in each fiscal year thereafter until this
17 exemption is eliminated. If said system generated revenues
18 are less than 50% of said costs, the Board shall remit an
19 amount equal to the amount of the deficit to the State;
20 however, due to the fiscal impacts from the COVID-19
21 pandemic, for fiscal years 2021, 2022, 2023, 2024, 2025,
22 and 2026, no such payment shall be required. The Treasurer
23 shall deposit any such payment in the Road Fund; and

24 (ii) whether, beginning with the 2007 fiscal year, the
25 aggregate of all fares charged and received for ADA
26 paratransit services equals the system generated ADA

1 paratransit services revenue recovery ratio percentage of
2 the aggregate of all costs of providing such ADA
3 paratransit services.

4 (h) If the Authority makes any payment to the State under
5 paragraph (g), the Authority shall reduce the amount provided
6 to a Service Board from funds transferred under paragraph (a)
7 in proportion to the amount by which that Service Board failed
8 to meet its required system generated revenues recovery ratio.
9 A Service Board which is affected by a reduction in funds under
10 this paragraph shall submit to the Authority concurrently with
11 its next due quarterly report a revised budget incorporating
12 the reduction in funds. The revised budget must meet the
13 criteria specified in clauses (i) through (vi) of Section
14 4.11(b)(2). The Board shall review and act on the revised
15 budget as provided in Section 4.11(b)(3).

16 (Source: P.A. 103-281, eff. 1-1-24; 103-588, eff. 6-5-24;
17 104-434, eff. 11-21-25.)

18 (Text of Section after amendment by P.A. 104-457)

19 Sec. 4.09. Public Transportation Fund and the Northern
20 Illinois Transit Authority Occupation and Use Tax Replacement
21 Fund.

22 (a)(1) Except as otherwise provided in paragraph (4), as
23 soon as possible after the first day of each month, beginning
24 July 1, 1984, upon certification of the Department of Revenue,
25 the Comptroller shall order transferred and the Treasurer

1 shall transfer from the General Revenue Fund to a special fund
2 in the State treasury to be known as the Public Transportation
3 Fund an amount equal to 25% of the net revenue, before the
4 deduction of the serviceman and retailer discounts pursuant to
5 Section 9 of the Service Occupation Tax Act and Section 3 of
6 the Retailers' Occupation Tax Act, realized from any tax
7 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
8 and 25% of the amounts deposited into the Northern Illinois
9 Transit Authority tax fund created by Section 4.03 of this
10 Act, from the County and Mass Transit District Fund as
11 provided in Section 6z-20 of the State Finance Act and 25% of
12 the amounts deposited into the Northern Illinois Transit
13 Authority Occupation and Use Tax Replacement Fund from the
14 State and Local Sales Tax Reform Fund as provided in Section
15 6z-17 of the State Finance Act.

16 On the first day of the month following the date that the
17 Department receives revenues from increased taxes under
18 Section 4.03(m) as authorized by Public Act 95-708 and until
19 the first day of the month following the date that the
20 Department receives revenues from increased taxes under
21 Section 4.03(m) as authorized by this amendatory Act of the
22 104th General Assembly, in lieu of the transfers authorized in
23 the preceding sentence, upon certification of the Department
24 of Revenue, the Comptroller shall order transferred and the
25 Treasurer shall transfer from the General Revenue Fund to the
26 Public Transportation Fund an amount equal to 25% of the net

1 revenue, before the deduction of the serviceman and retailer
2 discounts pursuant to Section 9 of the Service Occupation Tax
3 Act and Section 3 of the Retailers' Occupation Tax Act,
4 realized from (i) 80% of the proceeds of any tax imposed by the
5 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
6 proceeds of any tax imposed by the Authority at the rate of 1%
7 in Cook County, and (iii) one-third of the proceeds of any tax
8 imposed by the Authority at the rate of 0.75% in the Counties
9 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
10 Section 4.03, and 25% of the net revenue realized from any tax
11 imposed by the Authority pursuant to Section 4.03.1, and 25%
12 of the amounts deposited into the Regional Transportation
13 Authority tax fund created by Section 4.03 of this Act from the
14 County and Mass Transit District Fund as provided in Section
15 6z-20 of the State Finance Act, and 25% of the amounts
16 deposited into the Regional Transportation Authority
17 Occupation and Use Tax Replacement Fund from the State and
18 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
19 State Finance Act.

20 On the first day of the month following the date that the
21 Department receives revenues from increased taxes under
22 Section 4.03(m) as authorized by this amendatory Act of the
23 104th General Assembly, in lieu of the transfers authorized in
24 the preceding sentences, upon certification of the Department
25 of Revenue, the Comptroller shall order transferred and the
26 Treasurer shall transfer from the General Revenue Fund to the

1 Public Transportation Fund an amount equal to 25% of the net
2 revenue, before the deduction of the serviceman and retailer
3 discounts pursuant to Section 9 of the Service Occupation Tax
4 Act and Section 3 of the Retailers' Occupation Tax Act,
5 realized from (i) two-thirds of the proceeds of any tax
6 imposed by the Authority at a rate of 1.5% in Cook County, (ii)
7 60% of the proceeds of any tax imposed by the Authority at the
8 rate of 1.25% in Cook County, and (iii) 25% of the proceeds of
9 any tax imposed by the Authority at the rate of 1% in the
10 Counties of DuPage, Kane, Lake, McHenry, and Will, all
11 pursuant to Section 4.03, and 25% of the net revenue realized
12 from any tax imposed by the Authority pursuant to Section
13 4.03.1, and 25% of the amounts deposited into the Northern
14 Illinois Transit Authority tax fund created by Section 4.03 of
15 this Act from the County and Mass Transit District Fund as
16 provided in Section 6z-20 of the State Finance Act, and 25% of
17 the amounts deposited into the Northern Illinois Transit
18 Authority Occupation and Use Tax Replacement Fund from the
19 State and Local Sales Tax Reform Fund as provided in Section
20 6z-17 of the State Finance Act.

21 As used in this Section, net revenue realized for a month
22 shall be the revenue collected by the State pursuant to
23 Sections 4.03 and 4.03.1 during the previous month from within
24 the metropolitan region, less the amount paid out during that
25 same month as refunds to taxpayers for overpayment of
26 liability in the metropolitan region under Sections 4.03 and

1 4.03.1.

2 Notwithstanding any provision of law to the contrary,
3 beginning on July 6, 2017 (the effective date of Public Act
4 100-23), those amounts required under this paragraph (1) of
5 subsection (a) to be transferred by the Treasurer into the
6 Public Transportation Fund from the General Revenue Fund shall
7 be directly deposited into the Public Transportation Fund as
8 the revenues are realized from the taxes indicated.

9 (2) Except as otherwise provided in paragraph (4), on
10 February 1, 2009 (the first day of the month following the
11 effective date of Public Act 95-708) and each month
12 thereafter, upon certification by the Department of Revenue,
13 the Comptroller shall order transferred and the Treasurer
14 shall transfer from the General Revenue Fund to the Public
15 Transportation Fund an amount equal to 5% of the net revenue,
16 before the deduction of the serviceman and retailer discounts
17 pursuant to Section 9 of the Service Occupation Tax Act and
18 Section 3 of the Retailers' Occupation Tax Act, realized from
19 any tax imposed by the Authority pursuant to Sections 4.03 and
20 4.03.1 and certified by the Department of Revenue under
21 Section 4.03(n) of this Act to be paid to the Authority and 5%
22 of the amounts deposited into the Northern Illinois Transit
23 Authority tax fund created by Section 4.03 of this Act from the
24 County and Mass Transit District Fund as provided in Section
25 6z-20 of the State Finance Act, and 5% of the amounts deposited
26 into the Northern Illinois Transit Authority Occupation and

1 Use Tax Replacement Fund from the State and Local Sales Tax
2 Reform Fund as provided in Section 6z-17 of the State Finance
3 Act, and 5% of the revenue realized by the Chicago Transit
4 Authority as financial assistance from the City of Chicago
5 from the proceeds of any tax imposed by the City of Chicago
6 under Section 8-3-19 of the Illinois Municipal Code.

7 Notwithstanding any provision of law to the contrary,
8 beginning on July 6, 2017 (the effective date of Public Act
9 100-23), those amounts required under this paragraph (2) of
10 subsection (a) to be transferred by the Treasurer into the
11 Public Transportation Fund from the General Revenue Fund shall
12 be directly deposited into the Public Transportation Fund as
13 the revenues are realized from the taxes indicated.

14 (3) Except as otherwise provided in paragraph (4), as soon
15 as possible after the first day of January, 2009 and each month
16 thereafter and until the first day of the month following the
17 date that the Department receives revenues from increased
18 taxes under Section 4.03(m) as authorized by this amendatory
19 Act of the 104th General Assembly, upon certification of the
20 Department of Revenue with respect to the taxes collected
21 under Section 4.03, the Comptroller shall order transferred
22 and the Treasurer shall transfer from the General Revenue Fund
23 to the Public Transportation Fund an amount equal to 25% of the
24 net revenue, before the deduction of the serviceman and
25 retailer discounts pursuant to Section 9 of the Service
26 Occupation Tax Act and Section 3 of the Retailers' Occupation

1 Tax Act, realized from (i) 20% of the proceeds of any tax
2 imposed by the Authority at a rate of 1.25% in Cook County,
3 (ii) 25% of the proceeds of any tax imposed by the Authority at
4 the rate of 1% in Cook County, and (iii) one-third of the
5 proceeds of any tax imposed by the Authority at the rate of
6 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and
7 Will, all pursuant to Section 4.03, and the Comptroller shall
8 order transferred and the Treasurer shall transfer from the
9 General Revenue Fund to the Public Transportation Fund (iv) an
10 amount equal to 25% of the revenue realized by the Chicago
11 Transit Authority as financial assistance from the City of
12 Chicago from the proceeds of any tax imposed by the City of
13 Chicago under Section 8-3-19 of the Illinois Municipal Code.

14 On the first day of the month following the date that the
15 Department receives revenues from increased taxes under
16 Section 4.03(m) as authorized by this amendatory Act of the
17 104th General Assembly, upon certification of the Department
18 of Revenue with respect to the taxes collected under Section
19 4.03, the Comptroller shall order transferred and the
20 Treasurer shall transfer from the General Revenue Fund to the
21 Public Transportation Fund an amount equal to 25% of the net
22 revenue, before the deduction of the serviceman and retailer
23 discounts pursuant to Section 9 of the Service Occupation Tax
24 Act and Section 3 of the Retailers' Occupation Tax Act,
25 realized from (i) one-sixth of the proceeds of any tax imposed
26 by the Authority at a rate of 1.5% in Cook County, (ii) 20% of

1 the proceeds of any tax imposed by the Authority at the rate of
2 1.25% in Cook County, and (iii) 25% of the proceeds of any tax
3 imposed by the Authority at the rate of 1% in the Counties of
4 DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section
5 4.03, and the Comptroller shall order transferred and the
6 Treasurer shall transfer from the General Revenue Fund to the
7 Public Transportation Fund (iv) an amount equal to 25% of the
8 revenue realized by the Chicago Transit Authority as financial
9 assistance from the City of Chicago from the proceeds of any
10 tax imposed by the City of Chicago under Section 8-3-19 of the
11 Illinois Municipal Code.

12 Notwithstanding any provision of law to the contrary,
13 beginning on July 6, 2017 (the effective date of Public Act
14 100-23), those amounts required under this paragraph (3) of
15 subsection (a) to be transferred by the Treasurer into the
16 Public Transportation Fund from the General Revenue Fund shall
17 be directly deposited into the Public Transportation Fund as
18 the revenues are realized from the taxes indicated.

19 (4) Notwithstanding any provision of law to the contrary,
20 for the State fiscal year beginning July 1, 2024 and each State
21 fiscal year thereafter, the first \$150,000,000 that would have
22 otherwise been transferred from the General Revenue Fund and
23 deposited into the Public Transportation Fund as provided in
24 paragraphs (1), (2), and (3) of this subsection (a) shall
25 instead be transferred from the Road Fund by the Treasurer
26 upon certification by the Department of Revenue and order of

1 the Comptroller. For the State fiscal year beginning July 1,
2 2024, only, the next \$75,000,000 that would have otherwise
3 been transferred from the General Revenue Fund and deposited
4 into the Public Transportation Fund as provided in paragraphs
5 (1), (2), and (3) of this subsection (a) shall instead be
6 transferred from the Road Fund and deposited into the Public
7 Transportation Fund by the Treasurer upon certification by the
8 Department of Revenue and order of the Comptroller. The funds
9 authorized and transferred pursuant to this amendatory Act of
10 the 103rd General Assembly are not intended or planned for
11 road construction projects. For the State fiscal year
12 beginning July 1, 2024, only, the next \$50,000,000 that would
13 have otherwise been transferred from the General Revenue Fund
14 and deposited into the Public Transportation Fund as provided
15 in paragraphs (1), (2), and (3) of this subsection (a) shall
16 instead be transferred from the Underground Storage Tank Fund
17 and deposited into the Public Transportation Fund by the
18 Treasurer upon certification by the Department of Revenue and
19 order of the Comptroller. The remaining balance shall be
20 deposited each State fiscal year as otherwise provided in
21 paragraphs (1), (2), and (3) of this subsection (a).

22 (5) (Blank).

23 (6) (Blank).

24 (7) For State fiscal year 2020 only, notwithstanding any
25 provision of law to the contrary, the total amount of revenue
26 and deposits under this Section attributable to revenues

1 realized during State fiscal year 2020 shall be reduced by 5%.

2 (8) For State fiscal year 2021 only, notwithstanding any
3 provision of law to the contrary, the total amount of revenue
4 and deposits under this Section attributable to revenues
5 realized during State fiscal year 2021 shall be reduced by 5%.

6 (b)(1) All moneys deposited in the Public Transportation
7 Fund and the Northern Illinois Transit Authority Occupation
8 and Use Tax Replacement Fund, whether deposited pursuant to
9 this Section or otherwise, are allocated to the Authority,
10 except for amounts appropriated to the Office of the Executive
11 Inspector General as authorized by subsection (h) of Section
12 4.03.3 and amounts transferred to the Audit Expense Fund
13 pursuant to Section 6z-27 of the State Finance Act. The
14 Comptroller, as soon as possible after each monthly transfer
15 provided in this Section and after each deposit into the
16 Public Transportation Fund, shall order the Treasurer to pay
17 to the Authority out of the Public Transportation Fund the
18 amount so transferred or deposited. Any Additional State
19 Assistance and Additional Financial Assistance paid to the
20 Authority under this Section shall be expended by the
21 Authority for its purposes as provided in this Act. The
22 balance of the amounts paid to the Authority from the Public
23 Transportation Fund shall be expended by the Authority as
24 provided in Section 4.03.3. The Comptroller, as soon as
25 possible after each deposit into the Northern Illinois Transit
26 Authority Occupation and Use Tax Replacement Fund provided in

1 this Section, in Section 6z-17 of the State Finance Act, shall
2 order the Treasurer to pay to the Authority out of the Northern
3 Illinois Transit Authority Occupation and Use Tax Replacement
4 Fund the amount so deposited. Such amounts paid to the
5 Authority may be expended by it for its purposes as provided in
6 this Act. The provisions directing the distributions from the
7 Public Transportation Fund and the Northern Illinois Transit
8 Authority Occupation and Use Tax Replacement Fund provided for
9 in this Section shall constitute an irrevocable and continuing
10 appropriation of all amounts as provided herein. The State
11 Treasurer and State Comptroller are hereby authorized and
12 directed to make distributions as provided in this Section.

13 (2) Provided, however, no moneys deposited under
14 subsection (a) of this Section shall be paid from the Public
15 Transportation Fund to the Authority or its assignee for any
16 fiscal year until the Authority has certified to the Governor,
17 the Comptroller, and the Mayor of the City of Chicago that it
18 has adopted for that fiscal year an Annual Budget and 2-Year
19 Financial Plan meeting the requirements in Section 4.01(b).

20 (3) For the purposes of this Section, beginning in Fiscal
21 Year 2027, the General Assembly shall appropriate an amount
22 from the Public Transportation Fund equal to the sum total of
23 funds projected to be paid to the participants under Section 9
24 of the Use Tax Act, Section 9 of the Service Use Tax Act,
25 Section 9 of the Service Occupation Tax Act, and Section 3 of
26 the Retailers' Occupation Tax Act. If the General Assembly

1 fails to make appropriations sufficient to cover the amounts
2 projected to be paid under Section 9 of the Use Tax Act,
3 Section 9 of the Service Use Tax Act, Section 9 of the Service
4 Occupation Tax Act and Section 3 of the Retailers' Occupation
5 Tax Act, then this Act shall constitute an irrevocable and
6 continuing appropriation from the Public Transportation Fund
7 of all amounts necessary for those purposes.

8 (c) In recognition of the efforts of the Authority to
9 enhance the mass transportation facilities under its control,
10 the State shall provide financial assistance ("Additional
11 State Assistance") in excess of the amounts transferred to the
12 Authority from the General Revenue Fund under subsection (a)
13 of this Section. Additional State Assistance shall be
14 calculated as provided in subsection (d), but shall in no
15 event exceed the following specified amounts with respect to
16 the following State fiscal years:

17	1990	\$5,000,000;
18	1991	\$5,000,000;
19	1992	\$10,000,000;
20	1993	\$10,000,000;
21	1994	\$20,000,000;
22	1995	\$30,000,000;
23	1996	\$40,000,000;
24	1997	\$50,000,000;
25	1998	\$55,000,000; and
26	each year thereafter	\$55,000,000.

1 (c-5) The State shall provide financial assistance
2 ("Additional Financial Assistance") in addition to the
3 Additional State Assistance provided by subsection (c) and the
4 amounts transferred to the Authority from the General Revenue
5 Fund under subsection (a) of this Section. Additional
6 Financial Assistance provided by this subsection shall be
7 calculated as provided in subsection (d), but shall in no
8 event exceed the following specified amounts with respect to
9 the following State fiscal years:

10	2000	\$0;
11	2001	\$16,000,000;
12	2002	\$35,000,000;
13	2003	\$54,000,000;
14	2004	\$73,000,000;
15	2005	\$93,000,000; and
16	each year thereafter	\$100,000,000.

17 (d) Beginning with State fiscal year 1990 and continuing
18 for each State fiscal year thereafter, the Authority shall
19 annually certify to the State Comptroller and State Treasurer,
20 separately with respect to each of subdivisions (g)(2) and
21 (g)(3) of Section 4.04 of this Act, the following amounts:

22 (1) The amount necessary and required, during the
23 State fiscal year with respect to which the certification
24 is made, to pay its obligations for debt service on all
25 outstanding bonds or notes issued by the Authority under
26 subdivisions (g)(2) and (g)(3) of Section 4.04 of this

1 Act.

2 (2) An estimate of the amount necessary and required
3 to pay its obligations for debt service for any bonds or
4 notes which the Authority anticipates it will issue under
5 subdivisions (g) (2) and (g) (3) of Section 4.04 during that
6 State fiscal year.

7 (3) Its debt service savings during the preceding
8 State fiscal year from refunding or advance refunding of
9 bonds or notes issued under subdivisions (g) (2) and (g) (3)
10 of Section 4.04.

11 (4) The amount of interest, if any, earned by the
12 Authority during the previous State fiscal year on the
13 proceeds of bonds or notes issued pursuant to subdivisions
14 (g) (2) and (g) (3) of Section 4.04, other than refunding or
15 advance refunding bonds or notes.

16 The certification shall include a specific schedule of
17 debt service payments, including the date and amount of each
18 payment for all outstanding bonds or notes and an estimated
19 schedule of anticipated debt service for all bonds and notes
20 it intends to issue, if any, during that State fiscal year,
21 including the estimated date and estimated amount of each
22 payment.

23 Immediately upon the issuance of bonds for which an
24 estimated schedule of debt service payments was prepared, the
25 Authority shall file an amended certification with respect to
26 item (2) above, to specify the actual schedule of debt service

1 payments, including the date and amount of each payment, for
2 the remainder of the State fiscal year.

3 On the first day of each month of the State fiscal year in
4 which there are bonds outstanding with respect to which the
5 certification is made, the State Comptroller shall order
6 transferred and the State Treasurer shall transfer from the
7 Road Fund to the Public Transportation Fund the Additional
8 State Assistance and Additional Financial Assistance in an
9 amount equal to the aggregate of (i) one-twelfth of the sum of
10 the amounts certified under items (1) and (3) above less the
11 amount certified under item (4) above, plus (ii) the amount
12 required to pay debt service on bonds and notes issued during
13 the fiscal year, if any, divided by the number of months
14 remaining in the fiscal year after the date of issuance, or
15 some smaller portion as may be necessary under subsection (c)
16 or (c-5) of this Section for the relevant State fiscal year,
17 plus (iii) any cumulative deficiencies in transfers for prior
18 months, until an amount equal to the sum of the amounts
19 certified under items (1) and (3) above, plus the actual debt
20 service certified under item (2) above, less the amount
21 certified under item (4) above, has been transferred; except
22 that these transfers are subject to the following limits:

23 (A) In no event shall the total transfers in any State
24 fiscal year relating to outstanding bonds and notes issued
25 by the Authority under subdivision (g)(2) of Section 4.04
26 exceed the lesser of the annual maximum amount specified

1 in subsection (c) or the sum of the amounts certified
2 under items (1) and (3) above, plus the actual debt
3 service certified under item (2) above, less the amount
4 certified under item (4) above, with respect to those
5 bonds and notes.

6 (B) In no event shall the total transfers in any State
7 fiscal year relating to outstanding bonds and notes issued
8 by the Authority under subdivision (g)(3) of Section 4.04
9 exceed the lesser of the annual maximum amount specified
10 in subsection (c-5) or the sum of the amounts certified
11 under items (1) and (3) above, plus the actual debt
12 service certified under item (2) above, less the amount
13 certified under item (4) above, with respect to those
14 bonds and notes.

15 The term "outstanding" does not include bonds or notes for
16 which refunding or advance refunding bonds or notes have been
17 issued.

18 (e) Neither Additional State Assistance nor Additional
19 Financial Assistance may be pledged, either directly or
20 indirectly as general revenues of the Authority, as security
21 for any bonds issued by the Authority. The Authority may not
22 assign its right to receive Additional State Assistance or
23 Additional Financial Assistance, or direct payment of
24 Additional State Assistance or Additional Financial
25 Assistance, to a trustee or any other entity for the payment of
26 debt service on its bonds.

1 (f) The certification required under subsection (d) with
2 respect to outstanding bonds and notes of the Authority shall
3 be filed as early as practicable before the beginning of the
4 State fiscal year to which it relates. The certification shall
5 be revised as may be necessary to accurately state the debt
6 service requirements of the Authority.

7 (g) (Blank). ~~and 2026~~

8 (h) (Blank).

9 (Source: P.A. 103-281, eff. 1-1-24; 103-588, eff. 6-5-24;
10 104-434, eff. 11-21-25; 104-457, eff. 6-1-26; revised 1-7-26.)

11 Section 395. The School Code is amended by changing
12 Sections 2-3.191, 2-3.203, 10-20.14, 10-22.3f, 10-22.24b,
13 14-8.02, 18-8.15, 21B-20, 21B-30, 22-81, 22-83, 22-87, 22-110,
14 24-6, 24A-2.5, 26-20, 27-405, 27-410, 27-605, 27-615, 27-830,
15 27-835, 27-840, 27A-5, 30-14.2, 34-2.3, 34-21.6, and 34-21.10,
16 by setting forth and renumbering multiple versions of Sections
17 2-3.204 and 22-105, by setting forth, renumbering, and
18 changing multiple versions of Section 2-3.206, and by
19 renumbering Section 27-23.18 as follows:

20 (105 ILCS 5/2-3.191)

21 Sec. 2-3.191. State Education Equity Committee.

22 (a) The General Assembly finds that this State has an
23 urgent and collective responsibility to achieve educational
24 equity by ensuring that all policies, programs, and practices

1 affirm the strengths that each and every child brings with
2 diverse backgrounds and life experiences and by delivering the
3 comprehensive support, programs, and educational opportunities
4 children need to succeed.

5 (b) The State Education Equity Committee is created within
6 the State Board of Education to strive toward ensuring equity
7 in education for all children from birth through grade 12.

8 (c) The Committee shall consist of the State
9 Superintendent of Education or the State Superintendent's
10 designee, who shall serve as chairperson, and ~~one member from~~
11 ~~each of~~ the following members ~~organizations~~ appointed by the
12 State Superintendent:

13 (1) At least 2 educators who each represent a
14 different statewide professional teachers' organization.

15 (2) one member from each of the following:

16 (A) ~~(2)~~ A professional teachers' organization
17 located in a city having a population exceeding
18 500,000.

19 (B) ~~(3)~~ A statewide association representing
20 school administrators.

21 (C) ~~(4)~~ A statewide association representing
22 regional superintendents of schools.

23 (D) ~~(5)~~ A statewide association representing
24 school board members.

25 (E) ~~(6)~~ A statewide association representing
26 school principals.

1 (F) ~~(7)~~ A school district serving a community with
2 a population of 500,000 or more.

3 (G) ~~(8)~~ A parent-led organization.

4 (H) ~~(9)~~ A student-led organization.

5 (I) ~~(10)~~ One community organization that works to
6 foster safe and healthy environments through advocacy
7 for immigrant families and ensuring equitable
8 opportunities for educational advancement and economic
9 development.

10 (J) ~~(11)~~ An organization that works for economic,
11 educational, and social progress for African Americans
12 and promotes strong sustainable communities through
13 advocacy, collaboration, and innovation.

14 (K) ~~(12)~~ One statewide organization whose focus is
15 to narrow or close the achievement gap between
16 students of color and their peers.

17 (L) ~~(13)~~ An organization that advocates for
18 healthier school environments in this State.

19 (M) ~~(14)~~ One statewide organization that advocates
20 for partnerships among schools, families, and the
21 community, provides access to support, and removes
22 barriers to learning and development, using schools as
23 hubs.

24 (N) ~~(15)~~ One organization that advocates for the
25 health and safety of Illinois youth and families by
26 providing capacity building services.

1 (O) ~~(16)~~ An organization dedicated to advocating
2 for public policies to prevent homelessness.

3 (P) ~~(17)~~ Other appropriate State agencies as
4 determined by the State Superintendent.

5 (Q) ~~(18)~~ An organization that works for economic,
6 educational, and social progress for Native Americans
7 and promotes strong sustainable communities through
8 advocacy, collaboration, and innovation.

9 (3) An ~~(19)~~ ~~A~~ individual with a disability or a
10 statewide organization representing or advocating on
11 behalf of individuals with disabilities. As used in this
12 paragraph, "disability" has the meaning given to that term
13 in Section 10 of the Disabilities Services Act of 2003.

14 Members appointed to the Committee must reflect, as much
15 as possible, the racial, ethnic, and geographic diversity of
16 this State.

17 (d) Members appointed by the State Superintendent shall
18 serve without compensation, but may be reimbursed for
19 reasonable and necessary expenses, including travel, from
20 funds appropriated to the State Board of Education for that
21 purpose, subject to the rules of the appropriate travel
22 control board.

23 (e) The Committee shall meet at the call of the
24 chairperson, but shall meet no less than 3 times a year.

25 (f) The Committee shall recognize that, while progress has
26 been made, much remains to be done to address systemic

1 inequities and ensure each and every child is equipped to
2 reach the child's fullest potential and shall:

3 (1) guide its work through the principles of equity,
4 equality, collaboration, and community;

5 (2) focus its work around the overarching goals of
6 student learning, learning conditions, and elevating
7 educators, all underpinned by equity;

8 (3) identify evidence-based practices or policies
9 around these goals to build on this State's progress of
10 ensuring educational equity for all its students in all
11 aspects of birth through grade 12 education; and

12 (4) seek input and feedback on identified
13 evidence-based practices or policies from stakeholders,
14 including, but not limited to, parents, students, and
15 educators that reflect the rich diversity of Illinois
16 students.

17 (g) The Committee shall submit its recommendations to the
18 General Assembly and the State Board of Education no later
19 than January 31, 2022. By no later than December 15, 2023 and
20 each year thereafter, the Committee shall report to the
21 General Assembly and the State Board of Education about the
22 additional progress that has been made to achieve educational
23 equity.

24 (h) As part of the report required under subsection (g),
25 by no later than December 15, 2024, the Committee shall
26 provide recommendations that may assist the State Board of

1 Education in identifying diverse subject matter experts to
2 help inform policy through task forces, committees, and
3 commissions the State Board oversees.

4 (i) On and after January 31, 2025, subsection (h) is
5 inoperative.

6 (Source: P.A. 102-458, eff. 8-20-21; 102-813, eff. 5-13-22;
7 103-422, eff. 8-4-23; revised 6-27-25.)

8 (105 ILCS 5/2-3.203)

9 Sec. 2-3.203. Mental health screenings.

10 (a) On or before December 15, 2023, the State Board of
11 Education, in consultation with the Children's Behavioral
12 Health Transformation Team in the Office of the Governor,
13 shall file a report with the Governor and the General Assembly
14 that includes recommendations for implementation of mental
15 health screenings in schools for students enrolled in
16 kindergarten through grade 12. This report must include a
17 landscape scan of current district-wide screenings,
18 recommendations for screening tools, training for staff, and
19 linkage and referral for identified students.

20 (b) On or before October 1, 2024, the State Board of
21 Education, in consultation with the Children's Behavioral
22 Health Transformation Team in the Office of the Governor, and
23 relevant stakeholders as needed shall release a strategy that
24 includes a tool for measuring capacity and readiness to
25 implement universal mental health screening of students. The

1 strategy shall build upon existing efforts to understand
2 district needs for resources, technology, training, and
3 infrastructure supports. The strategy shall include a
4 framework for supporting districts in a phased approach to
5 implement universal mental health screenings. The State Board
6 of Education shall issue a report to the Governor and the
7 General Assembly on school district readiness and plan for
8 phased approach to universal mental health screening of
9 students on or before April 1, 2025.

10 (c) On or before September 1, 2026, the State Board of
11 Education, in consultation with the Children's Behavioral
12 Health Transformation Team in the Office of the Governor and
13 relevant stakeholders, shall report its work and make
14 available resource materials, including model procedures and
15 guidance informed by a phased approach to implementing
16 universal mental health screening in schools. These model
17 school district procedures to facilitate the implementation of
18 mental health screenings shall include, but are not limited
19 to, the option to opt out ~~opt-out~~, confidentiality and privacy
20 considerations, communication with families and communities
21 about the use of mental health screenings, data sharing, and
22 storage of mental health screening results and plans for
23 follow-up and linkage to resources after screenings. Guidance
24 shall include (1) mental health screening tools available for
25 school districts to use with students and (2) associated
26 training for school personnel. The State Board of Education

1 shall make these resource materials available on its website.

2 (d) Mental health screenings shall be offered by school
3 districts to students enrolled in grade 3 through grade 12, at
4 least once a year, beginning with the 2027-2028 school year. A
5 district may, by action of the State Board of Education, apply
6 for an extension of the 2027-2028 school year implementation
7 deadline if the school district meets criteria set by rule by
8 the State Board of Education, which shall be based on the
9 recommendations of the report issued in accordance with
10 subsection (c). Notwithstanding the provisions of this
11 subsection, the requirement to offer mental health screenings
12 shall be in effect only for school years in which the State has
13 successfully procured a screening tool that offers a
14 self-report option for students and is made available to
15 school districts at no cost.

16 (Source: P.A. 103-546, eff. 8-11-23; 103-605, eff. 7-1-24;
17 103-885, eff. 8-9-24; 104-32, eff. 1-1-26; revised 11-20-25.)

18 (105 ILCS 5/2-3.204)

19 Sec. 2-3.204. Type 1 diabetes informational materials.

20 (a) The State Board of Education, in coordination with the
21 Department of Public Health, shall develop type 1 diabetes
22 informational materials for the parents and guardians of
23 students. The informational materials shall be made available
24 to each school district and charter school on the State
25 Board's Internet website. Each school district and charter

1 school shall post the informational materials on the school
2 district's or charter school's website, if any.

3 (b) Information developed pursuant to this Section may
4 include, but is not limited to, all of the following:

5 (1) A description of type 1 diabetes.

6 (2) A description of the risk factors and warning
7 signs associated with type 1 diabetes.

8 (3) A recommendation regarding a student displaying
9 warning signs associated with type 1 diabetes that the
10 parent or guardian of the student should immediately
11 consult with the student's primary care provider to
12 determine if immediate screening for type 1 diabetes is
13 appropriate.

14 (4) A description of the screening process for type 1
15 diabetes and the implications of test results.

16 (5) A recommendation that, following a type 1 diabetes
17 diagnosis, the parent or guardian should consult with the
18 student's primary care provider to develop an appropriate
19 treatment plan, which may include consultation with and
20 examination by a specialty care provider, including, but
21 not limited to, a properly qualified endocrinologist.

22 (Source: P.A. 103-641, eff. 7-1-24; 104-417, eff. 8-15-25.)

23 (105 ILCS 5/2-3.206)

24 Sec. 2-3.206. Law enforcement referral report.

25 (a) As used in this Section, "referral to law enforcement"

1 means an action by which a student is reported to a law
2 enforcement agency or official, including a school police
3 unit, for an incident that occurred on school grounds, during
4 school-related events or activities (whether in-person or
5 virtual), or while taking school transportation, regardless of
6 whether official action is taken. "Referral to law
7 enforcement" includes citations, tickets, court referrals, and
8 school-related arrests.

9 (b) Beginning with the 2027-2028 school year, the State
10 Board of Education shall require that each school district
11 annually report, in a manner and method determined by the
12 State Board, the number of students in kindergarten through
13 grade 12 who were referred to a law enforcement agency or
14 official and the number of instances of referrals to law
15 enforcement that students in grades kindergarten through 12
16 received.

17 (c) The data reported under subsection (b) shall be
18 disaggregated by race and ethnicity, sex, grade level, whether
19 a student is an English learner, and disability.

20 (d) On or before January 31, 2029 and on or before January
21 31 of each subsequent year, the State Board of Education,
22 through the State Superintendent of Education, shall prepare a
23 report on student referrals to law enforcement in all school
24 districts in this State, including State-authorized charter
25 schools. This report shall include data from all public
26 schools within school districts, including district-authorized

1 charter schools. This report must be posted on the Internet
2 website of the State Board of Education. The report shall
3 include data reported under subsection (b) and shall be
4 disaggregated according to subsection (c).

5 (Source: P.A. 104-430, eff. 8-20-25.)

6 (105 ILCS 5/2-3.207)

7 Sec. 2-3.207 ~~2-3.204~~. Statewide master contract for
8 prepackaged meals.

9 (a) Throughout the State, students depend on schools to
10 provide nutritionally balanced, low-cost or free school
11 lunches each day. The General Assembly intends for school
12 districts to provide lunch options that satisfy religious
13 dietary requirements to the extent practicable.

14 (b) In this Section, "religious dietary food option" means
15 meals that meet specific foods and food preparation techniques
16 that satisfy religious dietary requirements.

17 (c) This Section is subject to appropriation, including
18 funding for any administrative costs reasonably incurred by
19 the State Board of Education in the administration of this
20 Section.

21 (d) Upon the execution of one or more statewide master
22 contracts entered into under subsection (g) and annually
23 thereafter, the State Board of Education shall notify school
24 districts of any prepackaged meal options, including, but not
25 limited to, halal and kosher food options, available for

1 purchase under a statewide master contract for the upcoming
2 school year. A school district shall adopt procedures
3 regarding ordering, preparing, and serving prepackaged meal
4 options offered under a statewide master contract.

5 A school district may not be charged more than the federal
6 free rate of reimbursement for any meal offered under a
7 statewide master contract. Any meal offered under a statewide
8 master contract shall be eligible for and cost no more than the
9 federal free rate of reimbursement.

10 (e) All meal options available under a statewide master
11 contract under subsection (g) must meet the federal
12 nutritional standards set under the federal Richard B. Russell
13 National School Lunch Act. Any meal offered under a statewide
14 master contract under subsection (g) may not require a school
15 district to purchase any special or additional kitchen
16 preparation equipment or storage equipment and may not require
17 either any specialized staff, other than those staff members
18 who are currently available in a school, or any special
19 certifications.

20 (f) Any vendor offering halal food products to a school
21 district under a statewide master contract under subsection
22 (g) shall certify that the food or food product is halal and
23 that the vendor is in compliance with the Halal Food Act. Any
24 vendor offering kosher food products to a school district
25 under a statewide master contract under subsection (g) shall
26 certify that the food or food product is kosher and that the

1 vendor is in compliance with the Kosher Food Act. A school
2 district and the State Board of Education may rely upon these
3 certifications.

4 (g) The State Board of Education shall enter into one or
5 more statewide master contracts with a vendor or vendors for
6 prepackaged meals that meet the requirements of this Section
7 for the purpose of providing options to school districts
8 statewide to purchase religious dietary food options under
9 this Section. The State Board of Education may enter into as
10 many contracts as needed in order to provide access for school
11 districts statewide.

12 Each statewide master contract must include packaged meal
13 delivery directly to any requesting school in this State at a
14 uniform delivery cost, regardless of the school's location.

15 The State Board of Education shall notify all school
16 districts of the award of a statewide master contract as
17 required in subsection (c) of Section 10-20.21 of this Code.
18 No later than 60 days after receiving notice, a school
19 district may purchase prepackaged meals from the contracted
20 vendor.

21 (Source: P.A. 103-1076, eff. 3-21-25; revised 4-8-25.)

22 (105 ILCS 5/2-3.208)

23 Sec. 2-3.208 ~~2-3.206~~. Scheduling guidance for major school
24 events.

25 (a) As used in this Section, "major school event" means a

1 school sanctioned or sponsored event that is part of a school
2 or school district's locally created school calendar for the
3 year, including, but not limited to, events or activities that
4 would be difficult for a student to make up.

5 (b) The State Board of Education, in consultation with
6 stakeholders, shall identify dates during the year of cultural
7 or religious significance to the student population and in
8 which students may have out-of-school commitments or otherwise
9 be unable to participate in a major school event.

10 By July 1 of each year, the State Board of Education shall
11 prominently post on its website and distribute to each school
12 district a nonexhaustive list of the identified days and dates
13 of cultural, religious, or other observances for, at a
14 minimum, the school year that begins in the next calendar year
15 as a resource for making scheduling decisions for major school
16 events. The list shall include a statement encouraging schools
17 to be mindful of the days and dates of cultural, religious, or
18 other observances that impact student participation as schools
19 plan major school events.

20 (c) The list of cultural, religious, or other observances
21 under subsection (b) shall additionally include a statement
22 indicating that the list is only for scheduling guidance
23 purposes and does not affect a student's right to be excused
24 from attendance because of the observance of a religious
25 holiday pursuant to Section 26-2b of this Code, regardless of
26 whether the religious holiday appears on the list.

1 Upon the posting and distribution of the list, the State
2 Board of Education shall also inform school districts that the
3 list is nonexhaustive and that a school district may include
4 additional days and dates on its locally created school
5 calendars based on community feedback or demographics.

6 The State Board of Education shall additionally distribute
7 the list each year to relevant associations or entities as
8 determined by the State Board of Education.

9 (Source: P.A. 104-115, eff. 8-1-25; revised 10-10-25.)

10 (105 ILCS 5/2-3.209)

11 Sec. 2-3.209 ~~2-3.206~~. Assessment reporting transparency.

12 (a) On or before July 1, 2025 and each fiscal year
13 thereafter, the State Board of Education shall report, for
14 each assessment contract the State Board of Education enters
15 into, all of the following:

16 (1) the effective date of the contract and the date
17 the contract concludes;

18 (2) whether the contract includes any renewal options
19 and, if so, the length and number of renewals;

20 (3) the total contract costs on a yearly basis; and

21 (4) the notice of communications with the vendor to
22 exercise renewal options.

23 (b) The State Board of Education shall compile the
24 information required under subsection (a) and make that
25 information available to the public on its Internet website.

1 (c) To further enhance the transparency around
2 assessments, the State Board of Education shall engage with
3 stakeholder groups, such as the committee appointed under
4 Section 2-3.64a-5 and the Balanced Accountability Measure
5 Committee created in Section 2-3.25a, other State Board of
6 Education established groups, such as the Technical Advisory
7 Committee, and any other relevant entities established after
8 August 15, 2025 (the effective date of Public Act 104-239)
9 ~~this amendatory Act of the 104th General Assembly.~~

10 (d) The State Board of Education may adopt any rules
11 necessary to carry out its responsibilities under this
12 Section.

13 (Source: P.A. 104-239, eff. 8-15-25; revised 10-10-25.)

14 (105 ILCS 5/2-3.210)

15 Sec. 2-3.210 ~~2-3.206~~. Career and technical education
16 opportunity list. By July 1, 2026, the State Board of
17 Education shall provide a form, posted publicly on its
18 website, for organizations to submit opportunities for high
19 school students to participate in externships, internships, or
20 volunteer work related to career and technical education
21 career pathways. The opportunities submitted shall be reviewed
22 and approved by the State Board of Education. The State Board
23 of Education shall post a list of approved opportunities on
24 its website and share the list with all school districts
25 annually.

1 By July 1, 2027 and by July 1 each year thereafter, the
2 State Board of Education shall compile and publish a report on
3 its website listing the total number of organizations that
4 submitted opportunities for high school students the previous
5 year as provided in this Section. The report shall be
6 disaggregated by the career areas under which each opportunity
7 fell.

8 (Source: P.A. 104-249, eff. 1-1-26; revised 10-10-25.)

9 (105 ILCS 5/2-3.211)

10 Sec. 2-3.211 ~~2-3.206~~. School district reorganization
11 feasibility studies; grant program.

12 (a) The State Board of Education may award grants to
13 school districts for the purpose of incentivizing those
14 districts to conduct reorganization feasibility studies.

15 (b) To be eligible for a grant under this Section, the
16 board of the school district that is applying for the grant
17 shall:

18 (1) negotiate a proposed agreement to secure the
19 services of a third-party ~~third-party~~ consultant who will
20 conduct the reorganization feasibility study;

21 (2) adopt a resolution that is signed by the board
22 president of the district and calls for the initiation of
23 a school district reorganization feasibility study in
24 accordance with the terms of the proposed agreement and
25 any rules adopted by the State Board of Education; and

1 (3) submit the completed agreement form, the signed
2 board resolution, and such other information as the State
3 Board of Education may, by administrative rule, require,
4 to the regional office of education or the executive
5 director of the intermediate service center for the
6 district for approval.

7 (c) Upon receipt of a complete application from a
8 district, the regional office of education or the executive
9 director of the intermediate service center shall either (i)
10 approve the agreement and send the agreement to the State
11 Board of Education or (ii) disapprove the agreement and return
12 the agreement to the district with a letter of explanation.

13 (d) From funds appropriated to it for that purpose, the
14 State Board of Education may award grants under this Section
15 to districts for which it receives an approved agreement under
16 subsection (c) for costs incurred by those districts to
17 conduct a reorganization feasibility study.

18 (e) To ensure that eligible districts are aware of the
19 grant-funding opportunities provided under this Section, the
20 State Board of Education shall annually notify the board and
21 superintendent of each school district in the State of the
22 availability of grant funds for the purpose of conducting
23 school district reorganization feasibility studies and shall
24 provide with that notice all of the following information:

25 (1) information concerning the procedures for applying
26 for grant funding under this Section during the next award

1 cycle;

2 (2) a description of the total dollar value of grant
3 funds that are available to be awarded during the next
4 award cycle; and

5 (3) a list of third-party consultants who have
6 experience conducting feasibility studies in Illinois.

7 (f) Every 2 years, each board that receives a notice under
8 subsection (e) may include the question of whether to pursue
9 grant funding under this Section as an action item on the
10 agenda at one of its meetings.

11 (g) When issuing grants under this Section, the State
12 Board of Education may provide a school district up to the
13 maximum reimbursement amount set by the State Board of
14 Education, for the purpose of covering all or part of the costs
15 borne by the school district to conduct a reorganization
16 feasibility study. In awarding grants under this Section, the
17 State Board of Education shall prioritize the awarding of
18 grants to districts that are contiguous with one another,
19 districts that have similar property tax rates, districts with
20 similar per-pupil adequacy funding, and, beginning in State
21 fiscal year 2030, other districts that have been identified as
22 priority districts by the State Board of Education pursuant to
23 rules adopted under subsection (i).

24 (h) No school district may be awarded a grant under this
25 Section in any 2 consecutive award cycles.

26 (i) The State Board of Education may adopt any rules it

1 deems necessary to implement and administer the program of
2 grant funding established under this Section, including, but
3 not limited to, rules establishing the criteria that must be
4 met by the third-party consultants who will perform the
5 feasibility studies described in this Section, rules
6 describing minimum criteria to be included in agreements
7 executed with the third-party consultants who will perform the
8 feasibility studies described in this Section, and, beginning
9 in State fiscal year 2030, rules identifying additional types
10 of school districts to be prioritized for grant funding under
11 this Section. In State fiscal year 2035, and every 5 years
12 thereafter, the State Board of Education shall reevaluate and,
13 if necessary, amend the rules identifying additional types of
14 school districts to be prioritized for grant funding under
15 this Section.

16 (Source: P.A. 104-257, eff. 8-15-25; revised 10-10-25.)

17 (105 ILCS 5/2-3.212)

18 Sec. 2-3.212 ~~2-3.206~~. Funding for homeless children and
19 youth.

20 (a) School districts shall report to the State Board of
21 Education, on an annual basis:

22 (1) the amount of funds received by each school
23 district in the preceding school year under 20 U.S.C.
24 6313(c) (3) (A);

25 (2) the amount of funds reserved by each school

1 district in the preceding school year to serve homeless
2 children and youth under 20 U.S.C. 6313(c) (3) (A);

3 (3) the number of homeless children and youth
4 identified and enrolled in each school district for that
5 same school year;

6 (4) the amount of such funds that were spent on
7 homeless children and youth; and

8 (5) the activities on which such funds were spent.

9 (b) The State Board of Education shall post the
10 information on the State Board's website.

11 (c) For the purposes of this Section, "homeless children
12 and youth" are defined as set forth in ~~in~~ 42 U.S.C. 11434a.

13 (Source: P.A. 104-302, eff. 1-1-26; revised 10-10-25.)

14 (105 ILCS 5/2-3.213)

15 Sec. 2-3.213 ~~2-3.206~~. American Sign Language
16 implementation. No later than July 1, 2026, the State Board of
17 Education shall encourage school districts to collect teaching
18 resources to support American Sign Language programs. The
19 teaching resources may include, but need not be limited to:

20 (1) the importance and benefits of American Sign
21 Language instruction for early ages and the prevalence of
22 American Sign Language in the United States;

23 (2) information on ways to implement American Sign
24 Language instruction into the kindergarten through grade 8
25 curriculum; and

1 (3) information on how to properly administer American
2 Sign Language instruction for students in kindergarten
3 through grade 8.

4 (Source: P.A. 104-399, eff. 1-1-26; revised 10-10-25.)

5 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)
6 Sec. 10-20.14. Student discipline policies; parent-teacher
7 advisory committee.

8 (a) To establish and maintain a parent-teacher advisory
9 committee to develop with the school board or governing body
10 of a charter school policy guidelines on student discipline,
11 including school searches and bullying prevention as set forth
12 in Section 22-110 of this Code. School authorities shall
13 furnish a copy of the policy to the parents or guardian of each
14 student within 15 days after the beginning of the school year,
15 or within 15 days after starting classes for a student who
16 transfers into the district during the school year, and the
17 school board or governing body of a charter school shall
18 require that a school inform its students of the contents of
19 the policy. School boards and the governing bodies of charter
20 schools, along with the parent-teacher advisory committee,
21 must annually review their student discipline policies and the
22 implementation of those policies and any other factors related
23 to the safety of their schools, students, and school
24 personnel.

25 (a-5) On or before September 15, 2016, each elementary and

1 secondary school and charter school shall, at a minimum, adopt
2 student discipline policies that fulfill the requirements set
3 forth in this Section, subsections (a) and (b) of Section
4 10-22.6 of this Code, Section 34-19 of this Code if
5 applicable, and federal and State laws that provide special
6 requirements for the discipline of students with disabilities.

7 (b) The parent-teacher advisory committee in cooperation
8 with local law enforcement agencies shall develop, with the
9 school board, policy guideline procedures to establish and
10 maintain a reciprocal reporting system between the school
11 district and local law enforcement agencies regarding criminal
12 and civil offenses committed by students. School districts are
13 encouraged to create memoranda of understanding with local law
14 enforcement agencies that clearly define law enforcement's
15 role in schools, in accordance with Sections 2-3.206 and
16 10-22.6 of this Code. In consultation with stakeholders deemed
17 appropriate by the State Board of Education, the State Board
18 of Education shall draft and publish guidance for the
19 development of reciprocal reporting systems in accordance with
20 this Section on or before July 1, 2025.

21 (c) The parent-teacher advisory committee, in cooperation
22 with school bus personnel, shall develop, with the school
23 board, policy guideline procedures to establish and maintain
24 school bus safety procedures. These procedures shall be
25 incorporated into the district's student discipline policy. In
26 consultation with stakeholders deemed appropriate by the State

1 Board of Education, the State Board of Education shall draft
2 and publish guidance for school bus safety procedures in
3 accordance with this Section on or before July 1, 2025.

4 (d) As used in this subsection (d), "evidence-based
5 intervention" means intervention that has demonstrated a
6 statistically significant effect on improving student outcomes
7 as documented in peer-reviewed scholarly journals.

8 The school board, in consultation with the parent-teacher
9 advisory committee and other community-based organizations,
10 must include provisions in the student discipline policy to
11 address students who have demonstrated behaviors that put them
12 at risk for aggressive behavior, including without limitation
13 bullying, as defined in the policy. These provisions must
14 include procedures for notifying parents or legal guardians
15 and intervention procedures based upon available
16 community-based and district resources.

17 In consultation with behavioral health experts, the State
18 Board of Education shall draft and publish guidance for
19 evidence-based intervention procedures, including examples, in
20 accordance with this Section on or before July 1, 2025.

21 (Source: P.A. 103-896, eff. 8-9-24; 104-391, eff. 8-15-25;
22 104-430, eff. 8-20-25; revised 9-12-25.)

23 (105 ILCS 5/10-22.3f)

24 (Text of Section before amendment by P.A. 104-446)

25 Sec. 10-22.3f. Required health benefits. Insurance

1 protection and benefits for employees shall provide the
2 post-mastectomy care benefits required to be covered by a
3 policy of accident and health insurance under Section 356t and
4 the coverage required under Sections 356g, 356g.5, 356g.5-1,
5 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a,
6 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14,
7 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,
8 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,
9 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60,
10 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,
11 356z.74, ~~and~~ 356z.77, 356z.79, and 356z.80, 356z.81, 356z.82,
12 356z.83, 356z.84, and 356z.85 of the Illinois Insurance Code.
13 Insurance policies shall comply with Section 356z.19 of the
14 Illinois Insurance Code. The coverage shall comply with
15 Sections 155.22a, 355b, and 370c and Article XXXIIB of the
16 Illinois Insurance Code. The Department of Insurance shall
17 enforce the requirements of this Section.

18 Rulemaking authority to implement Public Act 95-1045, if
19 any, is conditioned on the rules being adopted in accordance
20 with all provisions of the Illinois Administrative Procedure
21 Act and all rules and procedures of the Joint Committee on
22 Administrative Rules; any purported rule not so adopted, for
23 whatever reason, is unauthorized.

24 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
25 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
26 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,

1 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
2 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
3 6-9-25; 104-27, eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff.
4 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,
5 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;
6 revised 1-8-26.)

7 (Text of Section after amendment by P.A. 104-446)

8 Sec. 10-22.3f. Required health benefits. Insurance
9 protection and benefits for employees shall provide the
10 post-mastectomy care benefits required to be covered by a
11 policy of accident and health insurance under Section 356t and
12 the coverage required under Sections 356g, 356g.5, 356g.5-1,
13 356m, 356q, 356u, 356u.10, 356w, 356x, 356z.4, 356z.4a,
14 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14,
15 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.32,
16 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,
17 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60,
18 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, 356z.71,
19 356z.74, ~~and~~ 356z.77, 356z.79, and 356z.80, 356z.81, 356z.82,
20 356z.83, 356z.84, and 356z.85 of the Illinois Insurance Code.
21 Insurance policies shall comply with Section 356z.19 of the
22 Illinois Insurance Code. The coverage shall comply with
23 Sections 155.22a, 355b, 370c, and 370c.4 and Article XXXIIB of
24 the Illinois Insurance Code. The Department of Insurance shall
25 enforce the requirements of this Section.

1 Rulemaking authority to implement Public Act 95-1045, if
2 any, is conditioned on the rules being adopted in accordance
3 with all provisions of the Illinois Administrative Procedure
4 Act and all rules and procedures of the Joint Committee on
5 Administrative Rules; any purported rule not so adopted, for
6 whatever reason, is unauthorized.

7 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
8 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff.
9 8-11-23; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-718,
10 eff. 7-19-24; 103-751, eff. 8-2-24; 103-914, eff. 1-1-25;
11 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff.
12 6-9-25; 104-27, eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff.
13 1-1-26; 104-73, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324,
14 eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25;
15 104-446, eff. 6-1-26; revised 1-8-26.)

16 (105 ILCS 5/10-22.24b)

17 Sec. 10-22.24b. School counseling services. School
18 counseling services in public schools may be provided by
19 school counselors as defined in Section 10-22.24a of this Code
20 or by individuals who hold a Professional Educator License
21 with a school support personnel endorsement in the area of
22 school counseling under Section 21B-25 of this Code. School
23 counseling services provided under this Section shall address
24 the needs of all students, regardless of citizenship status.

25 School counseling services may include, but are not

1 limited to:

2 (1) designing and delivering a comprehensive school
3 counseling program through a standards-based,
4 data-informed program that promotes student achievement
5 and wellness;

6 (2) (blank);

7 (3) school counselors working as culturally skilled
8 professionals who act sensitively to promote social
9 justice and equity in a pluralistic society;

10 (4) providing individual and group counseling;

11 (5) providing a core counseling curriculum that serves
12 all students and addresses the knowledge and skills
13 appropriate to their developmental level through a
14 collaborative model of delivery involving the school
15 counselor, classroom teachers, and other appropriate
16 education professionals, and including prevention and
17 pre-referral activities;

18 (6) making referrals when necessary to appropriate
19 offices or outside agencies;

20 (7) providing college and career development
21 activities and counseling;

22 (8) developing individual career plans with students,
23 which includes planning for post-secondary education, as
24 appropriate, and engaging in related and relevant career
25 and technical education coursework in high school;

26 (9) assisting all students with a college or

1 post-secondary education plan, which must include a
2 discussion on all post-secondary education options,
3 including 4-year colleges or universities, community
4 colleges, and vocational schools, and includes planning
5 for post-secondary education, as appropriate, and engaging
6 in related and relevant career and technical education
7 coursework in high school;

8 (10) (blank);

9 (11) educating all students on scholarships, financial
10 aid, and preparation of the Federal Application for
11 Federal Student Aid;

12 (12) collaborating with institutions of higher
13 education and local community colleges so that students
14 understand post-secondary education options and are ready
15 to transition successfully;

16 (13) providing crisis intervention and contributing to
17 the development of a specific crisis plan within the
18 school setting in collaboration with multiple
19 stakeholders;

20 (14) providing educational opportunities for students,
21 teachers, and parents on mental health issues;

22 (15) providing counseling and other resources to
23 students who are in crisis;

24 (16) working to address barriers that prohibit or
25 limit access to mental health services;

26 (17) addressing bullying and conflict resolution with

1 all students;

2 (18) teaching communication skills and helping
3 students develop positive relationships;

4 (19) using culturally sensitive skills in working with
5 all students to promote wellness;

6 (20) working to address the needs of all students with
7 regard to citizenship status;

8 (21) (blank);

9 (22) providing academic, social-emotional, and college
10 and career supports to all students irrespective of
11 special education or Section 504 status;

12 (23) assisting students in goal setting and success
13 skills for classroom behavior, study skills, test
14 preparation, internal motivation, and intrinsic rewards;

15 (24) (blank);

16 (25) providing information for all students in the
17 selection of courses that will lead to post-secondary
18 education opportunities toward a successful career;

19 (26) interpreting achievement test results and guiding
20 students in appropriate directions;

21 (27) (blank);

22 (28) providing families with opportunities for
23 education and counseling as appropriate in relation to the
24 student's educational assessment;

25 (29) consulting and collaborating with teachers and
26 other school personnel regarding behavior management and

1 intervention plans and inclusion in support of students;

2 (30) teaming and partnering with staff, parents,
3 businesses, and community organizations to support student
4 achievement and social-emotional learning standards for
5 all students;

6 (31) developing and implementing school-based
7 prevention programs, including, but not limited to,
8 mediation and violence prevention, implementing social and
9 emotional education programs and services, and
10 establishing and implementing bullying prevention and
11 intervention programs;

12 (32) developing culturally sensitive assessment
13 instruments for measuring school counseling prevention and
14 intervention effectiveness and collecting, analyzing, and
15 interpreting data;

16 (33) participating on school and district committees
17 to advocate for student programs and resources, as well as
18 establishing a school counseling advisory council that
19 includes representatives of key stakeholders selected to
20 review and advise on the implementation of the school
21 counseling program;

22 (34) acting as a liaison between the public schools
23 and community resources and building relationships with
24 important stakeholders, such as families, administrators,
25 teachers, and board members;

26 (35) maintaining organized, clear, and useful records

1 in a confidential manner consistent with Section 5 of the
2 Illinois School Student Records Act, the Family
3 Educational Rights and Privacy Act, and the Health
4 Insurance Portability and Accountability Act;

5 (36) presenting an annual agreement to the
6 administration, including a formal discussion of the
7 alignment of school and school counseling program missions
8 and goals and detailing specific school counselor
9 responsibilities;

10 (37) identifying and implementing culturally sensitive
11 measures of success for student competencies in each of
12 the 3 domains of academic, social and emotional, and
13 college and career learning based on planned and periodic
14 assessment of the comprehensive developmental school
15 counseling program;

16 (38) collaborating as a team member in Multi-Tiered
17 Systems of Support and other school initiatives;

18 (39) conducting observations and participating in
19 recommendations or interventions regarding the placement
20 of children in educational programs or special education
21 classes;

22 (40) analyzing data and results of school counseling
23 program assessments, including curriculum, small-group,
24 and closing-the-gap results reports, and designing
25 strategies to continue to improve program effectiveness;

26 (41) analyzing data and results of school counselor

1 competency assessments;

2 (42) following American School Counselor Association
3 Ethical Standards for School Counselors to demonstrate
4 high standards of integrity, leadership, and
5 professionalism;

6 (43) using student competencies to assess student
7 growth and development to inform decisions regarding
8 strategies, activities, and services that help students
9 achieve the highest academic level possible;

10 (44) practicing as a culturally skilled school
11 counselor by infusing the multicultural competencies
12 within the role of the school counselor, including the
13 practice of culturally sensitive attitudes and beliefs,
14 knowledge, and skills;

15 (45) infusing the Social-Emotional Standards, as
16 presented in the State Board of Education standards,
17 across the curriculum and in the counselor's role in ways
18 that empower and enable students to achieve academic
19 success across all grade levels;

20 (46) providing services only in areas in which the
21 school counselor has appropriate training or expertise, as
22 well as only providing counseling or consulting services
23 within his or her employment to any student in the
24 district or districts which employ such school counselor,
25 in accordance with professional ethics;

26 (47) having adequate training in supervision knowledge

1 and skills in order to supervise school counseling interns
2 enrolled in graduate school counselor preparation programs
3 that meet the standards established by the State Board of
4 Education;

5 (48) being involved with State and national
6 professional associations;

7 (49) complete the required training as outlined in
8 Section 10-22.39;

9 (50) (blank);

10 (51) (blank);

11 (52) (blank);

12 (53) (blank);

13 (54) (blank); and

14 (55) promoting career and technical education by
15 assisting each student to determine an appropriate
16 postsecondary plan based upon the student's skills,
17 strengths, and goals and assisting the student to
18 implement the best practices that improve career or
19 workforce readiness after high school.

20 School districts may employ a sufficient number of school
21 counselors to maintain the national and State recommended
22 student-counselor ratio of 250 to 1. School districts may have
23 school counselors spend at least 80% of their ~~his or her~~ work
24 time in direct contact with students.

25 Nothing in this Section prohibits other qualified
26 professionals, including other endorsed school support

1 personnel, from providing the services listed in this Section.
2 (Source: P.A. 103-154, eff. 6-30-23; 103-542, eff. 7-1-24 (see
3 Section 905 of P.A. 103-563 for effective date of P.A.
4 103-542; 103-780, eff. 8-2-24; 104-353, eff. 8-15-25; 104-417,
5 eff. 8-15-25; revised 12-12-25.)

6 (105 ILCS 5/14-8.02)

7 Sec. 14-8.02. Identification, evaluation, and placement of
8 children.

9 (a) The State Board of Education shall make rules under
10 which local school boards shall determine the eligibility of
11 children to receive special education. Such rules shall ensure
12 that a free appropriate public education be available to all
13 children with disabilities as defined in Section 14-1.02. The
14 State Board of Education shall require local school districts
15 to administer non-discriminatory procedures or tests to
16 English learners coming from homes in which a language other
17 than English is used to determine their eligibility to receive
18 special education. The placement of low English proficiency
19 students in special education programs and facilities shall be
20 made in accordance with the test results reflecting the
21 student's linguistic, cultural and special education needs.
22 For purposes of determining the eligibility of children the
23 State Board of Education shall include in the rules
24 definitions of "case study", "staff conference",
25 "individualized educational program", and "qualified

1 specialist" appropriate to each category of children with
2 disabilities as defined in this Article. For purposes of
3 determining the eligibility of children from homes in which a
4 language other than English is used, the State Board of
5 Education shall include in the rules definitions for
6 "qualified bilingual specialists" and "linguistically and
7 culturally appropriate individualized educational programs".
8 For purposes of this Section, as well as Sections 14-8.02a,
9 14-8.02b, and 14-8.02c of this Code, "parent" means a parent
10 as defined in the federal Individuals with Disabilities
11 Education Act (20 U.S.C. 1401(23)).

12 (b) No child shall be eligible for special education
13 facilities except with a carefully completed case study fully
14 reviewed by professional personnel in a multidisciplinary
15 staff conference and only upon the recommendation of qualified
16 specialists or a qualified bilingual specialist, if available.
17 At the conclusion of the multidisciplinary staff conference,
18 the parent of the child and, if the child is in the legal
19 custody of the Department of Children and Family Services, the
20 Department's Office of Education and Transition Services shall
21 be given a copy of the multidisciplinary conference summary
22 report and recommendations, which includes options considered,
23 and, in the case of the parent, be informed of his or her right
24 to obtain an independent educational evaluation if he or she
25 disagrees with the evaluation findings conducted or obtained
26 by the school district. If the school district's evaluation is

1 shown to be inappropriate, the school district shall reimburse
2 the parent for the cost of the independent evaluation. The
3 State Board of Education shall, with advice from the State
4 Advisory Council on Education of Children with Disabilities on
5 the inclusion of specific independent educational evaluators,
6 prepare a list of suggested independent educational
7 evaluators. The State Board of Education shall include on the
8 list clinical psychologists licensed pursuant to the Clinical
9 Psychologist Licensing Act. Such psychologists shall not be
10 paid fees in excess of the amount that would be received by a
11 school psychologist for performing the same services. The
12 State Board of Education shall supply school districts with
13 such list and make the list available to parents at their
14 request. School districts shall make the list available to
15 parents at the time they are informed of their right to obtain
16 an independent educational evaluation. However, the school
17 district may initiate an impartial due process hearing under
18 this Section within 7 school days of any written parent
19 request for an independent educational evaluation to show that
20 its evaluation is appropriate. If the final decision is that
21 the evaluation is appropriate, the parent still has a right to
22 an independent educational evaluation, but not at public
23 expense. An independent educational evaluation at public
24 expense must be completed within 60 school days of a parent's
25 written request unless the school district initiates an
26 impartial due process hearing or the parent or school district

1 offers reasonable grounds to show that such time period should
2 be extended. If the due process hearing decision indicates
3 that the parent is entitled to an independent educational
4 evaluation, it must be completed within 60 school days of the
5 decision unless the parent or the school district offers
6 reasonable grounds to show that such period should be
7 extended. If a parent disagrees with the summary report or
8 recommendations of the multidisciplinary conference or the
9 findings of any educational evaluation which results
10 therefrom, the school district shall not proceed with a
11 placement based upon such evaluation and the child shall
12 remain in his or her regular classroom setting. No child shall
13 be eligible for admission to a special class for children with
14 a mental disability who are educable or for children with a
15 mental disability who are trainable except with a
16 psychological evaluation and recommendation by a school
17 psychologist. Consent shall be obtained from the parent of a
18 child before any evaluation is conducted. If consent is not
19 given by the parent or if the parent disagrees with the
20 findings of the evaluation, then the school district may
21 initiate an impartial due process hearing under this Section.
22 The school district may evaluate the child if that is the
23 decision resulting from the impartial due process hearing and
24 the decision is not appealed or if the decision is affirmed on
25 appeal. The determination of eligibility shall be made and the
26 IEP meeting shall be completed within 60 school days from the

1 date of written parental consent. In those instances when
2 written parental consent is obtained with fewer than 60 pupil
3 attendance days left in the school year, the eligibility
4 determination shall be made and the IEP meeting shall be
5 completed prior to the first day of the following school year.
6 Special education and related services must be provided in
7 accordance with the student's IEP no later than 10 school
8 attendance days after notice is provided to the parents
9 pursuant to Section 300.503 of Title 34 of the Code of Federal
10 Regulations and implementing rules adopted by the State Board
11 of Education. The appropriate program pursuant to the
12 individualized educational program of students whose native
13 tongue is a language other than English shall reflect the
14 special education, cultural and linguistic needs. No later
15 than September 1, 1993, the State Board of Education shall
16 establish standards for the development, implementation and
17 monitoring of appropriate bilingual special individualized
18 educational programs. The State Board of Education shall
19 further incorporate appropriate monitoring procedures to
20 verify implementation of these standards. The district shall
21 indicate to the parent, the State Board of Education, and, if
22 applicable, the Department's Office of Education and
23 Transition Services the nature of the services the child will
24 receive for the regular school term while awaiting placement
25 in the appropriate special education class. At the child's
26 initial IEP meeting and at each annual review meeting, the

1 child's IEP team shall provide the child's parent or guardian
2 and, if applicable, the Department's Office of Education and
3 Transition Services with a written notification that informs
4 the parent or guardian or the Department's Office of Education
5 and Transition Services that the IEP team is required to
6 consider whether the child requires assistive technology in
7 order to receive free, appropriate public education. The
8 notification must also include a toll-free telephone number
9 and internet address for the State's assistive technology
10 program.

11 If the child is deaf, hard of hearing, blind, or visually
12 impaired or has an orthopedic impairment or physical
13 disability and he or she might be eligible to receive services
14 from the Illinois School for the Deaf, the Illinois School for
15 the Visually Impaired, the Illinois Center for Rehabilitation
16 and Education-Wood, or the Illinois Center for Rehabilitation
17 and Education-Roosevelt, the school district shall notify the
18 parents, in writing, of the existence of these schools and the
19 services they provide and shall make a reasonable effort to
20 inform the parents of the existence of other, local schools
21 that provide similar services and the services that these
22 other schools provide. This notification shall include,
23 without limitation, information on school services, school
24 admissions criteria, and school contact information.

25 In the development of the individualized education program
26 for a student who has a disability on the autism spectrum

1 (which includes autistic disorder, Asperger's disorder,
2 pervasive developmental disorder not otherwise specified,
3 childhood disintegrative disorder, and Rett Syndrome, as
4 defined in the Diagnostic and Statistical Manual of Mental
5 Disorders, fourth edition (DSM-IV, 2000)), the IEP team shall
6 consider all of the following factors:

7 (1) The verbal and nonverbal communication needs of
8 the child.

9 (2) The need to develop social interaction skills and
10 proficiencies.

11 (3) The needs resulting from the child's unusual
12 responses to sensory experiences.

13 (4) The needs resulting from resistance to
14 environmental change or change in daily routines.

15 (5) The needs resulting from engagement in repetitive
16 activities and stereotyped movements.

17 (6) The need for any positive behavioral
18 interventions, strategies, and supports to address any
19 behavioral difficulties resulting from autism spectrum
20 disorder.

21 (7) Other needs resulting from the child's disability
22 that impact progress in the general curriculum, including
23 social and emotional development.

24 Public Act 95-257 does not create any new entitlement to a
25 service, program, or benefit, but must not affect any
26 entitlement to a service, program, or benefit created by any

1 other law.

2 If the student may be eligible to participate in the
3 Home-Based Support Services Program for Adults with Mental
4 Disabilities authorized under the Developmental Disability and
5 Mental Disability Services Act upon becoming an adult, the
6 student's individualized education program shall include plans
7 for (i) determining the student's eligibility for those
8 home-based services, (ii) enrolling the student in the program
9 of home-based services, and (iii) developing a plan for the
10 student's most effective use of the home-based services after
11 the student becomes an adult and no longer receives special
12 educational services under this Article. The plans developed
13 under this paragraph shall include specific actions to be
14 taken by specified individuals, agencies, or officials.

15 (c) In the development of the individualized education
16 program for a student who is functionally blind, it shall be
17 presumed that proficiency in Braille reading and writing is
18 essential for the student's satisfactory educational progress.
19 For purposes of this subsection, the State Board of Education
20 shall determine the criteria for a student to be classified as
21 functionally blind. Students who are not currently identified
22 as functionally blind who are also entitled to Braille
23 instruction include: (i) those whose vision loss is so severe
24 that they are unable to read and write at a level comparable to
25 their peers solely through the use of vision, and (ii) those
26 who show evidence of progressive vision loss that may result

1 in functional blindness. Each student who is functionally
2 blind shall be entitled to Braille reading and writing
3 instruction that is sufficient to enable the student to
4 communicate with the same level of proficiency as other
5 students of comparable ability. Instruction should be provided
6 to the extent that the student is physically and cognitively
7 able to use Braille. Braille instruction may be used in
8 combination with other special education services appropriate
9 to the student's educational needs. The assessment of each
10 student who is functionally blind for the purpose of
11 developing the student's individualized education program
12 shall include documentation of the student's strengths and
13 weaknesses in Braille skills. Each person assisting in the
14 development of the individualized education program for a
15 student who is functionally blind shall receive information
16 describing the benefits of Braille instruction. The
17 individualized education program for each student who is
18 functionally blind shall specify the appropriate learning
19 medium or media based on the assessment report.

20 (d) To the maximum extent appropriate, the placement shall
21 provide the child with the opportunity to be educated with
22 children who do not have a disability; provided that children
23 with disabilities who are recommended to be placed into
24 regular education classrooms are provided with supplementary
25 services to assist the children with disabilities to benefit
26 from the regular classroom instruction and are included on the

1 teacher's regular education class register. Subject to the
2 limitation of the preceding sentence, placement in special
3 classes, separate schools or other removal of the child with a
4 disability from the regular educational environment shall
5 occur only when the nature of the severity of the disability is
6 such that education in the regular classes with the use of
7 supplementary aids and services cannot be achieved
8 satisfactorily. The placement of English learners with
9 disabilities shall be in non-restrictive environments which
10 provide for integration with peers who do not have
11 disabilities in bilingual classrooms. Annually, each January,
12 school districts shall report data on students from
13 non-English speaking backgrounds receiving special education
14 and related services in public and private facilities as
15 prescribed in Section 2-3.30. If there is a disagreement
16 between parties involved regarding the special education
17 placement of any child, either in-state or out-of-state, the
18 placement is subject to impartial due process procedures
19 described in Article 10 of the Rules and Regulations to Govern
20 the Administration and Operation of Special Education.

21 (e) No child who comes from a home in which a language
22 other than English is the principal language used may be
23 assigned to any class or program under this Article until he
24 has been given, in the principal language used by the child and
25 used in his home, tests reasonably related to his cultural
26 environment. All testing and evaluation materials and

1 procedures utilized for evaluation and placement shall not be
2 linguistically, racially or culturally discriminatory.

3 (f) Nothing in this Article shall be construed to require
4 any child to undergo any physical examination or medical
5 treatment whose parents object thereto on the grounds that
6 such examination or treatment conflicts with his religious
7 beliefs.

8 (g) School boards or their designee shall provide to the
9 parents of a child or, if applicable, the Department of
10 Children and Family Services' Office of Education and
11 Transition Services prior written notice of any decision (a)
12 proposing to initiate or change, or (b) refusing to initiate
13 or change, the identification, evaluation, or educational
14 placement of the child or the provision of a free appropriate
15 public education to their child, and the reasons therefor. For
16 a parent, such written notification shall also inform the
17 parent of the opportunity to present complaints with respect
18 to any matter relating to the educational placement of the
19 student, or the provision of a free appropriate public
20 education and to have an impartial due process hearing on the
21 complaint. The notice shall inform the parents in the parents'
22 native language, unless it is clearly not feasible to do so, of
23 their rights and all procedures available pursuant to this Act
24 and the federal Individuals with Disabilities Education
25 Improvement Act of 2004 (Public Law 108-446); it shall be the
26 responsibility of the State Superintendent to develop uniform

1 notices setting forth the procedures available under this Act
2 and the federal Individuals with Disabilities Education
3 Improvement Act of 2004 (Public Law 108-446) to be used by all
4 school boards. The notice shall also inform the parents of the
5 availability upon request of a list of free or low-cost legal
6 and other relevant services available locally to assist
7 parents in initiating an impartial due process hearing. The
8 State Superintendent shall revise the uniform notices required
9 by this subsection (g) to reflect current law and procedures
10 at least once every 2 years. Any parent who is deaf or does not
11 normally communicate using spoken English and who participates
12 in a meeting with a representative of a local educational
13 agency for the purposes of developing an individualized
14 educational program or attends a multidisciplinary conference
15 shall be entitled to the services of an interpreter. The State
16 Board of Education must adopt rules to establish the criteria,
17 standards, and competencies for a bilingual language
18 interpreter who attends an individualized education program
19 meeting under this subsection to assist a parent who has
20 limited English proficiency.

21 (g-5) For purposes of this subsection (g-5), "qualified
22 professional" means an individual who holds credentials to
23 evaluate the child in the domain or domains for which an
24 evaluation is sought or an intern working under the direct
25 supervision of a qualified professional, including a master's
26 or doctoral degree candidate.

1 To ensure that a parent can participate fully and
2 effectively with school personnel in the development of
3 appropriate educational and related services for his or her
4 child, the parent, an independent educational evaluator, or a
5 qualified professional retained by or on behalf of a parent or
6 child must be afforded reasonable access to educational
7 facilities, personnel, classrooms, and buildings and to the
8 child as provided in this subsection (g-5). The requirements
9 of this subsection (g-5) apply to any public school facility,
10 building, or program and to any facility, building, or program
11 supported in whole or in part by public funds. Prior to
12 visiting a school, school building, or school facility, the
13 parent, independent educational evaluator, or qualified
14 professional may be required by the school district to inform
15 the building principal or supervisor in writing of the
16 proposed visit, the purpose of the visit, and the approximate
17 duration of the visit. The visitor and the school district
18 shall arrange the visit or visits at times that are mutually
19 agreeable. Visitors shall comply with school safety, security,
20 and visitation policies at all times. School district
21 visitation policies must not conflict with this subsection
22 (g-5). Visitors shall be required to comply with the
23 requirements of applicable privacy laws, including those laws
24 protecting the confidentiality of education records such as
25 the federal Family Educational Rights and Privacy Act and the
26 Illinois School Student Records Act. The visitor shall not

1 disrupt the educational process.

2 (1) A parent must be afforded reasonable access of
3 sufficient duration and scope for the purpose of observing
4 his or her child in the child's current educational
5 placement, services, or program or for the purpose of
6 visiting an educational placement or program proposed for
7 the child.

8 (2) An independent educational evaluator or a
9 qualified professional retained by or on behalf of a
10 parent or child must be afforded reasonable access of
11 sufficient duration and scope for the purpose of
12 conducting an evaluation of the child, the child's
13 performance, the child's current educational program,
14 placement, services, or environment, or any educational
15 program, placement, services, or environment proposed for
16 the child, including interviews of educational personnel,
17 child observations, assessments, tests or assessments of
18 the child's educational program, services, or placement or
19 of any proposed educational program, services, or
20 placement. If one or more interviews of school personnel
21 are part of the evaluation, the interviews must be
22 conducted at a mutually agreed-upon time, date, and place
23 that do not interfere with the school employee's school
24 duties. The school district may limit interviews to
25 personnel having information relevant to the child's
26 current educational services, program, or placement or to

1 a proposed educational service, program, or placement.

2 (h) In the development of the individualized education
3 program or federal Section 504 plan for a student, if the
4 student needs extra accommodation during emergencies,
5 including natural disasters or an active shooter situation,
6 then that accommodation shall be taken into account when
7 developing the student's individualized education program or
8 federal Section 504 plan.

9 (Source: P.A. 103-197, eff. 1-1-24; 103-605, eff. 7-1-24;
10 104-270, eff. 8-15-25; 104-368, eff. 1-1-26; revised 9-12-25.)

11 (105 ILCS 5/18-8.15)

12 Sec. 18-8.15. Evidence-Based Funding for student success
13 for the 2017-2018 and subsequent school years.

14 (a) General provisions.

15 (1) The purpose of this Section is to ensure that, by
16 June 30, 2027 and beyond, this State has a kindergarten
17 through grade 12 public education system with the capacity
18 to ensure the educational development of all persons to
19 the limits of their capacities in accordance with Section
20 1 of Article X of the Constitution of the State of
21 Illinois. To accomplish that objective, this Section
22 creates a method of funding public education that is
23 evidence-based; is sufficient to ensure every student
24 receives a meaningful opportunity to learn irrespective of
25 race, ethnicity, sexual orientation, gender, or

1 community-income level; and is sustainable and
2 predictable. When fully funded under this Section, every
3 school shall have the resources, based on what the
4 evidence indicates is needed, to:

5 (A) provide all students with a high quality
6 education that offers the academic, enrichment, social
7 and emotional support, technical, and career-focused
8 programs that will allow them to become competitive
9 workers, responsible parents, productive citizens of
10 this State, and active members of our national
11 democracy;

12 (B) ensure all students receive the education they
13 need to graduate from high school with the skills
14 required to pursue post-secondary education and
15 training for a rewarding career;

16 (C) reduce, with a goal of eliminating, the
17 achievement gap between at-risk and non-at-risk
18 students by raising the performance of at-risk
19 students and not by reducing standards; and

20 (D) ensure this State satisfies its obligation to
21 assume the primary responsibility to fund public
22 education and simultaneously relieve the
23 disproportionate burden placed on local property taxes
24 to fund schools.

25 (2) The Evidence-Based Funding formula under this
26 Section shall be applied to all Organizational Units in

1 this State. The Evidence-Based Funding formula outlined in
2 this Act is based on the formula outlined in Senate Bill 1
3 of the 100th General Assembly, as passed by both
4 legislative chambers. As further defined and described in
5 this Section, there are 4 major components of the
6 Evidence-Based Funding model:

7 (A) First, the model calculates a unique Adequacy
8 Target for each Organizational Unit in this State that
9 considers the costs to implement research-based
10 activities, the unit's student demographics, and
11 regional wage differences.

12 (B) Second, the model calculates each
13 Organizational Unit's Local Capacity, or the amount
14 each Organizational Unit is assumed to contribute
15 toward its Adequacy Target from local resources.

16 (C) Third, the model calculates how much funding
17 the State currently contributes to the Organizational
18 Unit and adds that to the unit's Local Capacity to
19 determine the unit's overall current adequacy of
20 funding.

21 (D) Finally, the model's distribution method
22 allocates new State funding to those Organizational
23 Units that are least well-funded, considering both
24 Local Capacity and State funding, in relation to their
25 Adequacy Target.

26 (3) An Organizational Unit receiving any funding under

1 this Section may apply those funds to any fund so received
2 for which that Organizational Unit is authorized to make
3 expenditures by law.

4 (4) As used in this Section, the following terms shall
5 have the meanings ascribed in this paragraph (4):

6 "Adequacy Target" is defined in paragraph (1) of
7 subsection (b) of this Section.

8 "Adjusted EAV" is defined in paragraph (4) of
9 subsection (d) of this Section.

10 "Adjusted Local Capacity Target" is defined in
11 paragraph (3) of subsection (c) of this Section.

12 "Adjusted Operating Tax Rate" means a tax rate for all
13 Organizational Units, for which the State Superintendent
14 shall calculate and subtract for the Operating Tax Rate a
15 transportation rate based on total expenses for
16 transportation services under this Code, as reported on
17 the most recent Annual Financial Report in Pupil
18 Transportation Services, function 2550 in both the
19 Education and Transportation funds and functions 4110 and
20 4120 in the Transportation fund, less any corresponding
21 fiscal year State of Illinois scheduled payments excluding
22 net adjustments for prior years for regular, vocational,
23 or special education transportation reimbursement pursuant
24 to Section 29-5 or subsection (b) of Section 14-13.01 of
25 this Code divided by the Adjusted EAV. If an
26 Organizational Unit's corresponding fiscal year State of

1 Illinois scheduled payments excluding net adjustments for
2 prior years for regular, vocational, or special education
3 transportation reimbursement pursuant to Section 29-5 or
4 subsection (b) of Section 14-13.01 of this Code exceed the
5 total transportation expenses, as defined in this
6 paragraph, no transportation rate shall be subtracted from
7 the Operating Tax Rate.

8 "Allocation Rate" is defined in paragraph (3) of
9 subsection (g) of this Section.

10 "Alternative School" means a public school that is
11 created and operated by a regional superintendent of
12 schools and approved by the State Board.

13 "Applicable Tax Rate" is defined in paragraph (1) of
14 subsection (d) of this Section.

15 "Assessment" means any of those benchmark, progress
16 monitoring, formative, diagnostic, and other assessments,
17 in addition to the State accountability assessment, that
18 assist teachers' needs in understanding the skills and
19 meeting the needs of the students they serve.

20 "Assistant principal" means a school administrator
21 duly endorsed to be employed as an assistant principal in
22 this State.

23 "At-risk student" means a student who is at risk of
24 not meeting the Illinois Learning Standards or not
25 graduating from elementary or high school and who
26 demonstrates a need for vocational support or social

1 services beyond that provided by the regular school
2 program. All students included in an Organizational Unit's
3 Low-Income Count, as well as all English learner and
4 disabled students attending the Organizational Unit, shall
5 be considered at-risk students under this Section.

6 "Average Student Enrollment" or "ASE" for fiscal year
7 2018 means, for an Organizational Unit, the greater of the
8 average number of students (grades K through 12) reported
9 to the State Board as enrolled in the Organizational Unit
10 on October 1 in the immediately preceding school year,
11 plus the pre-kindergarten students who receive special
12 education services of 2 or more hours a day as reported to
13 the State Board on December 1 in the immediately preceding
14 school year, or the average number of students (grades K
15 through 12) reported to the State Board as enrolled in the
16 Organizational Unit on October 1, plus the
17 pre-kindergarten students who receive special education
18 services of 2 or more hours a day as reported to the State
19 Board on December 1, for each of the immediately preceding
20 3 school years. For fiscal year 2019 and each subsequent
21 fiscal year, "Average Student Enrollment" or "ASE" means,
22 for an Organizational Unit, the greater of the average
23 number of students (grades K through 12) reported to the
24 State Board as enrolled in the Organizational Unit on
25 October 1 and March 1 in the immediately preceding school
26 year, plus the pre-kindergarten students who receive

1 special education services as reported to the State Board
2 on October 1 and March 1 in the immediately preceding
3 school year, or the average number of students (grades K
4 through 12) reported to the State Board as enrolled in the
5 Organizational Unit on October 1 and March 1, plus the
6 pre-kindergarten students who receive special education
7 services as reported to the State Board on October 1 and
8 March 1, for each of the immediately preceding 3 school
9 years. For the purposes of this definition, "enrolled in
10 the Organizational Unit" means the number of students
11 reported to the State Board who are enrolled in schools
12 within the Organizational Unit that the student attends or
13 would attend if not placed or transferred to another
14 school or program to receive needed services. For the
15 purposes of calculating "ASE", all students, grades K
16 through 12, excluding those attending kindergarten for a
17 half day and students attending an alternative education
18 program operated by a regional office of education or
19 intermediate service center, shall be counted as 1.0. All
20 students attending kindergarten for a half day shall be
21 counted as 0.5, unless in 2017 by June 15 or by March 1 in
22 subsequent years, the school district reports to the State
23 Board of Education the intent to implement full-day
24 kindergarten district-wide for all students, then all
25 students attending kindergarten shall be counted as 1.0.
26 Special education pre-kindergarten students shall be

1 counted as 0.5 each. If the State Board does not collect or
2 has not collected both an October 1 and March 1 enrollment
3 count by grade or a December 1 collection of special
4 education pre-kindergarten students as of August 31, 2017
5 (the effective date of Public Act 100-465), it shall
6 establish such collection for all future years. For any
7 year in which a count by grade level was collected only
8 once, that count shall be used as the single count
9 available for computing a 3-year average ASE. Funding for
10 programs operated by a regional office of education or an
11 intermediate service center must be calculated using the
12 Evidence-Based Funding formula under this Section for the
13 2019-2020 school year and each subsequent school year
14 until separate adequacy formulas are developed and adopted
15 for each type of program. ASE for a program operated by a
16 regional office of education or an intermediate service
17 center must be determined by the March 1 enrollment for
18 the program. For the 2019-2020 school year, the ASE used
19 in the calculation must be the first-year ASE and, in that
20 year only, the assignment of students served by a regional
21 office of education or intermediate service center shall
22 not result in a reduction of the March enrollment for any
23 school district. For the 2020-2021 school year, the ASE
24 must be the greater of the current-year ASE or the 2-year
25 average ASE. Beginning with the 2021-2022 school year, the
26 ASE must be the greater of the current-year ASE or the

1 3-year average ASE. School districts shall submit the data
2 for the ASE calculation to the State Board within 45 days
3 of the dates required in this Section for submission of
4 enrollment data in order for it to be included in the ASE
5 calculation. For fiscal year 2018 only, the ASE
6 calculation shall include only enrollment taken on October
7 1. In recognition of the impact of COVID-19, the
8 definition of "Average Student Enrollment" or "ASE" shall
9 be adjusted for calculations under this Section for fiscal
10 years 2022 through 2024. For fiscal years 2022 through
11 2024, the enrollment used in the calculation of ASE
12 representing the 2020-2021 school year shall be the
13 greater of the enrollment for the 2020-2021 school year or
14 the 2019-2020 school year.

15 "Base Funding Guarantee" is defined in paragraph (10)
16 of subsection (g) of this Section.

17 "Base Funding Minimum" is defined in subsection (e) of
18 this Section.

19 "Base Tax Year" means the property tax levy year used
20 to calculate the Budget Year allocation of primary State
21 aid.

22 "Base Tax Year's Extension" means the product of the
23 equalized assessed valuation utilized by the county clerk
24 in the Base Tax Year multiplied by the limiting rate as
25 calculated by the county clerk and defined in PTELL.

26 "Bilingual Education Allocation" means the amount of

1 an Organizational Unit's final Adequacy Target
2 attributable to bilingual education divided by the
3 Organizational Unit's final Adequacy Target, the product
4 of which shall be multiplied by the amount of new funding
5 received pursuant to this Section. An Organizational
6 Unit's final Adequacy Target attributable to bilingual
7 education shall include all additional investments in
8 English learner students' adequacy elements.

9 "Budget Year" means the school year for which primary
10 State aid is calculated and awarded under this Section.

11 "Central office" means individual administrators and
12 support service personnel charged with managing the
13 instructional programs, business and operations, and
14 security of the Organizational Unit.

15 "Comparable Wage Index" or "CWI" means a regional cost
16 differentiation metric that measures systemic, regional
17 variations in the salaries of college graduates who are
18 not educators. The CWI utilized for this Section shall,
19 for the first 3 years of Evidence-Based Funding
20 implementation, be the CWI initially developed by the
21 National Center for Education Statistics, as most recently
22 updated by Texas A & M University. In the fourth and
23 subsequent years of Evidence-Based Funding implementation,
24 the State Superintendent shall re-determine the CWI using
25 the methodology identified in a comparable wage index
26 study developed by the University of Illinois, with

1 adjustments made no less frequently than once every 5
2 years.

3 "Computer technology and equipment" means computers
4 servers, notebooks, network equipment, copiers, printers,
5 instructional software, security software, curriculum
6 management courseware, and other similar materials and
7 equipment.

8 "Computer technology and equipment investment
9 allocation" means the final Adequacy Target amount of an
10 Organizational Unit assigned to Tier 1 or Tier 2 in the
11 prior school year attributable to the additional \$285.50
12 per student computer technology and equipment investment
13 grant divided by the Organizational Unit's final Adequacy
14 Target, the result of which shall be multiplied by the
15 amount of new funding received pursuant to this Section.
16 An Organizational Unit assigned to a Tier 1 or Tier 2 final
17 Adequacy Target attributable to the received computer
18 technology and equipment investment grant shall include
19 all additional investments in computer technology and
20 equipment adequacy elements.

21 "Core subject" means mathematics; science; reading,
22 English, writing, and language arts; history and social
23 studies; world languages; and subjects taught as Advanced
24 Placement in high schools.

25 "Core teacher" means a regular classroom teacher in
26 elementary schools and teachers of a core subject in

1 middle and high schools.

2 "Core Intervention teacher (tutor)" means a licensed
3 teacher providing one-on-one or small group tutoring to
4 students struggling to meet proficiency in core subjects.

5 "CPPRT" means corporate personal property replacement
6 tax funds paid to an Organizational Unit during the
7 calendar year one year before the calendar year in which a
8 school year begins, pursuant to "An Act in relation to the
9 abolition of ad valorem personal property tax and the
10 replacement of revenues lost thereby, and amending and
11 repealing certain Acts and parts of Acts in connection
12 therewith", certified August 14, 1979, as amended (Public
13 Act 81-1st S.S.-1).

14 "EAV" means equalized assessed valuation as defined in
15 paragraph (2) of subsection (d) of this Section and
16 calculated in accordance with paragraph (3) of subsection
17 (d) of this Section.

18 "ECI" means the Bureau of Labor Statistics' national
19 employment cost index for civilian workers in educational
20 services in elementary and secondary schools on a
21 cumulative basis for the 12-month calendar year preceding
22 the fiscal year of the Evidence-Based Funding calculation.

23 "EIS Data" means the employment information system
24 data maintained by the State Board on educators within
25 Organizational Units.

26 "Employee benefits" means health, dental, and vision

1 insurance offered to employees of an Organizational Unit,
2 the costs associated with the statutorily required payment
3 of the normal cost of the Organizational Unit's teacher
4 pensions, Social Security employer contributions, and
5 Illinois Municipal Retirement Fund employer contributions.

6 "English learner" or "EL" means a child included in
7 the definition of "English learners" under Section 14C-2
8 of this Code participating in a program of transitional
9 bilingual education or a transitional program of
10 instruction meeting the requirements and program
11 application procedures of Article 14C of this Code. For
12 the purposes of collecting the number of EL students
13 enrolled, the same collection and calculation methodology
14 as defined above for "ASE" shall apply to English
15 learners, with the exception that EL student enrollment
16 shall include students in grades pre-kindergarten through
17 12.

18 "Essential Elements" means those elements, resources,
19 and educational programs that have been identified through
20 academic research as necessary to improve student success,
21 improve academic performance, close achievement gaps, and
22 provide for other per student costs related to the
23 delivery and leadership of the Organizational Unit, as
24 well as the maintenance and operations of the unit, and
25 which are specified in paragraph (2) of subsection (b) of
26 this Section.

1 "Evidence-Based Funding" means State funding provided
2 to an Organizational Unit pursuant to this Section.

3 "Extended day" means academic and enrichment programs
4 provided to students outside the regular school day before
5 and after school or during non-instructional times during
6 the school day.

7 "Extension Limitation Ratio" means a numerical ratio
8 in which the numerator is the Base Tax Year's Extension
9 and the denominator is the Preceding Tax Year's Extension.

10 "Final Percent of Adequacy" is defined in paragraph
11 (4) of subsection (f) of this Section.

12 "Final Resources" is defined in paragraph (3) of
13 subsection (f) of this Section.

14 "Full-time equivalent" or "FTE" means the full-time
15 equivalency compensation for staffing the relevant
16 position at an Organizational Unit.

17 "Funding Gap" is defined in paragraph (1) of
18 subsection (g).

19 "Hybrid District" means a partial elementary unit
20 district created pursuant to Article 11E of this Code.

21 "Instructional assistant" means a core or special
22 education, non-licensed employee who assists a teacher in
23 the classroom and provides academic support to students.

24 "Instructional facilitator" means a qualified teacher
25 or licensed teacher leader who facilitates and coaches
26 continuous improvement in classroom instruction; provides

1 instructional support to teachers in the elements of
2 research-based instruction or demonstrates the alignment
3 of instruction with curriculum standards and assessment
4 tools; develops or coordinates instructional programs or
5 strategies; develops and implements training; chooses
6 standards-based instructional materials; provides
7 teachers with an understanding of current research; serves
8 as a mentor, site coach, curriculum specialist, or lead
9 teacher; or otherwise works with fellow teachers, in
10 collaboration, to use data to improve instructional
11 practice or develop model lessons.

12 "Instructional materials" means relevant
13 instructional materials for student instruction,
14 including, but not limited to, textbooks, consumable
15 workbooks, laboratory equipment, library books, and other
16 similar materials.

17 "Laboratory School" means a public school that is
18 created and operated by a public university and approved
19 by the State Board.

20 "Librarian" means a teacher with an endorsement as a
21 library information specialist or another individual whose
22 primary responsibility is overseeing library resources
23 within an Organizational Unit.

24 "Limiting rate for Hybrid Districts" means the
25 combined elementary school and high school limiting rates.

26 "Local Capacity" is defined in paragraph (1) of

1 subsection (c) of this Section.

2 "Local Capacity Percentage" is defined in subparagraph
3 (A) of paragraph (2) of subsection (c) of this Section.

4 "Local Capacity Ratio" is defined in subparagraph (B)
5 of paragraph (2) of subsection (c) of this Section.

6 "Local Capacity Target" is defined in paragraph (2) of
7 subsection (c) of this Section.

8 "Low-Income Count" means, for an Organizational Unit
9 in a fiscal year, the higher of the average number of
10 students for the prior school year or the immediately
11 preceding 3 school years who, as of July 1 of the
12 immediately preceding fiscal year (as determined by the
13 Department of Human Services), are eligible for at least
14 one of the following low-income programs: Medicaid, the
15 Children's Health Insurance Program, Temporary Assistance
16 for Needy Families (TANF), or the Supplemental Nutrition
17 Assistance Program, excluding pupils who are eligible for
18 services provided by the Department of Children and Family
19 Services. Until such time that grade level low-income
20 populations become available, grade level low-income
21 populations shall be determined by applying the low-income
22 percentage to total student enrollments by grade level.
23 The low-income percentage is determined by dividing the
24 Low-Income Count by the Average Student Enrollment. The
25 low-income percentage for a regional office of education
26 or an intermediate service center operating one or more

1 alternative education programs must be set to the weighted
2 average of the low-income percentages of all of the school
3 districts in the service region. The weighted low-income
4 percentage is the result of multiplying the low-income
5 percentage of each school district served by the regional
6 office of education or intermediate service center by each
7 school district's Average Student Enrollment, summarizing
8 those products and dividing the total by the total Average
9 Student Enrollment for the service region.

10 "Maintenance and operations" means custodial services,
11 facility and ground maintenance, facility operations,
12 facility security, routine facility repairs, and other
13 similar services and functions.

14 "Minimum Funding Level" is defined in paragraph (9) of
15 subsection (g) of this Section.

16 "New Property Tax Relief Pool Funds" means, for any
17 given fiscal year, all State funds appropriated under
18 Section 2-3.170 of this Code.

19 "New State Funds" means, for a given school year, all
20 State funds appropriated for Evidence-Based Funding in
21 excess of the amount needed to fund the Base Funding
22 Minimum for all Organizational Units in that school year.

23 "Nurse" means an individual licensed as a certified
24 school nurse, in accordance with the rules established for
25 nursing services by the State Board, who is an employee of
26 and is available to provide health care-related services

1 for students of an Organizational Unit.

2 "Operating Tax Rate" means the rate utilized in the
3 previous year to extend property taxes for all purposes,
4 except Bond and Interest, Summer School, Rent, Capital
5 Improvement, and Vocational Education Building purposes.
6 For Hybrid Districts, the Operating Tax Rate shall be the
7 combined elementary and high school rates utilized in the
8 previous year to extend property taxes for all purposes,
9 except Bond and Interest, Summer School, Rent, Capital
10 Improvement, and Vocational Education Building purposes.

11 "Organizational Unit" means a Laboratory School or any
12 public school district that is recognized as such by the
13 State Board and that contains elementary schools typically
14 serving kindergarten through 5th grades, middle schools
15 typically serving 6th through 8th grades, high schools
16 typically serving 9th through 12th grades, a program
17 established under Section 2-3.66 or 2-3.41, or a program
18 operated by a regional office of education or an
19 intermediate service center under Article 13A or 13B. The
20 General Assembly acknowledges that the actual grade levels
21 served by a particular Organizational Unit may vary
22 slightly from what is typical.

23 "Organizational Unit CWI" is determined by calculating
24 the CWI in the region and original county in which an
25 Organizational Unit's primary administrative office is
26 located as set forth in this paragraph, provided that if

1 the Organizational Unit CWI as calculated in accordance
2 with this paragraph is less than 0.9, the Organizational
3 Unit CWI shall be increased to 0.9. Each county's current
4 CWI value shall be adjusted based on the CWI value of that
5 county's neighboring Illinois counties, to create a
6 "weighted adjusted index value". This shall be calculated
7 by summing the CWI values of all of a county's adjacent
8 Illinois counties and dividing by the number of adjacent
9 Illinois counties, then taking the weighted value of the
10 original county's CWI value and the adjacent Illinois
11 county average. To calculate this weighted value, if the
12 number of adjacent Illinois counties is greater than 2,
13 the original county's CWI value will be weighted at 0.25
14 and the adjacent Illinois county average will be weighted
15 at 0.75. If the number of adjacent Illinois counties is 2,
16 the original county's CWI value will be weighted at 0.33
17 and the adjacent Illinois county average will be weighted
18 at 0.66. The greater of the county's current CWI value and
19 its weighted adjusted index value shall be used as the
20 Organizational Unit CWI.

21 "Preceding Tax Year" means the property tax levy year
22 immediately preceding the Base Tax Year.

23 "Preceding Tax Year's Extension" means the product of
24 the equalized assessed valuation utilized by the county
25 clerk in the Preceding Tax Year multiplied by the
26 Operating Tax Rate.

1 "Preliminary Percent of Adequacy" is defined in
2 paragraph (2) of subsection (f) of this Section.

3 "Preliminary Resources" is defined in paragraph (2) of
4 subsection (f) of this Section.

5 "Principal" means a school administrator duly endorsed
6 to be employed as a principal in this State.

7 "Professional development" means training programs for
8 licensed staff in schools, including, but not limited to,
9 programs that assist in implementing new curriculum
10 programs, provide data focused or academic assessment data
11 training to help staff identify a student's weaknesses and
12 strengths, target interventions, improve instruction,
13 encompass instructional strategies for English learner,
14 gifted, or at-risk students, address inclusivity, cultural
15 sensitivity, or implicit bias, or otherwise provide
16 professional support for licensed staff.

17 "Prototypical" means 450 special education
18 pre-kindergarten and kindergarten through grade 5 students
19 for an elementary school, 450 grade 6 through 8 students
20 for a middle school, and 600 grade 9 through 12 students
21 for a high school.

22 "PTELL" means the Property Tax Extension Limitation
23 Law.

24 "PTELL EAV" is defined in paragraph (4) of subsection
25 (d) of this Section.

26 "Pupil support staff" means a nurse, psychologist,

1 social worker, family liaison personnel, or other staff
2 member who provides support to at-risk or struggling
3 students.

4 "Real Receipts" is defined in paragraph (1) of
5 subsection (d) of this Section.

6 "Regionalization Factor" means, for a particular
7 Organizational Unit, the figure derived by dividing the
8 Organizational Unit CWI by the Statewide Weighted CWI.

9 "School counselor" means a licensed school counselor
10 who provides guidance and counseling support for students
11 within an Organizational Unit.

12 "School site staff" means the primary school secretary
13 and any additional clerical personnel assigned to a
14 school.

15 "Special education" means special educational
16 facilities and services, as defined in Section 14-1.08 of
17 this Code.

18 "Special Education Allocation" means the amount of an
19 Organizational Unit's final Adequacy Target attributable
20 to special education divided by the Organizational Unit's
21 final Adequacy Target, the product of which shall be
22 multiplied by the amount of new funding received pursuant
23 to this Section. An Organizational Unit's final Adequacy
24 Target attributable to special education shall include all
25 special education investment adequacy elements.

26 "Specialist teacher" means a teacher who provides

1 instruction in subject areas not included in core
2 subjects, including, but not limited to, art, music,
3 physical education, health, driver education,
4 career-technical education, and such other subject areas
5 as may be mandated by State law or provided by an
6 Organizational Unit.

7 "Specially Funded Unit" means an Alternative School,
8 safe school, Department of Juvenile Justice school,
9 special education cooperative or entity recognized by the
10 State Board as a special education cooperative,
11 State-approved charter school, or alternative learning
12 opportunities program that received direct funding from
13 the State Board during the 2016-2017 school year through
14 any of the funding sources included within the calculation
15 of the Base Funding Minimum or Glenwood Academy.

16 "Supplemental Grant Funding" means supplemental
17 general State aid funding received by an Organizational
18 Unit during the 2016-2017 school year pursuant to
19 subsection (H) of Section 18-8.05 of this Code (now
20 repealed).

21 "State Adequacy Level" is the sum of the Adequacy
22 Targets of all Organizational Units.

23 "State Board" means the State Board of Education.

24 "State Superintendent" means the State Superintendent
25 of Education.

26 "Statewide Weighted CWI" means a figure determined by

1 multiplying each Organizational Unit CWI times the ASE for
2 that Organizational Unit creating a weighted value,
3 summing all Organizational Units' weighted values, and
4 dividing by the total ASE of all Organizational Units,
5 thereby creating an average weighted index.

6 "Student activities" means non-credit producing
7 after-school programs, including, but not limited to,
8 clubs, bands, sports, and other activities authorized by
9 the school board of the Organizational Unit.

10 "Substitute teacher" means an individual teacher or
11 teaching assistant who is employed by an Organizational
12 Unit and is temporarily serving the Organizational Unit on
13 a per diem or per period-assignment basis to replace
14 another staff member.

15 "Summer school" means academic and enrichment programs
16 provided to students during the summer months outside of
17 the regular school year.

18 "Supervisory aide" means a non-licensed staff member
19 who helps in supervising students of an Organizational
20 Unit, but does so outside of the classroom, in situations
21 such as, but not limited to, monitoring hallways and
22 playgrounds, supervising lunchrooms, or supervising
23 students when being transported in buses serving the
24 Organizational Unit.

25 "Target Ratio" is defined in paragraph (4) of
26 subsection (g).

1 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined
2 in paragraph (3) of subsection (g).

3 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
4 Funding", "Tier 3 Aggregate Funding", and "Tier 4
5 Aggregate Funding" are defined in paragraph (1) of
6 subsection (g).

7 (b) Adequacy Target calculation.

8 (1) Each Organizational Unit's Adequacy Target is the
9 sum of the Organizational Unit's cost of providing
10 Essential Elements, as calculated in accordance with this
11 subsection (b), with the salary amounts in the Essential
12 Elements multiplied by a Regionalization Factor calculated
13 pursuant to paragraph (3) of this subsection (b).

14 (2) The Essential Elements are attributable on a pro
15 rata basis related to defined subgroups of the ASE of each
16 Organizational Unit as specified in this paragraph (2),
17 with investments and FTE positions pro rata funded based
18 on ASE counts in excess of or less than the thresholds set
19 forth in this paragraph (2). The method for calculating
20 attributable pro rata costs and the defined subgroups
21 thereto are as follows:

22 (A) Core class size investments. Each
23 Organizational Unit shall receive the funding required
24 to support that number of FTE core teacher positions
25 as is needed to keep the respective class sizes of the
26 Organizational Unit to the following maximum numbers:

1 (i) For grades kindergarten through 3, the
2 Organizational Unit shall receive funding required
3 to support one FTE core teacher position for every
4 15 Low-Income Count students in those grades and
5 one FTE core teacher position for every 20
6 non-Low-Income Count students in those grades.

7 (ii) For grades 4 through 12, the
8 Organizational Unit shall receive funding required
9 to support one FTE core teacher position for every
10 20 Low-Income Count students in those grades and
11 one FTE core teacher position for every 25
12 non-Low-Income Count students in those grades.

13 The number of non-Low-Income Count students in a
14 grade shall be determined by subtracting the
15 Low-Income students in that grade from the ASE of the
16 Organizational Unit for that grade.

17 (B) Specialist teacher investments. Each
18 Organizational Unit shall receive the funding needed
19 to cover that number of FTE specialist teacher
20 positions that correspond to the following
21 percentages:

22 (i) if the Organizational Unit operates an
23 elementary or middle school, then 20.00% of the
24 number of the Organizational Unit's core teachers,
25 as determined under subparagraph (A) of this
26 paragraph (2); and

1 (ii) if such Organizational Unit operates a
2 high school, then 33.33% of the number of the
3 Organizational Unit's core teachers.

4 (C) Instructional facilitator investments. Each
5 Organizational Unit shall receive the funding needed
6 to cover one FTE instructional facilitator position
7 for every 200 combined ASE of pre-kindergarten
8 children with disabilities and all kindergarten
9 through grade 12 students of the Organizational Unit.

10 (D) Core intervention teacher (tutor) investments.
11 Each Organizational Unit shall receive the funding
12 needed to cover one FTE teacher position for each
13 prototypical elementary, middle, and high school.

14 (E) Substitute teacher investments. Each
15 Organizational Unit shall receive the funding needed
16 to cover substitute teacher costs that is equal to
17 5.70% of the minimum pupil attendance days required
18 under Section 10-19 of this Code for all full-time
19 equivalent core, specialist, and intervention
20 teachers, school nurses, special education teachers
21 and instructional assistants, instructional
22 facilitators, and summer school and extended day
23 teacher positions, as determined under this paragraph
24 (2), at a salary rate of 33.33% of the average salary
25 for grade K through 12 teachers and 33.33% of the
26 average salary of each instructional assistant

1 position.

2 (F) Core school counselor investments. Each
3 Organizational Unit shall receive the funding needed
4 to cover one FTE school counselor for each 450
5 combined ASE of pre-kindergarten children with
6 disabilities and all kindergarten through grade 5
7 students, plus one FTE school counselor for each 250
8 grades 6 through 8 ASE middle school students, plus
9 one FTE school counselor for each 250 grades 9 through
10 12 ASE high school students.

11 (G) Nurse investments. Each Organizational Unit
12 shall receive the funding needed to cover one FTE
13 nurse for each 750 combined ASE of pre-kindergarten
14 children with disabilities and all kindergarten
15 through grade 12 students across all grade levels it
16 serves.

17 (H) Supervisory aide investments. Each
18 Organizational Unit shall receive the funding needed
19 to cover one FTE for each 225 combined ASE of
20 pre-kindergarten children with disabilities and all
21 kindergarten through grade 5 students, plus one FTE
22 for each 225 ASE middle school students, plus one FTE
23 for each 200 ASE high school students.

24 (I) Librarian investments. Each Organizational
25 Unit shall receive the funding needed to cover one FTE
26 librarian for each prototypical elementary school,

1 middle school, and high school and one FTE aide or
2 media technician for every 300 combined ASE of
3 pre-kindergarten children with disabilities and all
4 kindergarten through grade 12 students.

5 (J) Principal investments. Each Organizational
6 Unit shall receive the funding needed to cover one FTE
7 principal position for each prototypical elementary
8 school, plus one FTE principal position for each
9 prototypical middle school, plus one FTE principal
10 position for each prototypical high school.

11 (K) Assistant principal investments. Each
12 Organizational Unit shall receive the funding needed
13 to cover one FTE assistant principal position for each
14 prototypical elementary school, plus one FTE assistant
15 principal position for each prototypical middle
16 school, plus one FTE assistant principal position for
17 each prototypical high school.

18 (L) School site staff investments. Each
19 Organizational Unit shall receive the funding needed
20 for one FTE position for each 225 ASE of
21 pre-kindergarten children with disabilities and all
22 kindergarten through grade 5 students, plus one FTE
23 position for each 225 ASE middle school students, plus
24 one FTE position for each 200 ASE high school
25 students.

26 (M) Gifted investments. Each Organizational Unit

1 shall receive \$40 per kindergarten through grade 12
2 ASE.

3 (N) Professional development investments. Each
4 Organizational Unit shall receive \$125 per student of
5 the combined ASE of pre-kindergarten children with
6 disabilities and all kindergarten through grade 12
7 students for trainers and other professional
8 development-related expenses for supplies and
9 materials.

10 (O) Instructional material investments. Each
11 Organizational Unit shall receive \$190 per student of
12 the combined ASE of pre-kindergarten children with
13 disabilities and all kindergarten through grade 12
14 students to cover instructional material costs.

15 (P) Assessment investments. Each Organizational
16 Unit shall receive \$25 per student of the combined ASE
17 of pre-kindergarten children with disabilities and all
18 kindergarten through grade 12 students to cover
19 assessment costs.

20 (Q) Computer technology and equipment investments.
21 Each Organizational Unit shall receive \$285.50 per
22 student of the combined ASE of pre-kindergarten
23 children with disabilities and all kindergarten
24 through grade 12 students to cover computer technology
25 and equipment costs. For the 2018-2019 school year and
26 subsequent school years, Organizational Units assigned

1 to Tier 1 and Tier 2 in the prior school year shall
2 receive an additional \$285.50 per student of the
3 combined ASE of pre-kindergarten children with
4 disabilities and all kindergarten through grade 12
5 students to cover computer technology and equipment
6 costs in the Organizational Unit's Adequacy Target.
7 The State Board may establish additional requirements
8 for Organizational Unit expenditures of funds received
9 pursuant to this subparagraph (Q), including a
10 requirement that funds received pursuant to this
11 subparagraph (Q) may be used only for serving the
12 technology needs of the district. It is the intent of
13 Public Act 100-465 that all Tier 1 and Tier 2 districts
14 receive the addition to their Adequacy Target in the
15 following year, subject to compliance with the
16 requirements of the State Board.

17 (R) Student activities investments. Each
18 Organizational Unit shall receive the following
19 funding amounts to cover student activities: \$100 per
20 kindergarten through grade 5 ASE student in elementary
21 school, plus \$200 per ASE student in middle school,
22 plus \$675 per ASE student in high school.

23 (S) Maintenance and operations investments. Each
24 Organizational Unit shall receive \$1,038 per student
25 of the combined ASE of pre-kindergarten children with
26 disabilities and all kindergarten through grade 12

1 students for day-to-day maintenance and operations
2 expenditures, including salary, supplies, and
3 materials, as well as purchased services, but
4 excluding employee benefits. The proportion of salary
5 for the application of a Regionalization Factor and
6 the calculation of benefits is equal to \$352.92.

7 (T) Central office investments. Each
8 Organizational Unit shall receive \$742 per student of
9 the combined ASE of pre-kindergarten children with
10 disabilities and all kindergarten through grade 12
11 students to cover central office operations, including
12 administrators and classified personnel charged with
13 managing the instructional programs, business and
14 operations of the school district, and security
15 personnel. The proportion of salary for the
16 application of a Regionalization Factor and the
17 calculation of benefits is equal to \$368.48.

18 (U) Employee benefit investments. Each
19 Organizational Unit shall receive 30% of the total of
20 all salary-calculated elements of the Adequacy Target,
21 excluding substitute teachers and student activities
22 investments, to cover benefit costs. For central
23 office and maintenance and operations investments, the
24 benefit calculation shall be based upon the salary
25 proportion of each investment. If at any time the
26 responsibility for funding the employer normal cost of

1 teacher pensions is assigned to school districts, then
2 that amount certified by the Teachers' Retirement
3 System of the State of Illinois to be paid by the
4 Organizational Unit for the preceding school year
5 shall be added to the benefit investment. For any
6 fiscal year in which a school district organized under
7 Article 34 of this Code is responsible for paying the
8 employer normal cost of teacher pensions, then that
9 amount of its employer normal cost plus the amount for
10 retiree health insurance as certified by the Public
11 School Teachers' Pension and Retirement Fund of
12 Chicago to be paid by the school district for the
13 preceding school year that is statutorily required to
14 cover employer normal costs and the amount for retiree
15 health insurance shall be added to the 30% specified
16 in this subparagraph (U). The Teachers' Retirement
17 System of the State of Illinois and the Public School
18 Teachers' Pension and Retirement Fund of Chicago shall
19 submit such information as the State Superintendent
20 may require for the calculations set forth in this
21 subparagraph (U).

22 (V) Additional investments in low-income students.
23 In addition to and not in lieu of all other funding
24 under this paragraph (2), each Organizational Unit
25 shall receive funding based on the average teacher
26 salary for grades K through 12 to cover the costs of:

1 (i) one FTE intervention teacher (tutor)
2 position for every 125 Low-Income Count students;

3 (ii) one FTE pupil support staff position for
4 every 125 Low-Income Count students;

5 (iii) one FTE extended day teacher position
6 for every 120 Low-Income Count students; and

7 (iv) one FTE summer school teacher position
8 for every 120 Low-Income Count students.

9 (W) Additional investments in English learner
10 students. In addition to and not in lieu of all other
11 funding under this paragraph (2), each Organizational
12 Unit shall receive funding based on the average
13 teacher salary for grades K through 12 to cover the
14 costs of:

15 (i) one FTE intervention teacher (tutor)
16 position for every 125 English learner students;

17 (ii) one FTE pupil support staff position for
18 every 125 English learner students;

19 (iii) one FTE extended day teacher position
20 for every 120 English learner students;

21 (iv) one FTE summer school teacher position
22 for every 120 English learner students; and

23 (v) one FTE core teacher position for every
24 100 English learner students.

25 (X) Special education investments. Each
26 Organizational Unit shall receive funding based on the

1 average teacher salary for grades K through 12 to
2 cover special education as follows:

3 (i) one FTE teacher position for every 141
4 combined ASE of pre-kindergarten children with
5 disabilities and all kindergarten through grade 12
6 students;

7 (ii) one FTE instructional assistant for every
8 141 combined ASE of pre-kindergarten children with
9 disabilities and all kindergarten through grade 12
10 students; and

11 (iii) one FTE psychologist position for every
12 1,000 combined ASE of pre-kindergarten children
13 with disabilities and all kindergarten through
14 grade 12 students.

15 (3) For calculating the salaries included within the
16 Essential Elements, the State Superintendent shall
17 annually calculate average salaries to the nearest dollar
18 using the employment information system data maintained by
19 the State Board, limited to public schools only and
20 excluding special education and vocational cooperatives,
21 schools operated by the Department of Juvenile Justice,
22 and charter schools, for the following positions:

23 (A) Teacher for grades K through 8.

24 (B) Teacher for grades 9 through 12.

25 (C) Teacher for grades K through 12.

26 (D) School counselor for grades K through 8.

1 (E) School counselor for grades 9 through 12.

2 (F) School counselor for grades K through 12.

3 (G) Social worker.

4 (H) Psychologist.

5 (I) Librarian.

6 (J) Nurse.

7 (K) Principal.

8 (L) Assistant principal.

9 For the purposes of this paragraph (3), "teacher"
10 includes core teachers, specialist and elective teachers,
11 instructional facilitators, tutors, special education
12 teachers, pupil support staff teachers, English learner
13 teachers, extended day teachers, and summer school
14 teachers. Where specific grade data is not required for
15 the Essential Elements, the average salary for
16 corresponding positions shall apply. For substitute
17 teachers, the average teacher salary for grades K through
18 12 shall apply.

19 For calculating the salaries included within the
20 Essential Elements for positions not included within EIS
21 Data, the following salaries shall be used in the first
22 year of implementation of Evidence-Based Funding:

23 (i) school site staff, \$30,000; and

24 (ii) non-instructional assistant, instructional
25 assistant, library aide, library media tech, or
26 supervisory aide: \$25,000.

1 In the second and subsequent years of implementation
2 of Evidence-Based Funding, the amounts in items (i) and
3 (ii) of this paragraph (3) shall annually increase by the
4 ECI.

5 The salary amounts for the Essential Elements
6 determined pursuant to subparagraphs (A) through (L), (S)
7 and (T), and (V) through (X) of paragraph (2) of
8 subsection (b) of this Section shall be multiplied by a
9 Regionalization Factor.

10 (c) Local Capacity calculation.

11 (1) Each Organizational Unit's Local Capacity
12 represents an amount of funding it is assumed to
13 contribute toward its Adequacy Target for purposes of the
14 Evidence-Based Funding formula calculation. "Local
15 Capacity" means either (i) the Organizational Unit's Local
16 Capacity Target as calculated in accordance with paragraph
17 (2) of this subsection (c) if its Real Receipts are equal
18 to or less than its Local Capacity Target or (ii) the
19 Organizational Unit's Adjusted Local Capacity, as
20 calculated in accordance with paragraph (3) of this
21 subsection (c) if Real Receipts are more than its Local
22 Capacity Target.

23 (2) "Local Capacity Target" means, for an
24 Organizational Unit, that dollar amount that is obtained
25 by multiplying its Adequacy Target by its Local Capacity
26 Ratio.

1 (A) An Organizational Unit's Local Capacity
2 Percentage is the conversion of the Organizational
3 Unit's Local Capacity Ratio, as such ratio is
4 determined in accordance with subparagraph (B) of this
5 paragraph (2), into a cumulative distribution
6 resulting in a percentile ranking to determine each
7 Organizational Unit's relative position to all other
8 Organizational Units in this State. The calculation of
9 Local Capacity Percentage is described in subparagraph
10 (C) of this paragraph (2).

11 (B) An Organizational Unit's Local Capacity Ratio
12 in a given year is the percentage obtained by dividing
13 its Adjusted EAV or PTELL EAV, whichever is less, by
14 its Adequacy Target, with the resulting ratio further
15 adjusted as follows:

16 (i) for Organizational Units serving grades
17 kindergarten through 12 and Hybrid Districts, no
18 further adjustments shall be made;

19 (ii) for Organizational Units serving grades
20 kindergarten through 8, the ratio shall be
21 multiplied by 9/13;

22 (iii) for Organizational Units serving grades
23 9 through 12, the Local Capacity Ratio shall be
24 multiplied by 4/13; and

25 (iv) for an Organizational Unit with a
26 different grade configuration than those specified

1 in items (i) through (iii) of this subparagraph
2 (B), the State Superintendent shall determine a
3 comparable adjustment based on the grades served.

4 (C) The Local Capacity Percentage is equal to the
5 percentile ranking of the district. Local Capacity
6 Percentage converts each Organizational Unit's Local
7 Capacity Ratio to a cumulative distribution resulting
8 in a percentile ranking to determine each
9 Organizational Unit's relative position to all other
10 Organizational Units in this State. The Local Capacity
11 Percentage cumulative distribution resulting in a
12 percentile ranking for each Organizational Unit shall
13 be calculated using the standard normal distribution
14 of the score in relation to the weighted mean and
15 weighted standard deviation and Local Capacity Ratios
16 of all Organizational Units. If the value assigned to
17 any Organizational Unit is in excess of 90%, the value
18 shall be adjusted to 90%. For Laboratory Schools, the
19 Local Capacity Percentage shall be set at 10% in
20 recognition of the absence of EAV and resources from
21 the public university that are allocated to the
22 Laboratory School. For a regional office of education
23 or an intermediate service center operating one or
24 more alternative education programs, the Local
25 Capacity Percentage must be set at 10% in recognition
26 of the absence of EAV and resources from school

1 districts that are allocated to the regional office of
2 education or intermediate service center. The weighted
3 mean for the Local Capacity Percentage shall be
4 determined by multiplying each Organizational Unit's
5 Local Capacity Ratio times the ASE for the unit
6 creating a weighted value, summing the weighted values
7 of all Organizational Units, and dividing by the total
8 ASE of all Organizational Units. The weighted standard
9 deviation shall be determined by taking the square
10 root of the weighted variance of all Organizational
11 Units' Local Capacity Ratio, where the variance is
12 calculated by squaring the difference between each
13 unit's Local Capacity Ratio and the weighted mean,
14 then multiplying the variance for each unit times the
15 ASE for the unit to create a weighted variance for each
16 unit, then summing all units' weighted variance and
17 dividing by the total ASE of all units.

18 (D) For any Organizational Unit, the
19 Organizational Unit's Adjusted Local Capacity Target
20 shall be reduced by either (i) the school board's
21 remaining contribution pursuant to paragraph (ii) of
22 subsection (b-4) of Section 16-158 of the Illinois
23 Pension Code in a given year or (ii) the board of
24 education's remaining contribution pursuant to
25 paragraph (iv) of subsection (b) of Section 17-129 of
26 the Illinois Pension Code absent the employer normal

1 cost portion of the required contribution and amount
2 allowed pursuant to subdivision (3) of Section
3 17-142.1 of the Illinois Pension Code in a given year.
4 In the preceding sentence, item (i) shall be certified
5 to the State Board of Education by the Teachers'
6 Retirement System of the State of Illinois and item
7 (ii) shall be certified to the State Board of
8 Education by the Public School Teachers' Pension and
9 Retirement Fund of the City of Chicago.

10 (3) If an Organizational Unit's Real Receipts are more
11 than its Local Capacity Target, then its Local Capacity
12 shall equal an Adjusted Local Capacity Target as
13 calculated in accordance with this paragraph (3). The
14 Adjusted Local Capacity Target is calculated as the sum of
15 the Organizational Unit's Local Capacity Target and its
16 Real Receipts Adjustment. The Real Receipts Adjustment
17 equals the Organizational Unit's Real Receipts less its
18 Local Capacity Target, with the resulting figure
19 multiplied by the Local Capacity Percentage.

20 As used in this paragraph (3), "Real Percent of
21 Adequacy" means the sum of an Organizational Unit's Real
22 Receipts, CPPRT, and Base Funding Minimum, with the
23 resulting figure divided by the Organizational Unit's
24 Adequacy Target.

25 (d) Calculation of Real Receipts, EAV, and Adjusted EAV
26 for purposes of the Local Capacity calculation.

1 (1) An Organizational Unit's Real Receipts are the
2 product of its Applicable Tax Rate and its Adjusted EAV.
3 An Organizational Unit's Applicable Tax Rate is its
4 Adjusted Operating Tax Rate for property within the
5 Organizational Unit.

6 (2) The State Superintendent shall calculate the
7 equalized assessed valuation, or EAV, of all taxable
8 property of each Organizational Unit as of September 30 of
9 the previous year in accordance with paragraph (3) of this
10 subsection (d). The State Superintendent shall then
11 determine the Adjusted EAV of each Organizational Unit in
12 accordance with paragraph (4) of this subsection (d),
13 which Adjusted EAV figure shall be used for the purposes
14 of calculating Local Capacity.

15 (3) To calculate Real Receipts and EAV, the Department
16 of Revenue shall supply to the State Superintendent the
17 value as equalized or assessed by the Department of
18 Revenue of all taxable property of every Organizational
19 Unit, together with (i) the applicable tax rate used in
20 extending taxes for the funds of the Organizational Unit
21 as of September 30 of the previous year and (ii) the
22 limiting rate for all Organizational Units subject to
23 property tax extension limitations as imposed under PTELL.

24 (A) The Department of Revenue shall add to the
25 equalized assessed value of all taxable property of
26 each Organizational Unit situated entirely or

1 partially within a county that is or was subject to the
2 provisions of Section 15-176 or 15-177 of the Property
3 Tax Code (i) an amount equal to the total amount by
4 which the homestead exemption allowed under Section
5 15-176 or 15-177 of the Property Tax Code for real
6 property situated in that Organizational Unit exceeds
7 the total amount that would have been allowed in that
8 Organizational Unit if the maximum reduction under
9 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
10 in all other counties in tax year 2003 or (II) \$5,000
11 in all counties in tax year 2004 and thereafter and
12 (ii) an amount equal to the aggregate amount for the
13 taxable year of all additional exemptions under
14 Section 15-175 of the Property Tax Code for owners
15 with a household income of \$30,000 or less. The county
16 clerk of any county that is or was subject to the
17 provisions of Section 15-176 or 15-177 of the Property
18 Tax Code shall annually calculate and certify to the
19 Department of Revenue for each Organizational Unit all
20 homestead exemption amounts under Section 15-176 or
21 15-177 of the Property Tax Code and all amounts of
22 additional exemptions under Section 15-175 of the
23 Property Tax Code for owners with a household income
24 of \$30,000 or less. It is the intent of this
25 subparagraph (A) that if the general homestead
26 exemption for a parcel of property is determined under

1 Section 15-176 or 15-177 of the Property Tax Code
2 rather than Section 15-175, then the calculation of
3 EAV shall not be affected by the difference, if any,
4 between the amount of the general homestead exemption
5 allowed for that parcel of property under Section
6 15-176 or 15-177 of the Property Tax Code and the
7 amount that would have been allowed had the general
8 homestead exemption for that parcel of property been
9 determined under Section 15-175 of the Property Tax
10 Code. It is further the intent of this subparagraph
11 (A) that if additional exemptions are allowed under
12 Section 15-175 of the Property Tax Code for owners
13 with a household income of less than \$30,000, then the
14 calculation of EAV shall not be affected by the
15 difference, if any, because of those additional
16 exemptions.

17 (B) With respect to any part of an Organizational
18 Unit within a redevelopment project area in respect to
19 which a municipality has adopted tax increment
20 allocation financing pursuant to the Tax Increment
21 Allocation Redevelopment Act, Division 74.4 of Article
22 11 of the Illinois Municipal Code, or the Industrial
23 Jobs Recovery Law, Division 74.6 of Article 11 of the
24 Illinois Municipal Code, no part of the current EAV of
25 real property located in any such project area that is
26 attributable to an increase above the total initial

1 EAV of such property shall be used as part of the EAV
2 of the Organizational Unit, until such time as all
3 redevelopment project costs have been paid, as
4 provided in Section 11-74.4-8 of the Tax Increment
5 Allocation Redevelopment Act or in Section 11-74.6-35
6 of the Industrial Jobs Recovery Law. For the purpose
7 of the EAV of the Organizational Unit, the total
8 initial EAV or the current EAV, whichever is lower,
9 shall be used until such time as all redevelopment
10 project costs have been paid.

11 (B-5) The real property equalized assessed
12 valuation for a school district shall be adjusted by
13 subtracting from the real property value, as equalized
14 or assessed by the Department of Revenue, for the
15 district an amount computed by dividing the amount of
16 any abatement of taxes under Section 18-170 of the
17 Property Tax Code by 3.00% for a district maintaining
18 grades kindergarten through 12, by 2.30% for a
19 district maintaining grades kindergarten through 8, or
20 by 1.05% for a district maintaining grades 9 through
21 12 and adjusted by an amount computed by dividing the
22 amount of any abatement of taxes under subsection (a)
23 of Section 18-165 of the Property Tax Code by the same
24 percentage rates for district type as specified in
25 this subparagraph (B-5).

26 (C) For Organizational Units that are Hybrid

1 Districts, the State Superintendent shall use the
2 lesser of the adjusted equalized assessed valuation
3 for property within the partial elementary unit
4 district for elementary purposes, as defined in
5 Article 11E of this Code, or the adjusted equalized
6 assessed valuation for property within the partial
7 elementary unit district for high school purposes, as
8 defined in Article 11E of this Code.

9 (D) If a school district's boundaries span
10 multiple counties, then the Department of Revenue
11 shall send to the State Board, for the purposes of
12 calculating Evidence-Based Funding, the limiting rate
13 and individual rates by purpose for the county that
14 contains the majority of the school district's
15 equalized assessed valuation.

16 (4) An Organizational Unit's Adjusted EAV shall be the
17 average of its EAV over the immediately preceding 3 years
18 or the lesser of its EAV in the immediately preceding year
19 or the average of its EAV over the immediately preceding 3
20 years if the EAV in the immediately preceding year has
21 declined by 10% or more when comparing the 2 most recent
22 years. In the event of Organizational Unit reorganization,
23 consolidation, or annexation, the Organizational Unit's
24 Adjusted EAV for the first 3 years after such change shall
25 be as follows: the most current EAV shall be used in the
26 first year, the average of a 2-year EAV or its EAV in the

1 immediately preceding year if the EAV declines by 10% or
2 more when comparing the 2 most recent years for the second
3 year, and the lesser of a 3-year average EAV or its EAV in
4 the immediately preceding year if the Adjusted EAV
5 declines by 10% or more when comparing the 2 most recent
6 years for the third year. For any school district whose
7 EAV in the immediately preceding year is used in
8 calculations, in the following year, the Adjusted EAV
9 shall be the average of its EAV over the immediately
10 preceding 2 years or the immediately preceding year if
11 that year represents a decline of 10% or more when
12 comparing the 2 most recent years.

13 "PTELL EAV" means a figure calculated by the State
14 Board for Organizational Units subject to PTELL as
15 described in this paragraph (4) for the purposes of
16 calculating an Organizational Unit's Local Capacity Ratio.
17 Except as otherwise provided in this paragraph (4), the
18 PTELL EAV of an Organizational Unit shall be equal to the
19 product of the equalized assessed valuation last used in
20 the calculation of general State aid under Section 18-8.05
21 of this Code (now repealed) or Evidence-Based Funding
22 under this Section and the Organizational Unit's Extension
23 Limitation Ratio. If an Organizational Unit has approved
24 or does approve an increase in its limiting rate, pursuant
25 to Section 18-190 of the Property Tax Code, affecting the
26 Base Tax Year, the PTELL EAV shall be equal to the product

1 of the equalized assessed valuation last used in the
2 calculation of general State aid under Section 18-8.05 of
3 this Code (now repealed) or Evidence-Based Funding under
4 this Section multiplied by an amount equal to one plus the
5 percentage increase, if any, in the Consumer Price Index
6 for All Urban Consumers for all items published by the
7 United States Department of Labor for the 12-month
8 calendar year preceding the Base Tax Year, plus the
9 equalized assessed valuation of new property, annexed
10 property, and recovered tax increment value and minus the
11 equalized assessed valuation of disconnected property.

12 As used in this paragraph (4), "new property" and
13 "recovered tax increment value" shall have the meanings
14 set forth in the Property Tax Extension Limitation Law.

15 (e) Base Funding Minimum calculation.

16 (1) For the 2017-2018 school year, the Base Funding
17 Minimum of an Organizational Unit or a Specially Funded
18 Unit shall be the amount of State funds distributed to the
19 Organizational Unit or Specially Funded Unit during the
20 2016-2017 school year prior to any adjustments and
21 specified appropriation amounts described in this
22 paragraph (1) from the following Sections, as calculated
23 by the State Superintendent: Section 18-8.05 of this Code
24 (now repealed); Section 5 of Article 224 of Public Act
25 99-524 (equity grants); Section 14-7.02b of this Code
26 (funding for children requiring special education

1 services); Section 14-13.01 of this Code (special
2 education facilities and staffing), except for
3 reimbursement of the cost of transportation pursuant to
4 Section 14-13.01; Section 14C-12 of this Code (English
5 learners); and Section 18-4.3 of this Code (summer
6 school), based on an appropriation level of \$13,121,600.
7 For a school district organized under Article 34 of this
8 Code, the Base Funding Minimum also includes (i) the funds
9 allocated to the school district pursuant to Section 1D-1
10 of this Code attributable to funding programs authorized
11 by the Sections of this Code listed in the preceding
12 sentence and (ii) the difference between (I) the funds
13 allocated to the school district pursuant to Section 1D-1
14 of this Code attributable to the funding programs
15 authorized by Section 14-7.02 (non-public special
16 education reimbursement), subsection (b) of Section
17 14-13.01 (special education transportation), Section 29-5
18 (transportation), Section 2-3.80 (agricultural
19 education), Section 2-3.66 (truants' alternative
20 education), Section 2-3.62 (educational service centers),
21 and Section 14-7.03 (special education - orphanage) of
22 this Code and Section 15 of the Childhood Hunger Relief
23 Act (free breakfast program) and (II) the school
24 district's actual expenditures for its non-public special
25 education, special education transportation,
26 transportation programs, agricultural education, truants'

1 alternative education, services that would otherwise be
2 performed by a regional office of education, special
3 education orphanage expenditures, and free breakfast, as
4 most recently calculated and reported pursuant to
5 subsection (f) of Section 1D-1 of this Code. The Base
6 Funding Minimum for Glenwood Academy shall be \$952,014.
7 For programs operated by a regional office of education or
8 an intermediate service center, the Base Funding Minimum
9 must be the total amount of State funds allocated to those
10 programs in the 2018-2019 school year and amounts provided
11 pursuant to Article 34 of Public Act 100-586 and Section
12 3-16 of this Code. All programs established after June 5,
13 2019 (the effective date of Public Act 101-10) and
14 administered by a regional office of education or an
15 intermediate service center must have an initial Base
16 Funding Minimum set to an amount equal to the first-year
17 ASE multiplied by the amount of per pupil funding received
18 in the previous school year by the lowest funded similar
19 existing program type. If the enrollment for a program
20 operated by a regional office of education or an
21 intermediate service center is zero, then it may not
22 receive Base Funding Minimum funds for that program in the
23 next fiscal year, and those funds must be distributed to
24 Organizational Units under subsection (g).

25 (2) For the 2018-2019 and subsequent school years, the
26 Base Funding Minimum of Organizational Units and Specially

1 Funded Units shall be the sum of (i) the amount of
2 Evidence-Based Funding for the prior school year, (ii) the
3 Base Funding Minimum for the prior school year, and (iii)
4 any amount received by a school district pursuant to
5 Section 7 of Article 97 of Public Act 100-21.

6 For the 2022-2023 school year, the Base Funding
7 Minimum of Organizational Units shall be the amounts
8 recalculated by the State Board of Education for Fiscal
9 Year 2019 through Fiscal Year 2022 that were necessary due
10 to average student enrollment errors for districts
11 organized under Article 34 of this Code, plus the Fiscal
12 Year 2022 property tax relief grants provided under
13 Section 2-3.170 of this Code, ensuring each Organizational
14 Unit has the correct amount of resources for Fiscal Year
15 2023 Evidence-Based Funding calculations and that Fiscal
16 Year 2023 Evidence-Based Funding Distributions are made in
17 accordance with this Section.

18 (3) Subject to approval by the General Assembly as
19 provided in this paragraph (3), an Organizational Unit
20 that meets all of the following criteria, as determined by
21 the State Board, shall have District Intervention Money
22 added to its Base Funding Minimum at the time the Base
23 Funding Minimum is calculated by the State Board:

24 (A) The Organizational Unit is operating under an
25 Independent Authority under Section 2-3.25f-5 of this
26 Code for a minimum of 4 school years or is subject to

1 the control of the State Board pursuant to a court
2 order for a minimum of 4 school years.

3 (B) The Organizational Unit was designated as a
4 Tier 1 or Tier 2 Organizational Unit in the previous
5 school year under paragraph (3) of subsection (g) of
6 this Section.

7 (C) The Organizational Unit demonstrates
8 sustainability through a 5-year financial and
9 strategic plan.

10 (D) The Organizational Unit has made sufficient
11 progress and achieved sufficient stability in the
12 areas of governance, academic growth, and finances.

13 As part of its determination under this paragraph (3),
14 the State Board may consider the Organizational Unit's
15 summative designation, any accreditations of the
16 Organizational Unit, or the Organizational Unit's
17 financial profile, as calculated by the State Board.

18 If the State Board determines that an Organizational
19 Unit has met the criteria set forth in this paragraph (3),
20 it must submit a report to the General Assembly, no later
21 than January 2 of the fiscal year in which the State Board
22 makes its determination, on the amount of District
23 Intervention Money to add to the Organizational Unit's
24 Base Funding Minimum. The General Assembly must review the
25 State Board's report and may approve or disapprove, by
26 joint resolution, the addition of District Intervention

1 Money. If the General Assembly fails to act on the report
2 within 40 calendar days from the receipt of the report,
3 the addition of District Intervention Money is deemed
4 approved. If the General Assembly approves the amount of
5 District Intervention Money to be added to the
6 Organizational Unit's Base Funding Minimum, the District
7 Intervention Money must be added to the Base Funding
8 Minimum annually thereafter.

9 For the first 4 years following the initial year that
10 the State Board determines that an Organizational Unit has
11 met the criteria set forth in this paragraph (3) and has
12 received funding under this Section, the Organizational
13 Unit must annually submit to the State Board, on or before
14 November 30, a progress report regarding its financial and
15 strategic plan under subparagraph (C) of this paragraph
16 (3). The plan shall include the financial data from the
17 past 4 annual financial reports or financial audits that
18 must be presented to the State Board by November 15 of each
19 year and the approved budget financial data for the
20 current year. The plan shall be developed according to the
21 guidelines presented to the Organizational Unit by the
22 State Board. The plan shall further include financial
23 projections for the next 3 fiscal years and include a
24 discussion and financial summary of the Organizational
25 Unit's facility needs. If the Organizational Unit does not
26 demonstrate sufficient progress toward its 5-year plan or

1 if it has failed to file an annual financial report, an
2 annual budget, a financial plan, a deficit reduction plan,
3 or other financial information as required by law, the
4 State Board may establish a Financial Oversight Panel
5 under Article 1H of this Code. However, if the
6 Organizational Unit already has a Financial Oversight
7 Panel, the State Board may extend the duration of the
8 Panel.

9 (f) Percent of Adequacy and Final Resources calculation.

10 (1) The Evidence-Based Funding formula establishes a
11 Percent of Adequacy for each Organizational Unit in order
12 to place such units into tiers for the purposes of the
13 funding distribution system described in subsection (g) of
14 this Section. Initially, an Organizational Unit's
15 Preliminary Resources and Preliminary Percent of Adequacy
16 are calculated pursuant to paragraph (2) of this
17 subsection (f). Then, an Organizational Unit's Final
18 Resources and Final Percent of Adequacy are calculated to
19 account for the Organizational Unit's poverty
20 concentration levels pursuant to paragraphs (3) and (4) of
21 this subsection (f).

22 (2) An Organizational Unit's Preliminary Resources are
23 equal to the sum of its Local Capacity Target, CPPRT, and
24 Base Funding Minimum. An Organizational Unit's Preliminary
25 Percent of Adequacy is the lesser of (i) its Preliminary
26 Resources divided by its Adequacy Target or (ii) 100%.

1 (3) Except for Specially Funded Units, an
2 Organizational Unit's Final Resources are equal to the sum
3 of its Local Capacity, CPPRT, and Adjusted Base Funding
4 Minimum. The Base Funding Minimum of each Specially Funded
5 Unit shall serve as its Final Resources, except that the
6 Base Funding Minimum for State-approved charter schools
7 shall not include any portion of general State aid
8 allocated in the prior year based on the per capita
9 tuition charge times the charter school enrollment.

10 (4) An Organizational Unit's Final Percent of Adequacy
11 is its Final Resources divided by its Adequacy Target. An
12 Organizational Unit's Adjusted Base Funding Minimum is
13 equal to its Base Funding Minimum less its Supplemental
14 Grant Funding, with the resulting figure added to the
15 product of its Supplemental Grant Funding and Preliminary
16 Percent of Adequacy.

17 (g) Evidence-Based Funding formula distribution system.

18 (1) In each school year under the Evidence-Based
19 Funding formula, each Organizational Unit receives funding
20 equal to the sum of its Base Funding Minimum and the unit's
21 allocation of New State Funds determined pursuant to this
22 subsection (g). To allocate New State Funds, the
23 Evidence-Based Funding formula distribution system first
24 places all Organizational Units into one of 4 tiers in
25 accordance with paragraph (3) of this subsection (g),
26 based on the Organizational Unit's Final Percent of

1 Adequacy. New State Funds are allocated to each of the 4
2 tiers as follows: Tier 1 Aggregate Funding equals 50% of
3 all New State Funds, Tier 2 Aggregate Funding equals 49%
4 of all New State Funds, Tier 3 Aggregate Funding equals
5 0.9% of all New State Funds, and Tier 4 Aggregate Funding
6 equals 0.1% of all New State Funds. Each Organizational
7 Unit within Tier 1 or Tier 2 receives an allocation of New
8 State Funds equal to its tier Funding Gap, as defined in
9 the following sentence, multiplied by the tier's
10 Allocation Rate determined pursuant to paragraph (4) of
11 this subsection (g). For Tier 1, an Organizational Unit's
12 Funding Gap equals the tier's Target Ratio, as specified
13 in paragraph (5) of this subsection (g), multiplied by the
14 Organizational Unit's Adequacy Target, with the resulting
15 amount reduced by the Organizational Unit's Final
16 Resources. For Tier 2, an Organizational Unit's Funding
17 Gap equals the tier's Target Ratio, as described in
18 paragraph (5) of this subsection (g), multiplied by the
19 Organizational Unit's Adequacy Target, with the resulting
20 amount reduced by the Organizational Unit's Final
21 Resources and its Tier 1 funding allocation. To determine
22 the Organizational Unit's Funding Gap, the resulting
23 amount is then multiplied by a factor equal to one minus
24 the Organizational Unit's Local Capacity Target
25 percentage. Each Organizational Unit within Tier 3 or Tier
26 4 receives an allocation of New State Funds equal to the

1 product of its Adequacy Target and the tier's Allocation
2 Rate, as specified in paragraph (4) of this subsection
3 (g).

4 (2) To ensure equitable distribution of dollars for
5 all Tier 2 Organizational Units, no Tier 2 Organizational
6 Unit shall receive fewer dollars per ASE than any Tier 3
7 Organizational Unit. Each Tier 2 and Tier 3 Organizational
8 Unit shall have its funding allocation divided by its ASE.
9 Any Tier 2 Organizational Unit with a funding allocation
10 per ASE below the greatest Tier 3 allocation per ASE shall
11 get a funding allocation equal to the greatest Tier 3
12 funding allocation per ASE multiplied by the
13 Organizational Unit's ASE. Each Tier 2 Organizational
14 Unit's Tier 2 funding allocation shall be multiplied by
15 the percentage calculated by dividing the original Tier 2
16 Aggregate Funding by the sum of all Tier 2 Organizational
17 Units' Tier 2 funding allocation after adjusting
18 districts' funding below Tier 3 levels.

19 (3) Organizational Units are placed into one of 4
20 tiers as follows:

21 (A) Tier 1 consists of all Organizational Units,
22 except for Specially Funded Units, with a Percent of
23 Adequacy less than the Tier 1 Target Ratio. The Tier 1
24 Target Ratio is the ratio level that allows for Tier 1
25 Aggregate Funding to be distributed, with the Tier 1
26 Allocation Rate determined pursuant to paragraph (4)

1 of this subsection (g).

2 (B) Tier 2 consists of all Tier 1 Units and all
3 other Organizational Units, except for Specially
4 Funded Units, with a Percent of Adequacy of less than
5 0.90.

6 (C) Tier 3 consists of all Organizational Units,
7 except for Specially Funded Units, with a Percent of
8 Adequacy of at least 0.90 and less than 1.0.

9 (D) Tier 4 consists of all Organizational Units
10 with a Percent of Adequacy of at least 1.0.

11 (4) The Allocation Rates for Tiers 1 through 4 are
12 determined as follows:

13 (A) The Tier 1 Allocation Rate is 30%.

14 (B) The Tier 2 Allocation Rate is the result of the
15 following equation: Tier 2 Aggregate Funding, divided
16 by the sum of the Funding Gaps for all Tier 2
17 Organizational Units, unless the result of such
18 equation is higher than 1.0. If the result of such
19 equation is higher than 1.0, then the Tier 2
20 Allocation Rate is 1.0.

21 (C) The Tier 3 Allocation Rate is the result of the
22 following equation: Tier 3 Aggregate Funding, divided
23 by the sum of the Adequacy Targets of all Tier 3
24 Organizational Units.

25 (D) The Tier 4 Allocation Rate is the result of the
26 following equation: Tier 4 Aggregate Funding, divided

1 by the sum of the Adequacy Targets of all Tier 4
2 Organizational Units.

3 (5) A tier's Target Ratio is determined as follows:

4 (A) The Tier 1 Target Ratio is the ratio level that
5 allows for Tier 1 Aggregate Funding to be distributed
6 with the Tier 1 Allocation Rate.

7 (B) The Tier 2 Target Ratio is 0.90.

8 (C) The Tier 3 Target Ratio is 1.0.

9 (6) If, at any point, the Tier 1 Target Ratio is
10 greater than 90%, then all Tier 1 funding shall be
11 allocated to Tier 2 and no Tier 1 Organizational Unit's
12 funding may be identified.

13 (7) In the event that all Tier 2 Organizational Units
14 receive funding at the Tier 2 Target Ratio level, any
15 remaining New State Funds shall be allocated to Tier 3 and
16 Tier 4 Organizational Units.

17 (8) If any Specially Funded Units, excluding Glenwood
18 Academy, recognized by the State Board do not qualify for
19 direct funding following the implementation of Public Act
20 100-465 from any of the funding sources included within
21 the definition of Base Funding Minimum, the unqualified
22 portion of the Base Funding Minimum shall be transferred
23 to one or more appropriate Organizational Units as
24 determined by the State Superintendent based on the prior
25 year ASE of the Organizational Units.

26 (8.5) If a school district withdraws from a special

1 education cooperative, the portion of the Base Funding
2 Minimum that is attributable to the school district may be
3 redistributed to the school district upon withdrawal. The
4 school district and the cooperative must include the
5 amount of the Base Funding Minimum that is to be
6 reapportioned in their withdrawal agreement and notify the
7 State Board of the change with a copy of the agreement upon
8 withdrawal.

9 (9) The Minimum Funding Level is intended to establish
10 a target for State funding that will keep pace with
11 inflation and continue to advance equity through the
12 Evidence-Based Funding formula. The target for State
13 funding of New Property Tax Relief Pool Funds is
14 \$50,000,000 for State fiscal year 2019 and subsequent
15 State fiscal years. The Minimum Funding Level is equal to
16 \$350,000,000. In addition to any New State Funds, no more
17 than \$50,000,000 New Property Tax Relief Pool Funds may be
18 counted toward the Minimum Funding Level. If the sum of
19 New State Funds and applicable New Property Tax Relief
20 Pool Funds are less than the Minimum Funding Level, than
21 funding for tiers shall be reduced in the following
22 manner:

23 (A) First, Tier 4 funding shall be reduced by an
24 amount equal to the difference between the Minimum
25 Funding Level and New State Funds until such time as
26 Tier 4 funding is exhausted.

1 (B) Next, Tier 3 funding shall be reduced by an
2 amount equal to the difference between the Minimum
3 Funding Level and New State Funds and the reduction in
4 Tier 4 funding until such time as Tier 3 funding is
5 exhausted.

6 (C) Next, Tier 2 funding shall be reduced by an
7 amount equal to the difference between the Minimum
8 Funding Level and New State Funds and the reduction in
9 Tier 4 and Tier 3.

10 (D) Finally, Tier 1 funding shall be reduced by an
11 amount equal to the difference between the Minimum
12 Funding level and New State Funds and the reduction in
13 Tier 2, 3, and 4 funding. In addition, the Allocation
14 Rate for Tier 1 shall be reduced to a percentage equal
15 to the Tier 1 Allocation Rate set by paragraph (4) of
16 this subsection (g), multiplied by the result of New
17 State Funds divided by the Minimum Funding Level.

18 (9.5) For State fiscal year 2019 and subsequent State
19 fiscal years, except State fiscal year 2026, if New State
20 Funds exceed \$300,000,000, then any amount in excess of
21 \$300,000,000 shall be dedicated for purposes of Section
22 2-3.170 of this Code up to a maximum of \$50,000,000.

23 (10) In the event of a decrease in the amount of the
24 appropriation for this Section in any fiscal year after
25 implementation of this Section, the Organizational Units
26 receiving Tier 1 and Tier 2 funding, as determined under

1 paragraph (3) of this subsection (g), shall be held
2 harmless by establishing a Base Funding Guarantee equal to
3 the per pupil kindergarten through grade 12 funding
4 received in accordance with this Section in the prior
5 fiscal year. Reductions shall be made to the Base Funding
6 Minimum of Organizational Units in Tier 3 and Tier 4 on a
7 per pupil basis equivalent to the total number of the ASE
8 in Tier 3-funded and Tier 4-funded Organizational Units
9 divided by the total reduction in State funding. The Base
10 Funding Minimum as reduced shall continue to be applied to
11 Tier 3 and Tier 4 Organizational Units and adjusted by the
12 relative formula when increases in appropriations for this
13 Section resume. In no event may State funding reductions
14 to Organizational Units in Tier 3 or Tier 4 exceed an
15 amount that would be less than the Base Funding Minimum
16 established in the first year of implementation of this
17 Section. If additional reductions are required, all school
18 districts shall receive a reduction by a per pupil amount
19 equal to the aggregate additional appropriation reduction
20 divided by the total ASE of all Organizational Units.

21 (11) The State Superintendent shall make minor
22 adjustments to the distribution formula set forth in this
23 subsection (g) to account for the rounding of percentages
24 to the nearest tenth of a percentage and dollar amounts to
25 the nearest whole dollar.

26 (h) State Superintendent administration of funding and

1 district submission requirements.

2 (1) The State Superintendent shall, in accordance with
3 appropriations made by the General Assembly, meet the
4 funding obligations created under this Section.

5 (2) The State Superintendent shall calculate the
6 Adequacy Target for each Organizational Unit under this
7 Section. No Evidence-Based Funding shall be distributed
8 within an Organizational Unit without the approval of the
9 unit's school board.

10 (3) Annually, the State Superintendent shall calculate
11 and report to each Organizational Unit the unit's
12 aggregate financial adequacy amount, which shall be the
13 sum of the Adequacy Target for each Organizational Unit.
14 The State Superintendent shall calculate and report
15 separately for each Organizational Unit the unit's total
16 State funds allocated for its students with disabilities.
17 The State Superintendent shall calculate and report
18 separately for each Organizational Unit the amount of
19 funding and applicable FTE calculated for each Essential
20 Element of the unit's Adequacy Target.

21 (4) Annually, the State Superintendent shall calculate
22 and report to each Organizational Unit the amount the unit
23 must expend on special education and bilingual education
24 and computer technology and equipment for Organizational
25 Units assigned to Tier 1 or Tier 2 that received an
26 additional \$285.50 per student computer technology and

1 equipment investment grant to their Adequacy Target
2 pursuant to the unit's Base Funding Minimum, Special
3 Education Allocation, Bilingual Education Allocation, and
4 computer technology and equipment investment allocation.

5 (5) Moneys distributed under this Section shall be
6 calculated on a school year basis, but paid on a fiscal
7 year basis, with payments beginning in August and
8 extending through June. Unless otherwise provided, the
9 moneys appropriated for each fiscal year shall be
10 distributed in 22 equal payments at least 2 times monthly
11 to each Organizational Unit. If moneys appropriated for
12 any fiscal year are distributed other than monthly, the
13 distribution shall be on the same basis for each
14 Organizational Unit.

15 (6) Any school district that fails, for any given
16 school year, to maintain school as required by law or to
17 maintain a recognized school is not eligible to receive
18 Evidence-Based Funding. In case of non-recognition of one
19 or more attendance centers in a school district otherwise
20 operating recognized schools, the claim of the district
21 shall be reduced in the proportion that the enrollment in
22 the attendance center or centers bears to the enrollment
23 of the school district. "Recognized school" means any
24 public school that meets the standards for recognition by
25 the State Board. A school district or attendance center
26 not having recognition status at the end of a school term

1 is entitled to receive State aid payments due upon a legal
2 claim that was filed while it was recognized.

3 (7) School district claims filed under this Section
4 are subject to Sections 18-9 and 18-12 of this Code,
5 except as otherwise provided in this Section.

6 (8) Each fiscal year, the State Superintendent shall
7 calculate for each Organizational Unit an amount of its
8 Base Funding Minimum and Evidence-Based Funding that shall
9 be deemed attributable to the provision of special
10 educational facilities and services, as defined in Section
11 14-1.08 of this Code, in a manner that ensures compliance
12 with maintenance of State financial support requirements
13 under the federal Individuals with Disabilities Education
14 Act. An Organizational Unit must use such funds only for
15 the provision of special educational facilities and
16 services, as defined in Section 14-1.08 of this Code, and
17 must comply with any expenditure verification procedures
18 adopted by the State Board.

19 (9) All Organizational Units in this State must submit
20 annual spending plans, as part of the budget submission
21 process, no later than October 31 of each year to the State
22 Board. The spending plan shall describe how each
23 Organizational Unit will utilize the Base Funding Minimum
24 and Evidence-Based Funding it receives from this State
25 under this Section with specific identification of the
26 intended utilization of Low-Income, English learner, and

1 special education resources. Additionally, the annual
2 spending plans of each Organizational Unit shall describe
3 how the Organizational Unit expects to achieve student
4 growth and how the Organizational Unit will achieve State
5 education goals, as defined by the State Board, and shall
6 indicate which stakeholder groups the Organizational Unit
7 engaged with to inform its annual spending plans. The
8 State Superintendent may, from time to time, identify
9 additional requisites for Organizational Units to satisfy
10 when compiling the annual spending plans required under
11 this subsection (h). The format and scope of annual
12 spending plans shall be developed by the State
13 Superintendent and the State Board of Education. School
14 districts that serve students under Article 14C of this
15 Code shall continue to submit information as required
16 under Section 14C-12 of this Code. Annual spending plans
17 required under this subsection (h) shall be integrated
18 into annual school district budgets completed pursuant to
19 Section 17-1 or Section 34-43. Organizational Units that
20 do not submit a budget to the State Board shall be provided
21 with a separate planning template developed by the State
22 Board. The State Board shall create an Evidence-Based
23 Funding spending plan tool to make Evidence-Based Funding
24 spending plan data for each Organizational Unit available
25 on the State Board's website no later than December 31,
26 2025, with annual updates thereafter. The tool shall allow

1 for the selection and review of each Organizational Unit's
2 planned use of Evidence-Based Funding.

3 (10) No later than January 1, 2018, the State
4 Superintendent shall develop a 5-year strategic plan for
5 all Organizational Units to help in planning for adequacy
6 funding under this Section. The State Superintendent shall
7 submit the plan to the Governor and the General Assembly,
8 as provided in Section 3.1 of the General Assembly
9 Organization Act. The plan shall include recommendations
10 for:

11 (A) a framework for collaborative, professional,
12 innovative, and 21st century learning environments
13 using the Evidence-Based Funding model;

14 (B) ways to prepare and support this State's
15 educators for successful instructional careers;

16 (C) application and enhancement of the current
17 financial accountability measures, the approved State
18 plan to comply with the federal Every Student Succeeds
19 Act, and the Illinois Balanced Accountability Measures
20 in relation to student growth and elements of the
21 Evidence-Based Funding model; and

22 (D) implementation of an effective school adequacy
23 funding system based on projected and recommended
24 funding levels from the General Assembly.

25 (11) On an annual basis, the State Superintendent must
26 recalibrate all of the following per pupil elements of the

1 Adequacy Target and applied to the formulas, based on the
2 study of average expenses and as reported in the most
3 recent annual financial report:

4 (A) Gifted under subparagraph (M) of paragraph (2)
5 of subsection (b).

6 (B) Instructional materials under subparagraph (O)
7 of paragraph (2) of subsection (b).

8 (C) Assessment under subparagraph (P) of paragraph
9 (2) of subsection (b).

10 (D) Student activities under subparagraph (R) of
11 paragraph (2) of subsection (b).

12 (E) Maintenance and operations under subparagraph
13 (S) of paragraph (2) of subsection (b).

14 (F) Central office under subparagraph (T) of
15 paragraph (2) of subsection (b).

16 (i) Professional Review Panel.

17 (1) A Professional Review Panel is created to study
18 and review topics related to the implementation and effect
19 of Evidence-Based Funding, as assigned by a joint
20 resolution or Public Act of the General Assembly or a
21 motion passed by the State Board of Education. The Panel
22 must provide recommendations to and serve the Governor,
23 the General Assembly, and the State Board. The State
24 Superintendent or his or her designee must serve as a
25 voting member and chairperson of the Panel. The State
26 Superintendent must appoint a vice chairperson from the

1 membership of the Panel. The Panel must advance
2 recommendations based on a three-fifths majority vote of
3 Panel members present and voting. A minority opinion may
4 also accompany any recommendation of the Panel. The Panel
5 shall be appointed by the State Superintendent, except as
6 otherwise provided in paragraph (2) of this subsection (i)
7 and include the following members:

8 (A) Two appointees that represent district
9 superintendents, recommended by a statewide
10 organization that represents district superintendents.

11 (B) Two appointees that represent school boards,
12 recommended by a statewide organization that
13 represents school boards.

14 (C) Two appointees from districts that represent
15 school business officials, recommended by a statewide
16 organization that represents school business
17 officials.

18 (D) Two appointees that represent school
19 principals, recommended by a statewide organization
20 that represents school principals.

21 (E) Two appointees that represent teachers,
22 recommended by a statewide organization that
23 represents teachers.

24 (F) Two appointees that represent teachers,
25 recommended by another statewide organization that
26 represents teachers.

1 (G) Two appointees that represent regional
2 superintendents of schools, recommended by
3 organizations that represent regional superintendents.

4 (H) Two independent experts selected solely by the
5 State Superintendent.

6 (I) Two independent experts recommended by public
7 universities in this State.

8 (J) One member recommended by a statewide
9 organization that represents parents.

10 (K) Two representatives recommended by collective
11 impact organizations that represent major metropolitan
12 areas or geographic areas in Illinois.

13 (L) One member from a statewide organization
14 focused on research-based education policy to support
15 a school system that prepares all students for
16 college, a career, and democratic citizenship.

17 (M) One representative from a school district
18 organized under Article 34 of this Code.

19 The State Superintendent shall ensure that the
20 membership of the Panel includes representatives from
21 school districts and communities reflecting the
22 geographic, socio-economic, racial, and ethnic diversity
23 of this State. The State Superintendent shall additionally
24 ensure that the membership of the Panel includes
25 representatives with expertise in bilingual education and
26 special education. Staff from the State Board shall staff

1 the Panel.

2 (2) In addition to those Panel members appointed by
3 the State Superintendent, 4 members of the General
4 Assembly shall be appointed as follows: one member of the
5 House of Representatives appointed by the Speaker of the
6 House of Representatives, one member of the Senate
7 appointed by the President of the Senate, one member of
8 the House of Representatives appointed by the Minority
9 Leader of the House of Representatives, and one member of
10 the Senate appointed by the Minority Leader of the Senate.
11 There shall be one additional member appointed by the
12 Governor. All members appointed by legislative leaders or
13 the Governor shall be non-voting, ex officio members.

14 (3) The Panel must study topics at the direction of
15 the General Assembly or State Board of Education, as
16 provided under paragraph (1). The Panel may also study the
17 following topics at the direction of the chairperson:

18 (A) The format and scope of annual spending plans
19 referenced in paragraph (9) of subsection (h) of this
20 Section.

21 (B) The Comparable Wage Index under this Section.

22 (C) Maintenance and operations, including capital
23 maintenance and construction costs.

24 (D) "At-risk student" definition.

25 (E) Benefits.

26 (F) Technology.

1 (G) Local Capacity Target.

2 (H) Funding for Alternative Schools, Laboratory
3 Schools, safe schools, and alternative learning
4 opportunities programs.

5 (I) Funding for college and career acceleration
6 strategies.

7 (J) Special education investments.

8 (K) Early childhood investments, in collaboration
9 with the Illinois Early Learning Council.

10 (4) (Blank).

11 (5) Within 5 years after the implementation of this
12 Section, and every 5 years thereafter, the Panel shall
13 complete an evaluative study of the entire Evidence-Based
14 Funding model, including an assessment of whether or not
15 the formula is achieving State goals. The Panel shall
16 report to the State Board, the General Assembly, and the
17 Governor on the findings of the study.

18 (6) (Blank).

19 (7) To ensure that (i) the Adequacy Target calculation
20 under subsection (b) accurately reflects the needs of
21 students living in poverty or attending schools located in
22 areas of high poverty, (ii) racial equity within the
23 Evidence-Based Funding formula is explicitly explored and
24 advanced, and (iii) the funding goals of the formula
25 distribution system established under this Section are
26 sufficient to provide adequate funding for every student

1 and to fully fund every school in this State, the Panel
2 shall review the Essential Elements under paragraph (2) of
3 subsection (b). The Panel shall consider all of the
4 following in its review:

5 (A) The financial ability of school districts to
6 provide instruction in a foreign language to every
7 student and whether an additional Essential Element
8 should be added to the formula to ensure that every
9 student has access to instruction in a foreign
10 language.

11 (B) The adult-to-student ratio for each Essential
12 Element in which a ratio is identified. The Panel
13 shall consider whether the ratio accurately reflects
14 the staffing needed to support students living in
15 poverty or who have traumatic backgrounds.

16 (C) Changes to the Essential Elements that may be
17 required to better promote racial equity and eliminate
18 structural racism within schools.

19 (D) The impact of investing \$350,000,000 in
20 additional funds each year under this Section and an
21 estimate of when the school system will become fully
22 funded under this level of appropriation.

23 (E) Provide an overview of alternative funding
24 structures that would enable the State to become fully
25 funded at an earlier date.

26 (F) The potential to increase efficiency and to

1 find cost savings within the school system to expedite
2 the journey to a fully funded system.

3 (G) The appropriate levels for reenrolling and
4 graduating high-risk high school students who have
5 been previously out of school. These outcomes shall
6 include enrollment, attendance, skill gains, credit
7 gains, graduation or promotion to the next grade
8 level, and the transition to college, training, or
9 employment, with an emphasis on progressively
10 increasing the overall attendance.

11 (H) The evidence-based or research-based practices
12 that are shown to reduce the gaps and disparities
13 experienced by African American students in academic
14 achievement and educational performance, including
15 practices that have been shown to reduce disparities
16 in disciplinary rates, drop-out rates, graduation
17 rates, college matriculation rates, and college
18 completion rates.

19 On or before December 31, 2021, the Panel shall report
20 to the State Board, the General Assembly, and the Governor
21 on the findings of its review. This paragraph (7) is
22 inoperative on and after July 1, 2022.

23 (8) On or before April 1, 2024, the Panel must submit a
24 report to the General Assembly on annual adjustments to
25 Glenwood Academy's base-funding minimum in a similar
26 fashion to school districts under this Section.

1 (9) On or before March 31, 2026, the Professional
2 Review Panel shall make a report to the Governor and the
3 General Assembly assessing the impact of the property tax
4 relief pool grant program under Section 2-3.170, including
5 the number of districts participating in the program by
6 fiscal year since Fiscal Year 2019, the tier assignment
7 for participating school districts, and an analysis of the
8 operating tax rates of participating school districts to
9 determine if the grant program is meeting the legislative
10 intent of reducing property taxes in high-tax areas of the
11 State.

12 (j) References. Beginning July 1, 2017, references in
13 other laws to general State aid funds or calculations under
14 Section 18-8.05 of this Code (now repealed) shall be deemed to
15 be references to evidence-based model formula funds or
16 calculations under this Section.

17 (Source: P.A. 103-8, eff. 6-7-23; 103-154, eff. 6-30-23;
18 103-175, eff. 6-30-23; 103-605, eff. 7-1-24; 103-780, eff.
19 8-2-24; 103-802, eff. 1-1-25; 104-2, eff. 6-16-25; 104-417,
20 eff. 8-15-25; 104-435, eff. 11-21-25; revised 12-9-25.)

21 (105 ILCS 5/21B-20)

22 Sec. 21B-20. Types of licenses. The State Board of
23 Education shall implement a system of educator licensure,
24 whereby individuals employed in school districts who are
25 required to be licensed must have one of the following

1 licenses: (i) a professional educator license; (ii) an
2 educator license with stipulations; (iii) a substitute
3 teaching license; or (iv) until June 30, 2028, a short-term
4 substitute teaching license. References in law regarding
5 individuals certified or certificated or required to be
6 certified or certificated under Article 21 of this Code shall
7 also include individuals licensed or required to be licensed
8 under this Article. The first year of all licenses ends on June
9 30 following one full year of the license being issued.

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

14 (1) Professional Educator License. Persons who (i)
15 have successfully completed an approved educator
16 preparation program and are recommended for licensure by
17 the Illinois institution offering the educator preparation
18 program, (ii) have successfully completed the required
19 testing under Section 21B-30 of this Code, (iii) have
20 successfully completed coursework on the psychology of,
21 the identification of, and the methods of instruction for
22 the exceptional child, including, without limitation,
23 children with learning disabilities, (iv) have
24 successfully completed coursework in methods of reading
25 and reading in the content area, and (v) have met all other
26 criteria established by rule of the State Board of

1 Education shall be issued a Professional Educator License.
2 Persons seeking a Professional Educator License with a
3 school support personnel endorsement or chief school
4 business official endorsement are exempt from the
5 requirements in items (iii) and (iv). All Professional
6 Educator Licenses are valid until June 30 immediately
7 following 5 years of the license being issued. The
8 Professional Educator License shall be endorsed with
9 specific areas and grade levels in which the individual is
10 eligible to practice. For an early childhood education
11 endorsement, an individual may satisfy the student
12 teaching requirement of his or her early childhood teacher
13 preparation program through placement in a setting with
14 children from birth through grade 2, and the individual
15 may be paid and receive credit while student teaching. The
16 student teaching experience must meet the requirements of
17 and be approved by the individual's early childhood
18 teacher preparation program. No institution of higher
19 education shall establish or maintain any policy which
20 requires student teaching for preservice teachers to be
21 unpaid.

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

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

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

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

12 (A) (Blank).

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

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

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

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

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

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

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

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

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

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

25 The endorsement is valid for 2 fiscal years in
26 order to complete one full year of serving as a

1 superintendent or assistant superintendent.

2 (D) (Blank).

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

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

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

20 An individual who holds a valid career and
21 technical educator endorsement on an Educator License
22 with Stipulations is entitled to all of the rights and
23 privileges granted to a holder of a Professional
24 Educator License.

25 (F) (Blank).

26 (G) Transitional bilingual educator. A

1 transitional bilingual educator endorsement on an
2 Educator License with Stipulations may be issued for
3 the purpose of providing instruction in accordance
4 with Article 14C of this Code to an applicant who
5 provides satisfactory evidence that he or she meets
6 all of the following requirements:

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

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

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

24 A transitional bilingual educator endorsement
25 shall be valid for prekindergarten through grade 12,
26 is valid until June 30 immediately following 5 years

1 of the endorsement being issued, and shall not be
2 renewed.

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

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

15 (i) Holds a transitional bilingual
16 endorsement.

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

21 (iii) Holds a bachelor's degree or higher from
22 a regionally accredited institution of higher
23 education or, for individuals educated in a
24 country other than the United States, holds a
25 degree from an institution of higher learning in a
26 foreign country that the State Educator

1 Preparation and Licensure Board determines to be
2 the equivalent of a bachelor's degree from a
3 regionally accredited institution of higher
4 learning in the United States.

5 (iv) (Blank).

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

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

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

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

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

26 (iv) Has an adequate command of the English

1 language.

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

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

15 (J) Paraprofessional educator. A paraprofessional
16 educator endorsement on an Educator License with
17 Stipulations may be issued to an applicant who holds a
18 high school diploma or its recognized equivalent and
19 (i) holds an associate's degree or a minimum of 60
20 semester hours of credit from a regionally accredited
21 institution of higher education; (ii) has passed a
22 paraprofessional competency test under subsection
23 (c-5) of Section 21B-30; or (iii) is at least 18 years
24 of age and will be using the Educator License with
25 Stipulations exclusively for grades prekindergarten
26 through grade 8, until the individual reaches the age

1 of 19 years and otherwise meets the criteria for a
2 paraprofessional educator endorsement pursuant to this
3 subparagraph (J). The paraprofessional educator
4 endorsement is valid until June 30 immediately
5 following 5 years of the endorsement being issued and
6 may be renewed through application and payment of the
7 appropriate fee, as required under Section 21B-40 of
8 this Code. An individual who holds only a
9 paraprofessional educator endorsement is not subject
10 to additional requirements in order to renew the
11 endorsement.

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

24 The chief school business official endorsement may
25 also be affixed to the Educator License with
26 Stipulations of any holder who qualifies by having a

1 master's degree in business administration, finance,
2 accounting, or public administration and who completes
3 an additional 6 semester hours of internship in school
4 business management from a regionally accredited
5 institution of higher education and passes the
6 applicable State tests, including an applicable
7 content area test. This endorsement shall be required
8 for any individual employed as a chief school business
9 official.

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

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

22 (L) Provisional in-state educator. A provisional
23 in-state educator endorsement on an Educator License
24 with Stipulations may be issued to a candidate who has
25 completed an Illinois-approved educator preparation
26 program at an Illinois institution of higher education

1 and who has not successfully completed an
2 evidence-based assessment of teacher effectiveness but
3 who meets all of the following requirements:

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

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

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

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

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

19 (M) (Blank).

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

23 (O) Provisional career and technical educator. A
24 provisional career and technical educator endorsement
25 on an Educator License with Stipulations may be issued
26 to an applicant who has a minimum of 8,000 hours of

1 work experience in the skill for which the applicant
2 is seeking the endorsement. Each employing school
3 board and regional office of education shall provide
4 verification, in writing, to the State Superintendent
5 of Education at the time the application is submitted
6 that no qualified teacher holding a Professional
7 Educator License or an Educator License with
8 Stipulations with a career and technical educator
9 endorsement is available to teach and that actual
10 circumstances require such issuance.

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

15 An individual who holds a provisional career and
16 technical educator endorsement on an Educator License
17 with Stipulations may teach as a substitute teacher in
18 career and technical education classrooms.

19 An individual who holds a provisional career and
20 technical educator endorsement on an Educator License
21 with Stipulations is entitled to all of the rights and
22 privileges granted to a holder of a Professional
23 Educator License.

24 (3) Substitute Teaching License. A Substitute Teaching
25 License may be issued to qualified applicants for
26 substitute teaching in all grades of the public schools,

1 prekindergarten through grade 12. Substitute Teaching
2 Licenses are not eligible for endorsements. Applicants for
3 a Substitute Teaching License must hold a bachelor's
4 degree or higher from a regionally accredited institution
5 of higher education or must be enrolled in an approved
6 educator preparation program in this State and have earned
7 at least 90 credit hours.

8 Substitute Teaching Licenses are valid for 5 years.

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

15 A substitute teacher may only teach in the place of a
16 licensed teacher who is under contract with the employing
17 board. If, however, there is no licensed teacher under
18 contract because of an emergency situation, then a
19 district may employ a substitute teacher for no longer
20 than 30 calendar days per each vacant position in the
21 district if the district notifies the appropriate regional
22 office of education within 5 business days after the
23 employment of the substitute teacher in that vacant
24 position. A district may continue to employ that same
25 substitute teacher in that same vacant position for 90
26 calendar days or until the end of the semester, whichever

1 is greater, if, prior to the expiration of the
2 30-calendar-day period then current, the district files a
3 written request with the appropriate regional office of
4 education for a 30-calendar-day extension on the basis
5 that the position remains vacant and the district
6 continues to actively seek qualified candidates and
7 provides documentation that it has provided training
8 specific to the position, including training on meeting
9 the needs of students with disabilities and English
10 learners if applicable. Each extension request shall be
11 granted in writing by the regional office of education. An
12 emergency situation is one in which an unforeseen vacancy
13 has occurred and (i) a teacher is unexpectedly unable to
14 fulfill his or her contractual duties or (ii) teacher
15 capacity needs of the district exceed previous indications
16 or vacancies are unfilled due to a lack of qualified
17 candidates, and the district is actively engaged in
18 advertising to hire a fully licensed teacher for the
19 vacant position.

20 There is no limit on the number of days that a
21 substitute teacher may teach in a single school district,
22 provided that no substitute teacher may teach for longer
23 than 120 days beginning with the 2021-2022 school year
24 through the 2022-2023 school year, otherwise 90 school
25 days for any one licensed teacher under contract in the
26 same school year. A substitute teacher who holds a

1 Professional Educator License or Educator License with
2 Stipulations shall not teach for more than 120 school days
3 for any one licensed teacher under contract in the same
4 school year. The limitations in this paragraph (3) on the
5 number of days a substitute teacher may be employed do not
6 apply to any school district operating under Article 34 of
7 this Code.

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

12 (4) Short-Term Substitute Teaching License. Beginning
13 on July 1, 2018 and until June 30, 2028, applicants may
14 apply to the State Board of Education for issuance of a
15 Short-Term Substitute Teaching License. A Short-Term
16 Substitute Teaching License may be issued to a qualified
17 applicant for substitute teaching in all grades of the
18 public schools, prekindergarten through grade 12.
19 Short-Term Substitute Teaching Licenses are not eligible
20 for endorsements. Applicants for a Short-Term Substitute
21 Teaching License must hold an associate's degree or have
22 completed at least 60 credit hours from a regionally
23 accredited institution of higher education.

24 Short-Term Substitute Teaching Licenses are valid for
25 substitute teaching in every county of this State. If an
26 individual has had his or her Professional Educator

1 License or Educator License with Stipulations suspended or
2 revoked, then that individual is not eligible to obtain a
3 Short-Term Substitute Teaching License.

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

6 An individual holding a Short-Term Substitute Teaching
7 License may teach no more than 15 consecutive days per
8 licensed teacher who is under contract. For teacher
9 absences lasting 6 or more days per licensed teacher who
10 is under contract, a school district may not hire an
11 individual holding a Short-Term Substitute Teaching
12 License, unless the Governor has declared a disaster due
13 to a public health emergency pursuant to Section 7 of the
14 Illinois Emergency Management Agency Act. An individual
15 holding a Short-Term Substitute Teaching License must
16 complete the training program under Section 10-20.67 or
17 34-18.60 of this Code to be eligible to teach at a public
18 school. Short-Term Substitute Teaching Licenses under this
19 Section are valid for 5 years.

20 (Source: P.A. 103-111, eff. 6-29-23; 103-154, eff. 6-30-23;
21 103-193, eff. 1-1-24; 103-564, eff. 11-17-23; 103-617, eff.
22 7-1-24; 104-128, eff. 1-1-26; 104-316, eff. 8-15-25; revised
23 11-20-25.)

24 (105 ILCS 5/21B-30)

25 Sec. 21B-30. Educator testing.

1 (a) (Blank).

2 (b) The State Board of Education, in consultation with the
3 State Educator Preparation and Licensure Board, shall design
4 and implement a system of examinations, which shall be
5 required prior to the issuance of educator licenses. These
6 examinations and indicators must be based on national and
7 State professional teaching standards, as determined by the
8 State Board of Education, in consultation with the State
9 Educator Preparation and Licensure Board. By July 1, 2027, the
10 State Superintendent of Education shall begin incorporating
11 the following topics into revised examinations for individuals
12 seeking a Professional Educator License endorsed in teaching
13 or administration, excluding a chief school business official
14 endorsement: (i) methods of instruction of the exceptional
15 child; (ii) methods of reading and reading in the content
16 area; and (iii) instructional strategies for English learners.
17 The State Board of Education may adopt such rules as may be
18 necessary to implement and administer this Section.

19 (c) (Blank).

20 (c-5) The State Board must adopt rules to implement a
21 paraprofessional competency test. This test would allow an
22 applicant seeking an Educator License with Stipulations with a
23 paraprofessional educator endorsement to obtain the
24 endorsement if he or she passes the test and meets the other
25 requirements of subparagraph (J) of paragraph (2) of Section
26 21B-20 other than the higher education requirements.

1 (d) All applicants seeking a State license shall be
2 required to pass a test of content area knowledge for each area
3 of endorsement for which there is an applicable test. There
4 shall be no exception to this requirement except for an
5 applicant seeking a school support personnel endorsement who
6 holds an active and valid professional license issued by the
7 Department of Financial and Professional Regulation in the
8 same subject matter as the endorsement sought, as specified by
9 rule by the State Board, or as provided under subparagraph (P)
10 of paragraph (1) of Section 21B-20. However, notwithstanding
11 any other law to the contrary, individuals seeking a
12 short-term approval for school support personnel, as defined
13 in rules, are not required to take the test of content area
14 knowledge prior to the short-term approval being issued.

15 (d-5) The State Board shall consult with any applicable
16 vendors within 90 days after July 28, 2023 (the effective date
17 of Public Act 103-402) to develop a plan to transition the test
18 of content area knowledge in the endorsement area of
19 elementary education, grades one through 6, by July 1, 2026 to
20 a content area test that contains testing elements that cover
21 bilingualism, biliteracy, oral language development,
22 foundational literacy skills, and developmentally appropriate
23 higher-order comprehension and on which a valid and reliable
24 language and literacy subscore can be determined. The State
25 Board shall base its rules concerning the passing subscore on
26 the language and literacy portion of the test on the

1 recommended cut-score determined in the formal
2 standard-setting process. Candidates need not achieve a
3 particular subscore in the area of language and literacy. The
4 State Board shall aggregate and publish the number of
5 candidates in each preparation program who take the test and
6 the number who pass the language and literacy portion.

7 (e) (Blank).

8 (f) Beginning on August 4, 2023 (the effective date of
9 Public Act 103-488) through August 31, 2026, no candidate
10 completing a teacher preparation program in this State or
11 candidate subject to Section 21B-35 of this Code is required
12 to pass a teacher performance assessment. Except as otherwise
13 provided in this Article, beginning on September 1, 2015 until
14 August 4, 2023 (the effective date of Public Act 103-488) and
15 beginning again on September 1, 2029, all candidates
16 completing teacher preparation programs in this State and all
17 candidates subject to Section 21B-35 of this Code are required
18 to pass a teacher performance assessment approved by the State
19 Board of Education, in consultation with the State Educator
20 Preparation and Licensure Board. Any candidate who has
21 successfully completed student teaching or has met one of the
22 student teaching exceptions set forth in rules prior to
23 September 1, 2028 is exempt from this requirement. A candidate
24 may not be required to submit test materials by video
25 submission. Subject to appropriation, an individual who holds
26 a Professional Educator License and is employed for a minimum

1 of one school year by a school district designated as Tier 1
2 under Section 18-8.15 may, after application to the State
3 Board, receive from the State Board a refund for any costs
4 associated with completing the teacher performance assessment
5 under this subsection.

6 Beginning on September 1, 2026 through August 31, 2029,
7 all institutions of higher education offering educator
8 preparation programs in this State shall participate in the
9 pilot program set forth in Section 21B-32 for the teacher
10 performance assessment developed by the State Board of
11 Education.

12 The State Board of Education shall adopt rules for the
13 administration of this subsection.

14 (f-5) The Teacher Performance Assessment Task Force is
15 created to evaluate potential performance-based and objective
16 teacher performance assessment systems for implementation
17 across all educator preparation programs in this State, with
18 the intention of ensuring consistency across programs and
19 supporting a thoughtful and well-rounded licensure system.
20 Members appointed to the Task Force must reflect the racial,
21 ethnic, and geographic diversity of this State. The Task Force
22 shall consist of all of the following members:

23 (1) One member of the Senate, appointed by the
24 President of the Senate.

25 (2) One member of the Senate, appointed by the
26 Minority Leader of the Senate.

1 (3) One member of the House of Representatives,
2 appointed by the Speaker of the House of Representatives.

3 (4) One member of the House of Representatives,
4 appointed by the Minority Leader of the House of
5 Representatives.

6 (5) One member who represents a statewide professional
7 teachers' organization, appointed by the State
8 Superintendent of Education.

9 (6) One member who represents a different statewide
10 professional teachers' organization, appointed by the
11 State Superintendent of Education.

12 (7) One member from a statewide organization
13 representing school principals, appointed by the State
14 Superintendent of Education.

15 (8) One member from a statewide organization
16 representing regional superintendents of schools,
17 appointed by the State Superintendent of Education.

18 (9) One member from a statewide organization
19 representing school administrators, appointed by the State
20 Superintendent of Education.

21 (10) One member representing a school district
22 organized under Article 34 of this Code, appointed by the
23 State Superintendent of Education.

24 (11) One member of an association representing rural
25 and small schools, appointed by the State Superintendent
26 of Education.

1 (12) One member representing a suburban school
2 district, appointed by the State Superintendent of
3 Education.

4 (13) One member from a statewide organization
5 representing school districts in the southern suburbs of
6 the City of Chicago, appointed by the State Superintendent
7 of Education.

8 (14) One member from a statewide organization
9 representing large unit school districts, appointed by the
10 State Superintendent of Education.

11 (15) One member from a statewide organization
12 representing school districts in the collar counties of
13 the City of Chicago, appointed by the State Superintendent
14 of Education.

15 (16) Three members, each representing a different
16 public university in this State and each a current member
17 of the faculty of an approved educator preparation
18 program, appointed by the State Superintendent of
19 Education.

20 (17) Three members, each representing a different
21 4-year nonpublic university or college in this State and
22 each a current member of the faculty of an approved
23 educator preparation program, appointed by the State
24 Superintendent of Education.

25 (18) One member of the Board of Higher Education,
26 appointed by the State Superintendent of Education.

1 (19) One member representing a statewide policy
2 organization advocating on behalf of multilingual students
3 and families, appointed by the State Superintendent of
4 Education.

5 (20) One member representing a statewide organization
6 focused on research-based education policy to support a
7 school system that prepares all students for college, a
8 career, and democratic citizenship, appointed by the State
9 Superintendent of Education.

10 (21) Two members representing an early childhood
11 advocacy organization, appointed by the State
12 Superintendent of Education.

13 (22) One member representing a statewide organization
14 that partners with educator preparation programs and
15 school districts to support the growth and development of
16 preservice teachers, appointed by the State Superintendent
17 of Education.

18 (23) One member representing a statewide organization
19 that advocates for educational equity and racial justice
20 in schools, appointed by the State Superintendent of
21 Education.

22 (24) One member representing a statewide organization
23 that represents school boards, appointed by the State
24 Superintendent of Education.

25 (25) One member who has, within the last 5 years,
26 served as a cooperating teacher, appointed by the State

1 Superintendent of Education.

2 Members of the Task Force shall serve without
3 compensation. The Task Force shall first meet at the call of
4 the State Superintendent of Education, and each subsequent
5 meeting shall be called by the chairperson of the Task Force,
6 who shall be designated by the State Superintendent of
7 Education. The State Board of Education shall provide
8 administrative and other support to the Task Force.

9 On or before October 31, 2024, the Task Force shall report
10 on its work, including recommendations on a teacher
11 performance assessment system in this State, to the State
12 Board of Education and the General Assembly. The Task Force is
13 dissolved upon submission of this report.

14 (g) The content area knowledge test and the teacher
15 performance assessment shall be the tests that from time to
16 time are designated by the State Board of Education, in
17 consultation with the State Educator Preparation and Licensure
18 Board, and may be tests prepared by an educational testing
19 organization or tests designed by the State Board of
20 Education, in consultation with the State Educator Preparation
21 and Licensure Board. The test of content area knowledge shall
22 assess content knowledge in a specific subject field. The
23 tests must be designed to be racially neutral to ensure that no
24 person taking the tests is discriminated against on the basis
25 of race, color, national origin, or other factors unrelated to
26 the person's ability to perform as a licensed employee. The

1 score required to pass the tests shall be fixed by the State
2 Board of Education, in consultation with the State Educator
3 Preparation and Licensure Board. The State Board of
4 Education's rules for scoring the content area knowledge test
5 may include scoring and retaking of each test section
6 separately and independently. The tests shall be administered
7 not fewer than 3 times a year at such time and place as may be
8 designated by the State Board of Education, in consultation
9 with the State Educator Preparation and Licensure Board.

10 The State Board shall implement a test or tests to assess
11 the speaking, reading, writing, and grammar skills of
12 applicants for an endorsement or a license issued under
13 subdivision (G) of paragraph (2) of Section 21B-20 of this
14 Code in the English language and in the language of the
15 transitional bilingual education program requested by the
16 applicant.

17 (g-5) On or before July 1, 2026, the State Board of
18 Education shall post publicly on its website the process by
19 which the State Board or any entity designated by the State
20 Board evaluates content area knowledge tests to determine
21 content validity, an absence of bias, or the scores required
22 to pass such tests. The State Board shall also make the
23 following information publicly available on its website:

24 (1) the process by which members are selected to form
25 a committee or group to make the determinations set forth
26 in this subsection (g-5); and

1 (2) the agenda and summary of each meeting of any such
2 committee or group.

3 (h) Except as provided in Section 34-6 of this Code, the
4 provisions of this Section shall apply equally in any school
5 district subject to Article 34 of this Code.

6 (i) The rules developed to implement and enforce the
7 testing requirements under this Section shall include, without
8 limitation, provisions governing test selection, test
9 validation, and determination of a passing score,
10 administration of the tests, frequency of administration,
11 applicant fees, frequency of applicants taking the tests, the
12 years for which a score is valid, and appropriate special
13 accommodations. The State Board of Education shall develop
14 such rules as may be needed to ensure uniformity from year to
15 year in the level of difficulty for each form of an assessment.

16 (Source: P.A. 103-402, eff. 7-28-23; 103-488, eff. 8-4-23;
17 103-605, eff. 7-1-24; 103-780, eff. 8-2-24; 103-811, eff.
18 8-9-24; 103-846, eff. 8-9-24; 104-128, eff. 1-1-26; 104-385,
19 eff. 1-1-26; 104-399, eff. 1-1-26; revised 9-12-25.)

20 (105 ILCS 5/22-81)

21 Sec. 22-81. Drug education and youth overdose prevention.
22 By July 1, 2024, the State Board of Education and the
23 Department of Human Services shall work in consultation with
24 relevant stakeholders, including the Illinois Opioid Crisis
25 Response Advisory Council, to develop and update substance use

1 prevention and recovery resource materials for public
2 elementary and secondary schools. A Substance Use Prevention
3 and Recovery Instruction Resource Guide shall be made
4 available on the State Board of Education's Internet website
5 and shall be sent via electronic mail to all regional offices
6 of education and school districts in this State. The Resource
7 Guide shall provide guidance for school districts and
8 educators regarding student instruction in the topics of
9 substance use prevention and recovery at an age and
10 developmentally appropriate level and shall be reviewed and
11 updated appropriately based on new findings and trends as
12 determined by the State Board of Education or the Department
13 of Human Services. A school district's use of the Resource
14 Guide shall be voluntary. All resources and recommendations
15 within the Resource Guide shall align with the substance use
16 prevention and recovery related topics within the Illinois
17 Learning Standards for Physical Development and Health and the
18 State of Illinois Opioid Action Plan. The Resource Guide
19 shall, at a minimum, include all the following:

20 (1) Age-appropriate, comprehensive, reality-based,
21 safety-focused, medically accurate and evidence-informed
22 information that reduces substance use ~~substance-use~~ risk
23 factors and promotes protective factors.

24 (2) Information about where to locate stories and
25 perspectives of people with lived experiences for
26 incorporation into classroom instruction.

1 (3) Resources regarding how to make substance use
2 prevention and recovery instruction interactive at each
3 grade level.

4 (4) Information on how school districts may involve
5 parents, caregivers, teachers, health care ~~healthcare~~
6 providers, and community members in the instructional
7 process.

8 (5) Ways to create instructional programs that are
9 representative of diverse demographic groups and
10 appropriate for each age, grade, and culture represented
11 in classrooms in this State.

12 (6) Resources that reflect the prevention continuum
13 from universal to selected tactics that address young
14 people's substance use, and current and projected
15 substance use and overdose trends.

16 (7) Citations and references the most up-to-date
17 version of the State of Illinois Overdose Action Plan.

18 (8) Resources that reflect the importance of education
19 for youth, their families, and their community about:

20 (A) substance types, the substance use continuum,
21 the impact of substances on the brain and body, and
22 contributing factors that lead to substance use, such
23 as underlying co-occurring health issues and trauma;

24 (B) the history of drugs and health policy in this
25 State and the country, the impact of zero tolerance,
26 and restorative justice practices;

1 (C) risk mitigation and harm reduction, including
2 abstinence and responding to an overdose with the use
3 of naloxone and fentanyl test strips;

4 (D) addressing adverse childhood experiences, such
5 as witnessing and experiencing violence, abuse,
6 caregiver loss, and other trauma, especially among
7 young people of color;

8 (E) the social and health inequities among racial
9 and ethnic minorities; and

10 (F) strategies and resources for coping with
11 stress, trauma, substance use, and other risky
12 behavior in non-punitive ways to help oneself or
13 others.

14 Subject to appropriation, the Department of Human Services
15 shall reimburse a grantee for any costs associated with
16 facilitating a heroin and opioid overdose prevention
17 instructional program for school districts seeking to provide
18 instruction under this type of program. Each school district
19 that seeks to participate in the program shall have the
20 discretion to determine which grade levels the school district
21 will instruct under the program.

22 The program must use effective, research-proven,
23 interactive teaching methods and technologies, and must
24 provide students, parents, and school staff with scientific,
25 social, and emotional learning content to help them understand
26 the risk of drug use. Such learning content must specifically

1 target the dangers of prescription pain medication and heroin
2 abuse. The Department may contract with a health education
3 organization to fulfill the requirements of the program.

4 (Source: P.A. 102-894, eff. 5-20-22; 103-399, eff. 7-28-23;
5 revised 6-27-25.)

6 (105 ILCS 5/22-83)

7 Sec. 22-83. Police training academy job training program.

8 (a) In a county of 175,000 or more inhabitants, any school
9 district with a high school may establish one or more
10 partnerships with a local police department, county sheriff,
11 or police training academy to establish a jobs training
12 program for high school students. The school district shall
13 establish its partnership or partnerships on behalf of all of
14 the high schools in the district; no high school shall
15 establish a partnership for this purpose separate from the
16 school district's partnership under this Section. ~~To However,~~
17 ~~to~~ encourage and maintain successful program participation and
18 partnerships, the school districts and their partner agencies
19 may impose specific program requirements.

20 (b) (Blank).

21 (c) Participating counties, school districts, and law
22 enforcement partners may seek federal, State, and private
23 funds to support the police training academy job training and
24 scholarship programs established under Section 65.95 of the
25 Higher Education Student Assistance Act and this Section.

1 (Source: P.A. 104-2, eff. 6-16-25; 104-391, eff. 8-15-25;
2 revised 9-12-25.)

3 (105 ILCS 5/22-87)

4 Sec. 22-87. Graduation requirements; Free Application for
5 Federal Student Aid.

6 (a) Beginning with the 2020-2021 school year, in addition
7 to any other requirements under this Code, as a prerequisite
8 to receiving a high school diploma from a public high school,
9 the parent or guardian of each student or, if a student is at
10 least 18 years of age or legally emancipated, the student must
11 comply with either of the following:

12 (1) File a Free Application for Federal Student Aid
13 with the United States Department of Education or, if
14 applicable, an application for State financial aid.

15 (2) On a form created by the State Board of Education,
16 file a waiver with the student's school district
17 indicating that the parent or guardian or, if applicable,
18 the student understands what the Free Application for
19 Federal Student Aid and application for State financial
20 aid are and has chosen not to file an application under
21 paragraph (1).

22 (b) Each school district with a high school must require
23 each high school student to comply with this Section and must
24 provide to each high school student and, if applicable, his or
25 her parent or guardian any support or assistance necessary to

1 comply with this Section.

2 Beginning with the 2025-2026 school year, each high school
3 must designate at least one member of its staff as a contact
4 for matters related to this Section, annually provide the
5 individual's name and contact information to the State Board
6 of Education and Illinois Student Assistance Commission in a
7 form and manner that these agencies prescribe, and inform high
8 school seniors that this individual is available to answer
9 questions about this Section or to refer them to an
10 appropriate resource, which may include, but is not limited
11 to, the Illinois Student Assistance Commission. The contact
12 shall serve as a designated point of contact for information
13 from the State Board of Education and Illinois Student
14 Assistance Commission related to this Section, including the
15 free resources available to ~~their~~ students and schools to help
16 them comply with this Section. A person designated as a point
17 of contact under this Section shall, upon designation, be
18 required to complete an initial orientation and, thereafter,
19 shall be encouraged to participate in annual briefings. The
20 individual shall be eligible to receive professional
21 development hours for both the initial orientation and
22 subsequent annual briefings, as applicable.

23 Beginning with the 2025-2026 school year, the school
24 district shall provide appropriate support to each high school
25 student to assist with education about and the completion of a
26 financial aid application as described in subsection (a). This

1 support may be offered in a variety of formats, times, and
2 settings and shall include an opportunity for the student to
3 request and receive help during the school day in completing
4 the student's portion of the financial aid application. The
5 high school may request assistance from the Illinois Student
6 Assistance Commission to support the completion of financial
7 aid applications, including application completion events and
8 individual assistance, at no cost to the high school.

9 A high school student may choose whether to use the
10 support or assistance provided under this Section.

11 A school district must award a high school diploma to a
12 student who is unable to meet the requirements of subsection
13 (a) due to extenuating circumstances, as determined by the
14 school district, if (i) the student has met all other
15 graduation requirements under this Code and (ii) the principal
16 attests that the school district has made a good faith effort
17 to assist the student or, if applicable, his or her parent or
18 guardian in filing an application or a waiver under subsection
19 (a).

20 (c) The State Board of Education may adopt rules to
21 implement this Section.

22 (Source: P.A. 104-13, eff. 6-30-25; 104-14, eff. 6-30-25;
23 revised 9-12-25.)

24 (105 ILCS 5/22-105) (was 105 ILCS 5/27-8.1)

25 Sec. 22-105. Health examinations and immunizations.

1 (1) In compliance with rules and regulations which the
2 Department of Public Health shall promulgate, and except as
3 hereinafter provided, all children in Illinois shall have a
4 health examination as follows: within one year prior to
5 entering kindergarten or the first grade of any public,
6 private, or parochial elementary school; upon entering the
7 sixth and ninth grades of any public, private, or parochial
8 school; prior to entrance into any public, private, or
9 parochial nursery school; and, irrespective of grade,
10 immediately prior to or upon entrance into any public,
11 private, or parochial school or nursery school, each child
12 shall present proof of having been examined in accordance with
13 this Section and the rules and regulations promulgated
14 hereunder. Any child who received a health examination within
15 one year prior to entering the fifth grade for the 2007-2008
16 school year is not required to receive an additional health
17 examination in order to comply with the provisions of Public
18 Act 95-422 when he or she attends school for the 2008-2009
19 school year, unless the child is attending school for the
20 first time as provided in this paragraph.

21 A tuberculosis skin test screening shall be included as a
22 required part of each health examination included under this
23 Section if the child resides in an area designated by the
24 Department of Public Health as having a high incidence of
25 tuberculosis. Additional health examinations of pupils,
26 including eye examinations, may be required when deemed

1 necessary by school authorities. Parents are encouraged to
2 have their children undergo eye examinations at the same
3 points in time required for health examinations.

4 (1.5) In compliance with rules adopted by the Department
5 of Public Health and except as otherwise provided in this
6 Section, all children in kindergarten and the second, sixth,
7 and ninth grades of any public, private, or parochial school
8 shall have a dental examination. Each of these children shall
9 present proof of having been examined by a dentist in
10 accordance with this Section and rules adopted under this
11 Section before May 15th of the school year. If a child in the
12 second, sixth, or ninth grade fails to present proof by May
13 15th, the school may hold the child's report card until one of
14 the following occurs: (i) the child presents proof of a
15 completed dental examination or (ii) the child presents proof
16 that a dental examination will take place within 60 days after
17 May 15th. A school may not withhold a child's report card
18 during a school year in which the Governor has declared a
19 disaster due to a public health emergency pursuant to Section
20 7 of the Illinois Emergency Management Agency Act. The
21 Department of Public Health shall establish, by rule, a waiver
22 for children who show an undue burden or a lack of access to a
23 dentist. Each public, private, and parochial school must give
24 notice of this dental examination requirement to the parents
25 and guardians of students at least 60 days before May 15th of
26 each school year.

1 (1.10) Except as otherwise provided in this Section, all
2 children enrolling in kindergarten in a public, private, or
3 parochial school on or after January 1, 2008 (the effective
4 date of Public Act 95-671) and any student enrolling for the
5 first time in a public, private, or parochial school on or
6 after January 1, 2008 (the effective date of Public Act
7 95-671) shall have an eye examination. Each of these children
8 shall present proof of having been examined by a physician
9 licensed to practice medicine in all of its branches or a
10 licensed optometrist within the previous year, in accordance
11 with this Section and rules adopted under this Section, before
12 October 15th of the school year. If the child fails to present
13 proof by October 15th, the school may hold the child's report
14 card until one of the following occurs: (i) the child presents
15 proof of a completed eye examination or (ii) the child
16 presents proof that an eye examination will take place within
17 60 days after October 15th. A school may not withhold a child's
18 report card during a school year in which the Governor has
19 declared a disaster due to a public health emergency pursuant
20 to Section 7 of the Illinois Emergency Management Agency Act.
21 The Department of Public Health shall establish, by rule, a
22 waiver for children who show an undue burden or a lack of
23 access to a physician licensed to practice medicine in all of
24 its branches who provides eye examinations or to a licensed
25 optometrist. Each public, private, and parochial school must
26 give notice of this eye examination requirement to the parents

1 and guardians of students in compliance with rules of the
2 Department of Public Health. Nothing in this Section shall be
3 construed to allow a school to exclude a child from attending
4 because of a parent's or guardian's failure to obtain an eye
5 examination for the child.

6 (2) The Department of Public Health shall promulgate rules
7 and regulations specifying the examinations and procedures
8 that constitute a health examination, which shall include an
9 age-appropriate developmental screening, an age-appropriate
10 social and emotional screening, and the collection of data
11 relating to asthma and obesity (including at a minimum, date
12 of birth, gender, height, weight, blood pressure, and date of
13 exam), and a dental examination and may recommend by rule that
14 certain additional examinations be performed. The rules and
15 regulations of the Department of Public Health shall specify
16 that a tuberculosis skin test screening shall be included as a
17 required part of each health examination included under this
18 Section if the child resides in an area designated by the
19 Department of Public Health as having a high incidence of
20 tuberculosis. With respect to the developmental screening and
21 the social and emotional screening, the Department of Public
22 Health must, no later than January 1, 2019, develop rules and
23 appropriate revisions to the Child Health Examination form in
24 conjunction with a statewide organization representing school
25 boards; a statewide organization representing pediatricians;
26 statewide organizations representing individuals holding

1 Illinois educator licenses with school support personnel
2 endorsements, including school social workers, school
3 psychologists, and school nurses; a statewide organization
4 representing children's mental health experts; a statewide
5 organization representing school principals; the Director of
6 Healthcare and Family Services or his or her designee, the
7 State Superintendent of Education or his or her designee; and
8 representatives of other appropriate State agencies and, at a
9 minimum, must recommend the use of validated screening tools
10 appropriate to the child's age or grade, and, with regard to
11 the social and emotional screening, require recording only
12 whether or not the screening was completed. The rules shall
13 take into consideration the screening recommendations of the
14 American Academy of Pediatrics and must be consistent with the
15 State Board of Education's social and emotional learning
16 standards. The Department of Public Health shall specify that
17 a diabetes screening as defined by rule shall be included as a
18 required part of each health examination. Diabetes testing is
19 not required.

20 Physicians licensed to practice medicine in all of its
21 branches, licensed advanced practice registered nurses, or
22 licensed physician assistants shall be responsible for the
23 performance of the health examinations, other than dental
24 examinations, eye examinations, and vision and hearing
25 screening, and shall sign all report forms required by
26 subsection (4) of this Section that pertain to those portions

1 of the health examination for which the physician, advanced
2 practice registered nurse, or physician assistant is
3 responsible. If a registered nurse performs any part of a
4 health examination, then a physician licensed to practice
5 medicine in all of its branches must review and sign all
6 required report forms. Licensed dentists shall perform all
7 dental examinations and shall sign all report forms required
8 by subsection (4) of this Section that pertain to the dental
9 examinations. Physicians licensed to practice medicine in all
10 its branches or licensed optometrists shall perform all eye
11 examinations required by this Section and shall sign all
12 report forms required by subsection (4) of this Section that
13 pertain to the eye examination. For purposes of this Section,
14 an eye examination shall at a minimum include history, visual
15 acuity, subjective refraction to best visual acuity near and
16 far, internal and external examination, and a glaucoma
17 evaluation, as well as any other tests or observations that in
18 the professional judgment of the doctor are necessary. Vision
19 and hearing screening tests, which shall not be considered
20 examinations as that term is used in this Section, shall be
21 conducted in accordance with rules and regulations of the
22 Department of Public Health, and by individuals whom the
23 Department of Public Health has certified. In these rules and
24 regulations, the Department of Public Health shall require
25 that individuals conducting vision screening tests give a
26 child's parent or guardian written notification, before the

1 vision screening is conducted, that states, "Vision screening
2 is not a substitute for a complete eye and vision evaluation by
3 an eye doctor. Your child is not required to undergo this
4 vision screening if an optometrist or ophthalmologist has
5 completed and signed a report form indicating that an
6 examination has been administered within the previous 12
7 months."

8 (2.5) With respect to the developmental screening and the
9 social and emotional screening portion of the health
10 examination, each child may present proof of having been
11 screened in accordance with this Section and the rules adopted
12 under this Section before October 15th of the school year.
13 With regard to the social and emotional screening only, the
14 examining health care provider shall only record whether or
15 not the screening was completed. If the child fails to present
16 proof of the developmental screening or the social and
17 emotional screening portions of the health examination by
18 October 15th of the school year, qualified school support
19 personnel may, with a parent's or guardian's consent, offer
20 the developmental screening or the social and emotional
21 screening to the child. Each public, private, and parochial
22 school must give notice of the developmental screening and
23 social and emotional screening requirements to the parents and
24 guardians of students in compliance with the rules of the
25 Department of Public Health. Nothing in this Section shall be
26 construed to allow a school to exclude a child from attending

1 because of a parent's or guardian's failure to obtain a
2 developmental screening or a social and emotional screening
3 for the child. Once a developmental screening or a social and
4 emotional screening is completed and proof has been presented
5 to the school, the school may, with a parent's or guardian's
6 consent, make available appropriate school personnel to work
7 with the parent or guardian, the child, and the provider who
8 signed the screening form to obtain any appropriate
9 evaluations and services as indicated on the form and in other
10 information and documentation provided by the parents,
11 guardians, or provider.

12 (3) Every child shall, at or about the same time as he or
13 she receives a health examination required by subsection (1)
14 of this Section, present to the local school proof of having
15 received such immunizations against preventable communicable
16 diseases as the Department of Public Health shall require by
17 rules and regulations promulgated pursuant to this Section and
18 the Communicable Disease Prevention Act.

19 (4) The individuals conducting the health examination,
20 dental examination, or eye examination shall record the fact
21 of having conducted the examination, and such additional
22 information as required, including for a health examination
23 data relating to asthma and obesity (including at a minimum,
24 date of birth, gender, height, weight, blood pressure, and
25 date of exam), on uniform forms which the Department of Public
26 Health and the State Board of Education shall prescribe for

1 statewide use. The examiner shall summarize on the report form
2 any condition that he or she suspects indicates a need for
3 special services, including for a health examination factors
4 relating to asthma or obesity. The duty to summarize on the
5 report form does not apply to social and emotional screenings.
6 The confidentiality of the information and records relating to
7 the developmental screening and the social and emotional
8 screening shall be determined by the statutes, rules, and
9 professional ethics governing the type of provider conducting
10 the screening. The individuals confirming the administration
11 of required immunizations shall record as indicated on the
12 form that the immunizations were administered.

13 (5) If a child does not submit proof of having had either
14 the health examination or the immunization as required, then
15 the child shall be examined or receive the immunization, as
16 the case may be, and present proof by October 15 of the current
17 school year, or by an earlier date of the current school year
18 established by a school district. To establish a date before
19 October 15 of the current school year for the health
20 examination or immunization as required, a school district
21 must give notice of the requirements of this Section 60 days
22 prior to the earlier established date. If for medical reasons
23 one or more of the required immunizations must be given after
24 October 15 of the current school year, or after an earlier
25 established date of the current school year, then the child
26 shall present, by October 15, or by the earlier established

1 date, a schedule for the administration of the immunizations
2 and a statement of the medical reasons causing the delay, both
3 the schedule and the statement being issued by the physician,
4 advanced practice registered nurse, physician assistant,
5 registered nurse, or local health department that will be
6 responsible for administration of the remaining required
7 immunizations. If a child does not comply by October 15, or by
8 the earlier established date of the current school year, with
9 the requirements of this subsection, then the local school
10 authority shall exclude that child from school until such time
11 as the child presents proof of having had the health
12 examination as required and presents proof of having received
13 those required immunizations which are medically possible to
14 receive immediately. During a child's exclusion from school
15 for noncompliance with this subsection, the child's parents or
16 legal guardian shall be considered in violation of Section
17 26-1 and subject to any penalty imposed by Section 26-10. This
18 subsection (5) does not apply to dental examinations, eye
19 examinations, and the developmental screening and the social
20 and emotional screening portions of the health examination. If
21 the student is an out-of-state transfer student and does not
22 have the proof required under this subsection (5) before
23 October 15 of the current year or whatever date is set by the
24 school district, then he or she may only attend classes (i) if
25 he or she has proof that an appointment for the required
26 vaccinations has been scheduled with a party authorized to

1 submit proof of the required vaccinations. If the proof of
2 vaccination required under this subsection (5) is not
3 submitted within 30 days after the student is permitted to
4 attend classes, then the student is not to be permitted to
5 attend classes until proof of the vaccinations has been
6 properly submitted. No school district or employee of a school
7 district shall be held liable for any injury or illness to
8 another person that results from admitting an out-of-state
9 transfer student to class that has an appointment scheduled
10 pursuant to this subsection (5).

11 (6) Every school shall report to the State Board of
12 Education by November 15, in the manner which that agency
13 shall require, the number of children who have received the
14 necessary immunizations and the health examination (other than
15 a dental examination or eye examination) as required,
16 indicating, of those who have not received the immunizations
17 and examination as required, the number of children who are
18 exempt from health examination and immunization requirements
19 on religious or medical grounds as provided in subsection (8).
20 On or before December 1 of each year, every public school
21 district and registered nonpublic school shall make publicly
22 available the immunization data they are required to submit to
23 the State Board of Education by November 15. The immunization
24 data made publicly available must be identical to the data the
25 school district or school has reported to the State Board of
26 Education.

1 Every school shall report to the State Board of Education
2 by June 30, in the manner that the State Board requires, the
3 number of children who have received the required dental
4 examination, indicating, of those who have not received the
5 required dental examination, the number of children who are
6 exempt from the dental examination on religious grounds as
7 provided in subsection (8) of this Section and the number of
8 children who have received a waiver under subsection (1.5) of
9 this Section.

10 Every school shall report to the State Board of Education
11 by June 30, in the manner that the State Board requires, the
12 number of children who have received the required eye
13 examination, indicating, of those who have not received the
14 required eye examination, the number of children who are
15 exempt from the eye examination as provided in subsection (8)
16 of this Section, the number of children who have received a
17 waiver under subsection (1.10) of this Section, and the total
18 number of children in noncompliance with the eye examination
19 requirement.

20 The reported information under this subsection (6) shall
21 be provided to the Department of Public Health by the State
22 Board of Education.

23 (7) Upon determining that the number of pupils who are
24 required to be in compliance with subsection (5) of this
25 Section is below 90% of the number of pupils enrolled in the
26 school district, 10% of each State aid payment made pursuant

1 to Section 18-8.05 or 18-8.15 to the school district for such
2 year may be withheld by the State Board of Education until the
3 number of students in compliance with subsection (5) is the
4 applicable specified percentage or higher.

5 (8) Children of parents or legal guardians who object to
6 health, dental, or eye examinations or any part thereof, to
7 immunizations, or to vision and hearing screening tests on
8 religious grounds shall not be required to undergo the
9 examinations, tests, or immunizations to which they so object
10 if such parents or legal guardians present to the appropriate
11 local school authority a signed Certificate of Religious
12 Exemption detailing the grounds for objection and the specific
13 immunizations, tests, or examinations to which they object.
14 The grounds for objection must set forth the specific
15 religious belief that conflicts with the examination, test,
16 immunization, or other medical intervention. The signed
17 certificate shall also reflect the parent's or legal
18 guardian's understanding of the school's exclusion policies in
19 the case of a vaccine-preventable disease outbreak or
20 exposure. The certificate must also be signed by the
21 authorized examining health care provider responsible for the
22 performance of the child's health examination confirming that
23 the provider provided education to the parent or legal
24 guardian on the benefits of immunization and the health risks
25 to the student and to the community of the communicable
26 diseases for which immunization is required in this State.

1 However, the health care provider's signature on the
2 certificate reflects only that education was provided and does
3 not allow a health care provider grounds to determine a
4 religious exemption. Those receiving immunizations required
5 under this Code shall be provided with the relevant vaccine
6 information statements that are required to be disseminated by
7 the federal National Childhood Vaccine Injury Act of 1986,
8 which may contain information on circumstances when a vaccine
9 should not be administered, prior to administering a vaccine.
10 A healthcare provider may consider including without
11 limitation the nationally accepted recommendations from
12 federal agencies such as the Advisory Committee on
13 Immunization Practices, the information outlined in the
14 relevant vaccine information statement, and vaccine package
15 inserts, along with the healthcare provider's clinical
16 judgment, to determine whether any child may be more
17 susceptible to experiencing an adverse vaccine reaction than
18 the general population, and, if so, the healthcare provider
19 may exempt the child from an immunization or adopt an
20 individualized immunization schedule. The Certificate of
21 Religious Exemption shall be created by the Department of
22 Public Health and shall be made available and used by parents
23 and legal guardians by the beginning of the 2015-2016 school
24 year. Parents or legal guardians must submit the Certificate
25 of Religious Exemption to their local school authority prior
26 to entering kindergarten, sixth grade, and ninth grade for

1 each child for which they are requesting an exemption. The
2 religious objection stated need not be directed by the tenets
3 of an established religious organization. However, general
4 philosophical or moral reluctance to allow physical
5 examinations, eye examinations, immunizations, vision and
6 hearing screenings, or dental examinations does not provide a
7 sufficient basis for an exception to statutory requirements.
8 The local school authority is responsible for determining if
9 the content of the Certificate of Religious Exemption
10 constitutes a valid religious objection. The local school
11 authority shall inform the parent or legal guardian of
12 exclusion procedures, in accordance with the Department's
13 rules under Part 690 of Title 77 of the Illinois
14 Administrative Code, at the time the objection is presented.

15 If the physical condition of the child is such that any one
16 or more of the immunizing agents should not be administered,
17 the examining physician, advanced practice registered nurse,
18 or physician assistant responsible for the performance of the
19 health examination shall endorse that fact upon the health
20 examination form.

21 Exempting a child from the health, dental, or eye
22 examination does not exempt the child from participation in
23 the program of physical education training provided in
24 Sections 27-705, 27-710, and 27-725 of this Code.

25 (8.5) The school board of a school district shall include
26 informational materials regarding influenza and influenza

1 vaccinations developed, provided, or approved by the
2 Department of Public Health under Section 2310-700 of the
3 Department of Public Health Powers and Duties Law of the Civil
4 Administrative Code of Illinois when the board provides
5 information on immunizations, infectious diseases,
6 medications, or other school health issues to the parents or
7 guardians of students.

8 (9) For the purposes of this Section, "nursery schools"
9 means those nursery schools operated by elementary school
10 systems or secondary level school units or institutions of
11 higher learning.

12 (Source: P.A. 103-985, eff. 1-1-25; 104-391, eff. 8-15-25.)

13 (105 ILCS 5/22-106)

14 Sec. 22-106 ~~22-105~~. Denial of free education prohibited.

15 (a) The purpose of this Section is to secure the right of
16 every child to equal access to a free public education and a
17 school that is safe from intimidation and fear, consistent
18 with the landmark United States Supreme Court decision in
19 Plyler v. Doe, 457 U.S. 202 (1982), as in effect on January 1,
20 2025, which held that it is unconstitutional for states to
21 deny children a free public education based on immigration
22 status. In their efforts to promote the right to educational
23 equality established in Plyler, schools must take steps to
24 protect the integrity of school learning environments for all
25 children, so that no parent is discouraged from sending and no

1 child is discouraged from attending school, including from the
2 threat of immigration enforcement or other law enforcement
3 activity on a school campus.

4 (b) As used in this Section:

5 "Citizenship or immigration status" means all matters
6 regarding citizenship of the United States or any other
7 country or the authority or lack thereof to reside in or
8 otherwise to be present in the United States, including an
9 individual's nationality and country of citizenship.

10 "Law enforcement agent" means an agent of federal, State,
11 or local law enforcement authorized with the power to arrest
12 or detain individuals or manage the custody of detained
13 individuals for a law enforcement purpose, including civil
14 immigration enforcement. "Law enforcement agent" does not
15 include a school resource officer as defined in Section
16 10-20.68 of this Code.

17 "Nonjudicial warrant" means a warrant issued by a federal,
18 State, or local agency authorized with the power to arrest or
19 detain individuals or manage the custody of detained
20 individuals for any law enforcement purpose, including civil
21 immigration enforcement. "Nonjudicial warrant" includes an
22 immigration detainer or civil immigration warrant as defined
23 in the Illinois TRUST Act. "Nonjudicial warrant" does not
24 include a criminal warrant issued upon a judicial
25 determination of probable cause, in compliance with the
26 requirements of the Fourth Amendment to the United States

1 Constitution and Section 6 of Article I of the Illinois
2 Constitution.

3 "Prevailing party" includes any party:

4 (1) who obtains some of his or her requested relief
5 through a judicial judgment in his or her favor;

6 (2) who obtains some of his or her requested relief
7 through a settlement agreement approved by the court; or

8 (3) whose pursuit of a non-frivolous claim was a
9 catalyst for a unilateral change in position by the
10 opposing party relative to the relief sought.

11 "School" means every public school, school district, and
12 governing body, including a special charter district or
13 charter school, organized under this Code, and its agents,
14 including a contracted party.

15 (c) No child may be denied a free public education through
16 secondary school while in this State based on the child's
17 perceived or actual immigration status or the child's parent's
18 or guardian's perceived or actual citizenship or immigration
19 status.

20 (1) A school must not exclude a child from
21 participation in or deny a child the benefits of any
22 program or activity on the grounds of that child's
23 perceived or actual immigration status or the child's
24 parent's or guardian's actual or perceived citizenship or
25 immigration status.

26 (2) A school must not use policies or procedures or

1 engage in practices that have the effect of excluding a
2 child from participation in or denying the benefits of any
3 program or activity or the effect of excluding
4 participation of the child's parent or guardian from
5 parental engagement activities or programs because of the
6 child's perceived or actual immigration status or the
7 child's parent's or guardian's actual or perceived
8 immigration status. These policies, procedures, and
9 practices include:

10 (A) requesting or collecting information or
11 documentation from a student or the student's parent
12 or guardian about citizenship or immigration status
13 unless required by State or federal law; and

14 (B) designating immigration status, citizenship,
15 place of birth, nationality, or national origin as
16 directory information, as that term is defined by
17 federal and State law.

18 (3) A school must not perform any of the following
19 actions:

20 (A) Threaten to disclose anything related to the
21 actual or perceived citizenship or immigration status
22 of a child or a person associated with the child to any
23 other person or entity or an immigration or law
24 enforcement agency.

25 (B) Disclose anything related to the perceived
26 citizenship or immigration status of a child or a

1 person associated with the child to any other person
2 or entity or an immigration or law enforcement agency
3 if the school does not have direct knowledge of the
4 child's or associated person's actual citizenship or
5 immigration status, subject to the requirements of
6 this paragraph (3).

7 (C) Disclose anything related to the actual
8 citizenship or immigration status of a child or a
9 person associated with the child to any other person
10 or nongovernmental entity if the school has direct
11 knowledge of the child's or associated person's actual
12 citizenship or immigration status, subject to the
13 requirements of this paragraph (3).

14 Nothing in subparagraphs (B) and (C) of this paragraph
15 (3) may be construed to permit the disclosure of student
16 records or information without complying with State and
17 federal requirements governing the disclosure of such
18 records or information. Subparagraphs (B) and (C) of this
19 paragraph (3) may not be construed to prohibit or restrict
20 an entity from sending to or receiving from the United
21 States Department of Homeland Security or any other
22 federal, State, or local governmental entity information
23 regarding the citizenship or immigration status of an
24 individual under Sections 1373 and 1644 of Title 8 of the
25 United States Code.

26 (4) A school must develop procedures for reviewing and

1 authorizing requests from law enforcement agents
2 attempting to enter a school or school facility by July 1,
3 2026. The procedures must comply with the requirements of
4 paragraph (2) of this subsection (c), and, at a minimum,
5 include the following:

6 (A) procedures for reviewing and contacting a
7 designated authorized person at the school or school
8 facility and the district superintendent's office or
9 school administrative office, who may contact the
10 school's legal counsel, and procedures for that
11 authorized person or legal counsel to review requests
12 to enter a school or school facility, including
13 judicial warrants, nonjudicial warrants, and
14 subpoenas;

15 (B) procedures for monitoring or accompanying and
16 procedures for documenting all interactions with law
17 enforcement agents while on the school's premises; and

18 (C) procedures for notifying and seeking consent
19 from a student's parents or guardian or from the
20 student if the student is 18 years old or older or
21 emancipated if a law enforcement agent requests access
22 to a student for immigration enforcement purposes,
23 unless such access is in compliance with a judicial
24 warrant or subpoena that restricts the disclosure of
25 the information to the student's parent or guardian.

26 This paragraph (4) is subject to subsection (c) of

1 Section 22-88 of this Code.

2 (d) A school shall adopt a policy for complying with
3 paragraphs (1), (2), (3), and (4) of subsection (c) by July 1,
4 2026.

5 (e) Beginning July 1, 2026, any party aggrieved by conduct
6 that violates subsection (c) may bring a civil lawsuit. This
7 lawsuit must be brought no later than 2 years after the
8 violation of subsection (c). If the court finds that a willful
9 violation of paragraph (1), (2), or (3) of subsection (c) has
10 occurred, the court may award actual damages. The court, as it
11 deems appropriate, may grant, as relief, any permanent or
12 preliminary negative or mandatory injunction, temporary
13 restraining order, or other order.

14 (f) Nothing in this Section may be construed to require an
15 exhaustion of the administrative complaint process before
16 civil law remedies may be pursued.

17 (g) Upon a motion, a court shall award reasonable
18 attorney's fees and costs, including expert witness fees and
19 other litigation expenses, to a plaintiff who is a prevailing
20 party in any action brought under subsection (c). In awarding
21 reasonable attorney's fees, the court shall consider the
22 degree to which the relief obtained relates to the relief
23 sought.

24 (h) The General Assembly finds and declares that this
25 Section is a State law within the meaning of subsection (d) of
26 Section 1621 of Title 8 of the United States Code.

1 (Source: P.A. 104-288, eff. 1-1-26; revised 10-27-25.)

2 (105 ILCS 5/22-110) (was 105 ILCS 5/27-23.7)

3 (Text of Section before amendment by P.A. 104-338)

4 Sec. 22-110. Bullying prevention.

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

21 Bullying on the basis of actual or perceived race, color,
22 religion, sex, national origin, ancestry, physical appearance,
23 socioeconomic status, academic status, pregnancy, parenting
24 status, homelessness, age, marital status, physical or mental
25 disability, military status, sexual orientation,

1 gender-related identity or expression, unfavorable discharge
2 from military service, association with a person or group with
3 one or more of the aforementioned actual or perceived
4 characteristics, or any other distinguishing characteristic is
5 prohibited in all school districts, charter schools, and
6 non-public, non-sectarian elementary and secondary schools. No
7 student shall be subjected to bullying:

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

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

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

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

1 district or school to staff or monitor any
2 nonschool-related activity, function, or program.

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

8 (b) In this Section:

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

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

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

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

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

23 Bullying, as defined in this subsection (b), may take
24 various forms, including, without limitation, one or more of
25 the following: harassment, threats, intimidation, stalking,
26 physical violence, sexual harassment, sexual violence, theft,

1 public humiliation, destruction of property, or retaliation
2 for asserting or alleging an act of bullying. This list is
3 meant to be illustrative and non-exhaustive.

4 "Cyber-bullying" means bullying through the use of
5 technology or any electronic communication, including, without
6 limitation, any transfer of signs, signals, writing, images,
7 sounds, data, or intelligence of any nature transmitted in
8 whole or in part by a wire, radio, electromagnetic system,
9 photoelectronic system, or photooptical system, including,
10 without limitation, electronic mail, Internet communications,
11 instant messages, or facsimile communications.

12 "Cyber-bullying" includes the creation of a webpage or weblog
13 in which the creator assumes the identity of another person or
14 the knowing impersonation of another person as the author of
15 posted content or messages if the creation or impersonation
16 creates any of the effects enumerated in the definition of
17 bullying in this Section. "Cyber-bullying" also includes the
18 distribution by electronic means of a communication to more
19 than one person or the posting of material on an electronic
20 medium that may be accessed by one or more persons if the
21 distribution or posting creates any of the effects enumerated
22 in the definition of bullying in this Section.

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

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

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

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

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

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

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

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

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

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

26 (6) Includes the interventions that can be taken to

1 address bullying, which may include, but are not limited
2 to, school social work services, restorative measures,
3 social-emotional skill building, counseling, school
4 psychological services, and community-based services.

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

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

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

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

26 (11) As part of the process of reviewing and

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

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

23 (13) Requires all individual instances of bullying, as
24 well as all threats, suggestions, or instances of
25 self-harm determined to be the result of bullying, to be
26 reported to the parents or legal guardians of those

1 involved under the guidelines provided in paragraph (4) of
2 this definition.

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

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

26 (c) (Blank).

1 (d) Each school district, charter school, and non-public,
2 non-sectarian elementary or secondary school shall create,
3 maintain, and implement a policy on bullying, which policy
4 must be filed with the State Board of Education. The policy on
5 bullying shall be based on the State Board of Education's
6 template for a model bullying prevention policy under
7 subsection (h) and shall include the criteria set forth in the
8 definition of "policy on bullying". The policy or implementing
9 procedure shall include a process to investigate whether a
10 reported act of bullying is within the permissible scope of
11 the district's or school's jurisdiction and shall require that
12 the district or school provide the victim with information
13 regarding services that are available within the district and
14 community, such as counseling, support services, and other
15 programs. School personnel available for help with a bully or
16 to make a report about bullying shall be made known to parents
17 or legal guardians, students, and school personnel. Every 2
18 years, each school district, charter school, and non-public,
19 non-sectarian elementary or secondary school shall conduct a
20 review and re-evaluation of its policy and make any necessary
21 and appropriate revisions. No later than September 30 of the
22 subject year, the policy must be filed with the State Board of
23 Education after being updated. The State Board of Education
24 shall monitor and provide technical support for the
25 implementation of policies created under this subsection (d).
26 In monitoring the implementation of the policies, the State

1 Board of Education shall review each filed policy on bullying
2 to ensure all policies meet the requirements set forth in this
3 Section, including ensuring that each policy meets the 12
4 criteria ~~criterion~~ identified within the definition of "policy
5 on bullying" set forth in this Section.

6 If a school district, charter school, or non-public,
7 non-sectarian elementary or secondary school fails to file a
8 policy on bullying by September 30 of the subject year, the
9 State Board of Education shall provide a written request for
10 filing to the school district, charter school, or non-public,
11 non-sectarian elementary or secondary school. If a school
12 district, charter school, or non-public, non-sectarian
13 elementary or secondary school fails to file a policy on
14 bullying within 14 days of receipt of the aforementioned
15 written request, the State Board of Education shall publish
16 notice of the non-compliance on the State Board of Education's
17 website.

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

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

26 (f) School districts, charter schools, and non-public,

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

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

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

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

21 (j) Subject to appropriation, the State Superintendent of
22 Education may provide a grant to a school district, charter
23 school, or non-public, non-sectarian elementary or secondary
24 school to support its anti-bullying programming. Grants may be
25 awarded from the Illinois Bullying and Cyberbullying
26 Prevention Fund. School districts, charter schools, and

1 non-public, non-sectarian elementary or secondary schools that
2 are not in compliance with subsection (f) are not eligible to
3 receive a grant from the Illinois Bullying and Cyberbullying
4 Prevention Fund.

5 (Source: P.A. 103-47, eff. 6-9-23; 104-391, eff. 8-15-25;
6 revised 9-24-25.)

7 (Text of Section after amendment by P.A. 104-338)

8 Sec. 22-110. Bullying prevention.

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

25 Bullying on the basis of actual or perceived race, color,

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

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

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

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

21 (4) through the transmission of information from a
22 computer that is accessed at a nonschool-related location,
23 activity, function, or program or from the use of
24 technology or an electronic device that is not owned,
25 leased, or used by a school district or school if the
26 bullying causes a substantial disruption to the

1 educational process or orderly operation of a school. This
2 item (4) applies only in cases in which a school
3 administrator or teacher receives a report that bullying
4 through this means has occurred and does not require a
5 district or school to staff or monitor any
6 nonschool-related activity, function, or program.

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

12 (b) In this Section:

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

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

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

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

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

26 (4) substantially interfering with the student's or

1 students' ability to participate in or benefit from the
2 services, activities, or privileges provided by a school.

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

11 "Cyber-bullying" means bullying through the use of
12 technology or any electronic communication, including, without
13 limitation, any transfer of signs, signals, writing, images,
14 sounds, data, or intelligence of any nature transmitted in
15 whole or in part by a wire, radio, electromagnetic system,
16 photoelectronic system, or photooptical system, including,
17 without limitation, electronic mail, Internet communications,
18 instant messages, or facsimile communications.

19 "Cyber-bullying" includes the creation of a webpage or weblog
20 in which the creator assumes the identity of another person or
21 the knowing impersonation of another person as the author of
22 posted content or messages if the creation or impersonation
23 creates any of the effects enumerated in the definition of
24 bullying in this Section. "Cyber-bullying" also includes the
25 distribution by electronic means of a communication to more
26 than one person or the posting of material on an electronic

1 medium that may be accessed by one or more persons if the
2 distribution or posting creates any of the effects enumerated
3 in the definition of bullying in this Section. Beginning with
4 the 2026-2027 school year, "cyber-bullying" also includes the
5 posting or distribution of an unauthorized digital replica by
6 electronic means if the posting or distribution creates any of
7 the effects enumerated in the definition of "bullying" in this
8 Section.

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

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

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

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

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

1 of an anonymous report.

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

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

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

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

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

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

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

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

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

1 bullying.

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

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

14 (11) As part of the process of reviewing and
15 re-evaluating the policy under subsection (d) of this
16 Section, contains a policy evaluation process to assess
17 the outcomes and effectiveness of the policy that
18 includes, but is not limited to, factors such as the
19 frequency of victimization; student, staff, and family
20 observations of safety at a school; identification of
21 areas of a school where bullying occurs; the types of
22 bullying utilized; and bystander intervention or
23 participation. The school district, charter school, or
24 non-public, non-sectarian elementary or secondary school
25 may use relevant data and information it already collects
26 for other purposes in the policy evaluation. The

1 information developed as a result of the policy evaluation
2 must be made available on the Internet website of the
3 school district, charter school, or non-public,
4 non-sectarian elementary or secondary school. If an
5 Internet website is not available, the information must be
6 provided to school administrators, school board members,
7 school personnel, parents, guardians, and students.

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

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

17 "Restorative measures" means a continuum of school-based
18 alternatives to exclusionary discipline, such as suspensions
19 and expulsions, that: (i) are adapted to the particular needs
20 of the school and community, (ii) contribute to maintaining
21 school safety, (iii) protect the integrity of a positive and
22 productive learning climate, (iv) teach students the personal
23 and interpersonal skills they will need to be successful in
24 school and society, (v) serve to build and restore
25 relationships among students, families, schools, and
26 communities, (vi) reduce the likelihood of future disruption

1 by balancing accountability with an understanding of students'
2 behavioral health needs in order to keep students in school,
3 and (vii) increase student accountability if the incident of
4 bullying is based on religion, race, ethnicity, or any other
5 category that is identified in the Illinois Human Rights Act.

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

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

17 (c) (Blank).

18 (d) Each school district, charter school, and non-public,
19 non-sectarian elementary or secondary school shall create,
20 maintain, and implement a policy on bullying, which policy
21 must be filed with the State Board of Education. The policy on
22 bullying shall be based on the State Board of Education's
23 template for a model bullying prevention policy under
24 subsection (h) and shall include the criteria set forth in the
25 definition of "policy on bullying". The policy or implementing
26 procedure shall include a process to investigate whether a

1 reported act of bullying is within the permissible scope of
2 the district's or school's jurisdiction and shall require that
3 the district or school provide the victim with information
4 regarding services that are available within the district and
5 community, such as counseling, support services, and other
6 programs. School personnel available for help with a bully or
7 to make a report about bullying shall be made known to parents
8 or legal guardians, students, and school personnel. Every 2
9 years, each school district, charter school, and non-public,
10 non-sectarian elementary or secondary school shall conduct a
11 review and re-evaluation of its policy and make any necessary
12 and appropriate revisions. No later than September 30 of the
13 subject year, the policy must be filed with the State Board of
14 Education after being updated. The State Board of Education
15 shall monitor and provide technical support for the
16 implementation of policies created under this subsection (d).
17 In monitoring the implementation of the policies, the State
18 Board of Education shall review each filed policy on bullying
19 to ensure all policies meet the requirements set forth in this
20 Section, including ensuring that each policy meets the 13
21 criteria ~~criterion~~ identified within the definition of "policy
22 on bullying" set forth in this Section.

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

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

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

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

17 (f) School districts, charter schools, and non-public,
18 non-sectarian elementary and secondary schools shall collect,
19 maintain, and submit to the State Board of Education
20 non-identifiable data regarding verified allegations of
21 bullying within the school district, charter school, or
22 non-public, non-sectarian elementary or secondary school.
23 School districts, charter schools, and non-public,
24 non-sectarian elementary and secondary schools must submit
25 such data in an annual report due to the State Board of
26 Education no later than August 15 of each year starting with

1 the 2024-2025 school year through the 2030-2031 school year.
2 The State Board of Education shall adopt rules for the
3 submission of data that includes, but is not limited to: (i) a
4 record of each verified allegation of bullying and action
5 taken; and (ii) whether the instance of bullying was based on
6 actual or perceived characteristics identified in subsection
7 (a) and, if so, lists the relevant characteristics. The rules
8 for the submission of data shall be consistent with federal
9 and State laws and rules governing student privacy rights,
10 including, but not limited to, the federal Family Educational
11 Rights and Privacy Act of 1974 and the Illinois School Student
12 Records Act, which shall include, without limitation, a record
13 of each complaint and action taken. The State Board of
14 Education shall adopt rules regarding the notification of
15 school districts, charter schools, and non-public,
16 non-sectarian elementary and secondary schools that fail to
17 comply with the requirements of this subsection.

18 (g) Upon the request of a parent or legal guardian of a
19 child enrolled in a school district, charter school, or
20 non-public, non-sectarian elementary or secondary school
21 within this State, the State Board of Education must provide
22 non-identifiable data on the number of bullying allegations
23 and incidents in a given year in the school district, charter
24 school, or non-public, non-sectarian elementary or secondary
25 school to the requesting parent or legal guardian. The State
26 Board of Education shall adopt rules regarding (i) the

1 handling of such data, (ii) maintaining the privacy of the
2 students and families involved, and (iii) best practices for
3 sharing numerical data with parents and legal guardians.

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

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

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

22 (Source: P.A. 103-47, eff. 6-9-23; 104-338, eff. 7-1-26;
23 104-391, eff. 8-15-25; revised 9-24-25.)

24 (105 ILCS 5/24-6)

25 Sec. 24-6. Sick leave. The school boards of all school

1 districts, including special charter districts, but not
2 including school districts in municipalities of 500,000 or
3 more, shall grant their full-time teachers, and also shall
4 grant such of their other employees as are eligible to
5 participate in the Illinois Municipal Retirement Fund under
6 the "600-Hour Standard" established, or under such other
7 eligibility participation standard as may from time to time be
8 established, by rules and regulations now or hereafter
9 promulgated by the Board of that Fund under Section 7-198 of
10 the Illinois Pension Code, as now or hereafter amended, sick
11 leave provisions not less in amount than 10 days at full pay in
12 each school year. If any such teacher or employee does not use
13 the full amount of annual leave thus allowed, the unused
14 amount shall be allowed to accumulate to a minimum available
15 leave of 180 days at full pay, including the leave of the
16 current year. Sick leave shall be interpreted to mean personal
17 illness, mental or behavioral health complications, quarantine
18 at home, or serious illness or death in the immediate family or
19 household. The school board may require a certificate from a
20 physician licensed in Illinois to practice medicine and
21 surgery in all its branches, a mental health professional
22 licensed in Illinois providing ongoing care or treatment to
23 the teacher or employee, a chiropractic physician licensed
24 under the Medical Practice Act of 1987, a licensed advanced
25 practice registered nurse, a licensed physician assistant, or,
26 if the treatment is by prayer or spiritual means, a spiritual

1 adviser or practitioner of the teacher's or employee's faith
2 as a basis for pay during leave after an absence of 3 days for
3 personal illness or as the school board may deem necessary in
4 other cases. If the school board does require a certificate as
5 a basis for pay during leave of less than 3 days for personal
6 illness, the school board shall pay, from school funds, the
7 expenses incurred by the teachers or other employees in
8 obtaining the certificate.

9 Sick leave shall also be interpreted to mean birth,
10 adoption, placement for adoption, and the acceptance of a
11 child in need of foster care. Teachers and other employees to
12 whom ~~which~~ this Section applies are entitled to use up to 30
13 days of paid sick leave because of the birth of a child that is
14 not dependent on the need to recover from childbirth. Paid
15 sick leave because of the birth of a child may be used absent
16 medical certification for up to 30 working school days, which
17 days may be used at any time within the 12-month period
18 following the birth of the child. The use of up to 30 working
19 school days of paid sick leave because of the birth of a child
20 may not be diminished as a result of any intervening period of
21 nonworking days or school not being in session, such as for
22 summer, winter, or spring break or holidays, that may occur
23 during the use of the paid sick leave. For paid sick leave for
24 adoption, placement for adoption, or the acceptance of a child
25 in need of foster care, the school board may require that the
26 teacher or other employee to whom ~~which~~ this Section applies

1 provide evidence that the formal adoption process or the
2 formal foster care process is underway, and such sick leave is
3 limited to 30 days unless a longer leave has been negotiated
4 with the exclusive bargaining representative. Paid sick leave
5 for adoption, placement for adoption, or the acceptance of a
6 child in need of foster care need not be used consecutively
7 once the formal adoption process or the formal foster care
8 process is underway, and such sick leave may be used for
9 reasons related to the formal adoption process or the formal
10 foster care process prior to taking custody of the child or
11 accepting the child in need of foster care, in addition to
12 using such sick leave upon taking custody of the child or
13 accepting the child in need of foster care.

14 If, by reason of any change in the boundaries of school
15 districts, or by reason of the creation of a new school
16 district, the employment of a teacher is transferred to a new
17 or different board, the accumulated sick leave of such teacher
18 is not thereby lost, but is transferred to such new or
19 different district.

20 Any sick leave used by a teacher or employee during the
21 2021-2022 school year shall be returned to a teacher or
22 employee who receives all doses required to be fully
23 vaccinated against COVID-19, as defined in Section 10-20.83 of
24 this Code, if:

- 25 (1) the sick leave was taken because the teacher or
26 employee was restricted from being on school district

1 property because the teacher or employee:

2 (A) had a confirmed positive COVID-19 diagnosis
3 via a molecular amplification diagnostic test, such as
4 a polymerase chain reaction (PCR) test for COVID-19;

5 (B) had a probable COVID-19 diagnosis via an
6 antigen diagnostic test;

7 (C) was in close contact with a person who had a
8 confirmed case of COVID-19 and was required to be
9 excluded from school; or

10 (D) was required by the school or school district
11 policy to be excluded from school district property
12 due to COVID-19 symptoms; or

13 (2) the sick leave was taken to care for a child of the
14 teacher or employee who was unable to attend elementary or
15 secondary school because the child:

16 (A) had a confirmed positive COVID-19 diagnosis
17 via a molecular amplification diagnostic test, such as
18 a polymerase chain reaction (PCR) test for COVID-19;

19 (B) had a probable COVID-19 diagnosis via an
20 antigen diagnostic test;

21 (C) was in close contact with a person who had a
22 confirmed case of COVID-19 and was required to be
23 excluded from school; or

24 (D) was required by the school or school district
25 policy to be excluded from school district property
26 due to COVID-19 symptoms.

1 For purposes of return of sick leave used in the 2021-2022
2 school year pursuant this Section, an "employee" is a teacher
3 or employee employed by the school district on or after April
4 5, 2022 (the effective date of Public Act 102-697).

5 Leave shall be returned to a teacher or employee pursuant
6 to this Section provided that the teacher or employee has
7 received all required doses to meet the definition of "fully
8 vaccinated against COVID-19" under Section 10-20.83 of this
9 Code no later than 5 weeks after April 5, 2022 (the effective
10 date of Public Act 102-697).

11 No school may rescind any sick leave returned to a teacher
12 or employee on the basis of a revision to the definition of
13 "fully vaccinated against COVID-19" by the Centers for Disease
14 Control and Prevention of the United States Department of
15 Health and Human Services or the Department of Public Health,
16 provided that the teacher or employee received all doses
17 required to be fully vaccinated against COVID-19, as defined
18 in Section 10-20.83 of this Code, at the time the sick leave
19 was returned to the teacher or employee.

20 For purposes of this Section, "immediate family" shall
21 include parents, spouse, brothers, sisters, children,
22 grandparents, grandchildren, parents-in-law, brothers-in-law,
23 sisters-in-law, and legal guardians.

24 (Source: P.A. 102-275, eff. 8-6-21; 102-697, eff. 4-5-22;
25 102-866, eff. 5-13-22; 103-154, eff. 6-30-23; revised
26 6-27-25.)

1 (105 ILCS 5/24A-2.5)

2 Sec. 24A-2.5. Definition ~~Definitions~~. In this Article,
3 "evaluator" ~~"Evaluator"~~ means:

4 (1) an administrator qualified under Section 24A-3; or

5 (2) other individuals qualified under Section 24A-3,
6 provided that, if such other individuals are in the
7 bargaining unit of a district's teachers, the district and
8 the exclusive bargaining representative of that unit must
9 agree to those individuals evaluating other bargaining
10 unit members.

11 Notwithstanding anything to the contrary in item (2) of
12 this definition, a school district operating under Article 34
13 of this Code may require department chairs qualified under
14 Section 24A-3 to evaluate teachers in their department or
15 departments, provided that the school district shall bargain
16 with the bargaining representative of its teachers over the
17 impact and effects on department chairs of such a requirement.

18 ~~January 15, 2010 (Public Act 96-861)~~

19 (Source: P.A. 104-20, eff. 7-1-25; 104-417, eff. 8-15-25;
20 revised 9-12-25.)

21 (105 ILCS 5/26-20)

22 (Section scheduled to be repealed on January 31, 2028)

23 Sec. 26-20. Chronic Absence Task Force.

24 (a) The Chronic Absence Task Force is created within the

1 State Board of Education to study chronic absenteeism and to
2 support the development of a State strategy to address the
3 ongoing challenges presented by chronic absenteeism for
4 students in early childhood education and care programs and
5 students in grades kindergarten through 12.

6 (b) The Task Force shall consist of the following members:

7 (1) the State Superintendent of Education or the State
8 Superintendent's designee;

9 (2) the Secretary of Early Childhood or the
10 Secretary's designee;

11 (3) the following persons, each appointed by the State
12 Superintendent of Education:

13 (A) one expert in children's disabilities,
14 impairments, and social-emotional issues;

15 (B) one member who represents a nonprofit
16 organization that advocates for students in temporary
17 living situations;

18 (C) one member who represents school social
19 workers;

20 (D) one member who represents a statewide
21 professional teachers' organization who is a currently
22 employed teacher;

23 (E) one member who represents a different
24 statewide professional teachers' organization who is a
25 currently employed teacher;

26 (F) one member who represents a professional

1 teachers' organization in a city having a population
2 exceeding 500,000 who is a currently employed teacher;

3 (G) one member who represents an association for
4 school administrators;

5 (H) one member who represents an association for
6 school board members;

7 (I) one member who represents an association for
8 school principals;

9 (J) 3 members who represent an association for
10 regional superintendents of schools from different
11 parts of the State;

12 (K) one member who represents an association for
13 high school districts;

14 (L) one member who represents an association for
15 large unit school districts;

16 (M) one member who represents a school district in
17 a western suburb of the City of Chicago;

18 (N) one member who represents a nonprofit
19 organization that advocates for children in foster
20 care;

21 (O) one member who represents an organization for
22 charter schools in this State; and

23 (P) one member representing an early childhood
24 advocacy organization.

25 (c) Task Force members shall serve without compensation.

26 (d) The Task Force shall meet initially at the call of the

1 State Superintendent of Education. The State Superintendent or
2 the State Superintendent's designee shall serve as chairperson
3 of the Task Force. For every meeting after the initial
4 meeting, the Task Force shall meet at the call of the
5 chairperson.

6 (e) The State Board of Education shall provide
7 administrative support to the Task Force.

8 (f) The Task Force may allow testimony from the public
9 regarding the chronic absence of students.

10 (g) The Task Force shall identify strategies, mechanisms,
11 and approaches to help families, educators, principals,
12 superintendents, and the State Board of Education address and
13 mitigate the high rates of chronic absence of students in
14 State-funded early childhood ~~early childhood~~ programs and
15 public-school students in grades kindergarten through 12 and
16 shall recommend the following to the General Assembly and the
17 State Board of Education:

18 (1) a coherent State strategy for addressing the high
19 rates of chronic absenteeism in this State;

20 (2) State goals for a reduction in chronic
21 absenteeism;

22 (3) changes related to State Board of Education
23 policies regarding chronic absences, truancy, and
24 attendance that are consistent with federal law and the
25 State Board of Education's approved plan under the federal
26 Elementary and Secondary Education Act of 1965;

1 (4) State policies or initiatives to be established in
2 order to mitigate and prevent chronic absenteeism; and

3 (5) evidence-based practices for using attendance and
4 chronic absenteeism data to create a multitiered system of
5 support that promotes ongoing professional development and
6 equips school-based and community-based personnel with the
7 skills and knowledge necessary to reduce contributing
8 factors to chronic absenteeism in State-funded early
9 childhood ~~early childhood~~ programs and public elementary
10 and secondary schools, which will result in students being
11 ready for college and a career.

12 (h) The Task Force shall submit a report to the General
13 Assembly and the State Board of Education no later than
14 December 15, 2027.

15 (i) The Task Force is dissolved and this Section is
16 repealed on January 31, 2028.

17 (Source: P.A. 104-355, eff. 9-1-25; revised 12-12-25.)

18 (105 ILCS 5/27-405)

19 Sec. 27-405. Online safety and media literacy.

20 (a) As used in this Section:

21 "Media literacy" means the ability to access, analyze,
22 evaluate, create, and communicate using a variety of objective
23 forms, including, but not limited to, print, visual, audio,
24 interactive, and digital texts.

25 "Online safety" means safe practices relating to an

1 individual's or group's use of the Internet, social networking
2 websites, electronic mail, online messaging and posting, and
3 other means of communication on the Internet.

4 (b) Beginning with the 2027-2028 school year, every public
5 school shall adopt an age and developmentally appropriate
6 curriculum for online safety instruction to be taught at least
7 once each school year to students in grades 3 through 8. The
8 school board shall determine the scope and duration of this
9 unit of instruction. The instruction may be incorporated into
10 the current courses of study regularly taught in the
11 district's schools, as determined by the school board, and it
12 is recommended that the unit of instruction include all of the
13 following topics:

14 (1) Safe and responsible use of the Internet, social
15 networking websites, electronic mail, online messaging and
16 posting, and other means of communication on the Internet.

17 (2) Recognizing, avoiding, and reporting online
18 solicitations of students, their classmates, and their
19 friends by sexual predators.

20 (3) Risks of transmitting personal information on the
21 Internet.

22 (4) Recognizing and avoiding unsolicited or deceptive
23 communications received online.

24 (5) Reporting online harassment, cyber-bullying, and
25 illegal activities and communications on the Internet.

26 (6) The legal penalties and social ramifications for

1 illicit actions taken online, including infringement of
2 copyright laws and the creation and sharing of harmful,
3 defamatory, or sexually explicit content.

4 (7) The relationship between responsible use of online
5 resources and social-emotional health.

6 (c) Beginning with the 2027-2028 school year, every public
7 school shall include in its curriculum a unit of instruction
8 on media literacy and Internet safety for students in grades 9
9 through 12. The unit of instruction shall include, but is not
10 limited to, all of the following topics:

11 (1) Accessing and evaluating information: Evaluating
12 multiple media platforms to better understand the general
13 landscape and economics of the platforms, the issues
14 regarding the trustworthiness of the source of
15 information, and the authenticity of each source to
16 distinguish fact from opinion. This includes analyzing
17 misinformation online and identifying if online content is
18 real or fabricated.

19 (2) Creating media: Conveying a coherent message using
20 multimodal practices to a specific target audience. This
21 may include, but is not limited to, writing blogs,
22 composing songs, designing video games, producing
23 podcasts, making videos, or coding a mobile or software
24 application.

25 (3) Reflecting on media consumption and social
26 responsibility: Assessing how media affects the

1 consumption of information and how it triggers emotions
2 and behavior. This also includes suggesting a plan of
3 action in the class, school, or community to engage others
4 in a respectful, thoughtful, and inclusive dialogue over a
5 specific issue using facts and reason.

6 (4) Legal and Social Penalties for Illicit Actions
7 Online: Understanding the legal penalties and social
8 ramifications for illicit actions taken online, including
9 infringement of copyright laws and the creation and
10 sharing of harmful, defamatory, or sexually explicit
11 content.

12 (5) Reporting Illicit Content Online: Understanding
13 how and whom to report online harassment, cyber-bullying,
14 and illegal activities and communications on the Internet.

15 (d) The State Board of Education shall determine how to
16 prepare and make available instructional resources and
17 professional learning opportunities for educators that may be
18 used for the development of a unit of instruction under this
19 Section.

20 The State Board of Education shall, subject to
21 appropriation, prepare and make available multidisciplinary
22 instructional resources and professional learning
23 opportunities for educators that may be used to meet the
24 following requirements:

25 (1) The unit of instruction shall be age and
26 developmentally appropriate for each intended grade level

1 being taught.

2 (2) The unit of instruction shall educate students
3 about the legal and social penalties for illicit actions
4 online.

5 (3) The unit of instruction shall educate students
6 about the social and legal penalties for illicit actions
7 taken online.

8 (4) The unit of instruction shall teach about the
9 harmful physical, emotional, and psychological effects
10 associated with unhealthy use of the Internet and social
11 media.

12 (5) The unit of instruction shall provide information
13 on resources to report cyber-bullying ~~cyberbullying~~ and
14 the illicit online behavior of others.

15 The State Board, in coordination with any other
16 individuals, groups, or organizations the State Board deems
17 appropriate, shall update these instructional resources and
18 professional learning opportunities periodically as the State
19 Board sees fit.

20 The State Board shall make the instructional resources and
21 professional learning opportunities available on its Internet
22 website.

23 (Source: P.A. 104-391, eff. 8-15-25; revised 12-12-25.)

24 (105 ILCS 5/27-410) (was 105 ILCS 5/27-13.3)

25 (Section scheduled to be repealed on July 1, 2027)

1 Sec. 27-410. Internet safety education curriculum.

2 (a) The purpose of this Section is to inform and protect
3 students from inappropriate or illegal communications and
4 solicitation and to encourage school districts to provide
5 education about Internet threats and risks, including, without
6 limitation, child predators, fraud, and other dangers.

7 (b) The General Assembly finds and declares the following:

8 (1) it is the policy of this State to protect
9 consumers and Illinois residents from deceptive and unsafe
10 communications that result in harassment, exploitation, or
11 physical harm;

12 (2) children have easy access to the Internet at home,
13 school, and public places;

14 (3) the Internet is used by sexual predators and other
15 criminals to make initial contact with children and other
16 vulnerable residents in Illinois; and

17 (4) education is an effective method for preventing
18 children from falling prey to online predators, identity
19 theft, and other dangers.

20 (c) Each school may adopt an age-appropriate curriculum
21 for Internet safety instruction of students in grades
22 kindergarten through 12. However, beginning with the 2009-2010
23 school year, a school district must incorporate into the
24 school curriculum a component on Internet safety to be taught
25 at least once each school year to students in grades 3 through
26 12. The school board shall determine the scope and duration of

1 this unit of instruction. The age-appropriate unit of
2 instruction may be incorporated into the current courses of
3 study regularly taught in the district's schools, as
4 determined by the school board, and it is recommended that the
5 unit of instruction include the following topics:

6 (1) Safe and responsible use of social networking
7 websites, chat rooms, electronic mail, bulletin boards,
8 instant messaging, and other means of communication on the
9 Internet.

10 (2) Recognizing, avoiding, and reporting online
11 solicitations of students, their classmates, and their
12 friends by sexual predators.

13 (3) Risks of transmitting personal information on the
14 Internet.

15 (4) Recognizing and avoiding unsolicited or deceptive
16 communications received online.

17 (5) Recognizing and reporting online harassment and
18 cyber-bullying, including the creation and distribution of
19 false representations of individuals created by artificial
20 intelligence, including, but not limited to, sexually
21 explicit images and videos.

22 (6) Reporting illegal activities and communications on
23 the Internet.

24 (7) Copyright laws on written materials, photographs,
25 music, and video.

26 (d) Curricula devised in accordance with subsection (c) of

1 this Section may be submitted for review to the Office of the
2 Illinois Attorney General.

3 (e) The State Board of Education shall make available
4 resource materials for educating children regarding child
5 online safety and may take into consideration the curriculum
6 on this subject developed by other states, as well as any other
7 curricular materials suggested by education experts, child
8 psychologists, or technology companies that work on child
9 online safety issues. Materials may include, without
10 limitation, safe online communications, privacy protection,
11 cyber-bullying, viewing inappropriate material, file sharing,
12 and the importance of open communication with responsible
13 adults. The State Board of Education shall make these resource
14 materials available on its Internet website.

15 (f) This Section is repealed on July 1, 2027.

16 (Source: P.A. 104-391, eff. 8-15-25; 104-399, eff. 1-1-26;
17 revised 9-24-25.)

18 (105 ILCS 5/27-605) (was 105 ILCS 5/27-22)

19 Sec. 27-605. Required high school courses.

20 (a) (Blank).

21 (b) (Blank).

22 (c) (Blank).

23 (d) (Blank).

24 (e) Through the 2023-2024 school year, as a prerequisite
25 to receiving a high school diploma, each pupil entering the

1 9th grade must, in addition to other course requirements,
2 successfully complete all of the following courses:

3 (1) Four years of language arts.

4 (2) Two years of writing intensive courses, one of
5 which must be English and the other of which may be English
6 or any other subject. When applicable, writing-intensive
7 courses may be counted towards the fulfillment of other
8 graduation requirements.

9 (3) Three years of mathematics, one of which must be
10 Algebra I, one of which must include geometry content, and
11 one of which may be an Advanced Placement computer science
12 course. A mathematics course that includes geometry
13 content may be offered as an integrated, applied,
14 interdisciplinary, or career and technical education
15 course that prepares a student for a career readiness
16 path.

17 (3.5) For pupils entering the 9th grade in the
18 2022-2023 school year and 2023-2024 school year, one year
19 of a course that includes intensive instruction in
20 computer literacy, which may be English, social studies,
21 or any other subject and which may be counted toward the
22 fulfillment of other graduation requirements.

23 (4) Two years of science.

24 (5) Two years of social studies, of which at least one
25 year must be history of the United States or a combination
26 of history of the United States and American government

1 and, beginning with pupils entering the 9th grade in the
2 2016-2017 school year and each school year thereafter, at
3 least one semester must be civics, which shall help young
4 people acquire and learn to use the skills, knowledge, and
5 attitudes that will prepare them to be competent and
6 responsible citizens throughout their lives. Civics course
7 content shall focus on government institutions, the
8 discussion of current and controversial issues, service
9 learning, and simulations of the democratic process.
10 School districts may utilize private funding available for
11 the purposes of offering civics education. Beginning with
12 pupils entering the 9th grade in the 2021-2022 school
13 year, one semester, or part of one semester, may include a
14 financial literacy course.

15 (6) One year chosen from (A) music, (B) art, (C)
16 foreign language, which shall be deemed to include
17 American Sign Language, (D) vocational education, or (E)
18 forensic speech (speech and debate). A forensic speech
19 course used to satisfy the course requirement under
20 subdivision (1) may not be used to satisfy the course
21 requirement under this subdivision (6).

22 (e-5) Beginning with the 2024-2025 school year, as a
23 prerequisite to receiving a high school diploma, each pupil
24 entering the 9th grade must, in addition to other course
25 requirements, successfully complete all of the following
26 courses:

1 (1) Four years of language arts.

2 (2) Two years of writing intensive courses, one of
3 which must be English and the other of which may be English
4 or any other subject. If applicable, writing-intensive
5 courses may be counted toward the fulfillment of other
6 graduation requirements.

7 (3) Three years of mathematics, one of which must be
8 Algebra I, one of which must include geometry content, and
9 one of which may be an Advanced Placement computer science
10 course. A mathematics course that includes geometry
11 content may be offered as an integrated, applied,
12 interdisciplinary, or career and technical education
13 course that prepares a student for a career readiness
14 path.

15 (3.5) One year of a course that includes intensive
16 instruction in computer literacy, which may be English,
17 social studies, or any other subject and which may be
18 counted toward the fulfillment of other graduation
19 requirements.

20 (4) Two years of laboratory science.

21 (5) Two years of social studies, of which at least one
22 year must be history of the United States or a combination
23 of history of the United States and American government
24 and at least one semester must be civics, which shall help
25 young people acquire and learn to use the skills,
26 knowledge, and attitudes that will prepare them to be

1 competent and responsible citizens throughout their lives.
2 Civics course content shall focus on government
3 institutions, the discussion of current and controversial
4 issues, service learning, and simulations of the
5 democratic process. School districts may utilize private
6 funding available for the purposes of offering civics
7 education. One semester, or part of one semester, may
8 include a financial literacy course.

9 (6) One year chosen from (A) music, (B) art, (C)
10 foreign language, which shall be deemed to include
11 American Sign Language, (D) career and technical
12 education, or (E) forensic speech (speech and debate). A
13 forensic speech course used to satisfy the course
14 requirement under subdivision (1) may not be used to
15 satisfy the course requirement under this subdivision (6).

16 (e-10) Beginning with the 2028-2029 school year, as a
17 prerequisite to receiving a high school diploma, each pupil
18 entering the 9th grade must, in addition to other course
19 requirements, successfully complete 2 years of foreign
20 language courses, which may include American Sign Language. A
21 pupil may choose a third year of foreign language to satisfy
22 the requirement under subdivision (6) of subsection (e-5).

23 (f) The State Board of Education shall develop and inform
24 school districts of standards for writing-intensive
25 coursework.

26 (f-5) If a school district offers an Advanced Placement

1 computer science course to high school students, then the
2 school board must designate that course as equivalent to a
3 high school mathematics course and must denote on the
4 student's transcript that the Advanced Placement computer
5 science course qualifies as a mathematics-based, quantitative
6 course for students in accordance with subdivision (3) of
7 subsection (e) of this Section.

8 (g) Public Act 83-1082 does not apply to pupils entering
9 the 9th grade in 1983-1984 school year and prior school years
10 or to students with disabilities whose course of study is
11 determined by an individualized education program.

12 Public Act 94-676 does not apply to pupils entering the
13 9th grade in the 2004-2005 school year or a prior school year
14 or to students with disabilities whose course of study is
15 determined by an individualized education program.

16 Subdivision (3.5) of subsection (e) does not apply to
17 pupils entering the 9th grade in the 2021-2022 school year or a
18 prior school year or to students with disabilities whose
19 course of study is determined by an individualized education
20 program.

21 Subsection (e-5) does not apply to pupils entering the 9th
22 grade in the 2023-2024 school year or a prior school year or to
23 students with disabilities whose course of study is determined
24 by an individualized education program. Subsection (e-10) does
25 not apply to pupils entering the 9th grade in the 2027-2028
26 school year or a prior school year or to students with

1 disabilities whose course of study is determined by an
2 individualized education program.

3 (h) The provisions of this Section are subject to the
4 provisions of Sections 14A-32 and 27-610 of this Code and the
5 Postsecondary and Workforce Readiness Act.

6 (i) The State Board of Education may adopt rules to modify
7 the requirements of this Section for any students enrolled in
8 grades 9 through 12 if the Governor has declared a disaster due
9 to a public health emergency pursuant to Section 7 of the
10 Illinois Emergency Management Agency Act.

11 (Source: P.A. 103-154, eff. 6-30-23; 103-743, eff. 8-2-24;
12 104-387, eff. 8-15-25; 104-391, eff. 8-15-25; revised
13 9-24-25.)

14 (105 ILCS 5/27-615) (was 105 ILCS 5/27-22.10)

15 Sec. 27-615. Course credit for high school diploma.

16 (a) Notwithstanding any other provision of this Code, the
17 school board of a school district that maintains any of grades
18 9 through 12 is authorized to adopt a policy under which a
19 student enrolled in grade 7 or 8 who is enrolled in the unit
20 school district or would be enrolled in the high school
21 district upon completion of elementary school, whichever is
22 applicable, may enroll in a course required under Section
23 27-605 of this Code, provided that the course is offered by the
24 high school that the student would attend and (i) the student
25 participates in the course at the location of the high school

1 and the elementary student's enrollment in the course would
2 not prevent a high school student from being able to enroll, ~~or~~
3 (ii) the student participates in the course where the student
4 attends school as long as the student passes the course and the
5 end-of-course examination given at the high school granting
6 the credit for the same course, demonstrating proficiency at
7 the high school level, or (iii) the course is taught by a
8 teacher who holds a professional educator license issued under
9 Article 21B of this Code and endorsed for the grade level and
10 content area of the course.

11 (b) A school board that adopts a policy pursuant to
12 subsection (a) of this Section must grant academic credit to
13 an elementary school student who successfully completes the
14 high school course, and that credit shall satisfy the
15 requirements of Section 27-605 of this Code for that course.

16 (c) A school board must award high school course credit to
17 a student transferring to its school district for any course
18 that the student successfully completed pursuant to subsection
19 (a) of this Section, unless evidence about the course's rigor
20 and content shows that it does not address the relevant
21 Illinois Learning Standard at the level appropriate for the
22 high school grade during which the course is usually taken,
23 and that credit shall satisfy the requirements of Section
24 27-605 of this Code for that course.

25 (d) A student's grade in any course successfully completed
26 under this Section must be included in his or her grade point

1 average in accordance with the school board's policy for
2 making that calculation.

3 (Source: P.A. 104-267, eff. 1-1-26; 104-391, eff. 8-15-25;
4 revised 9-24-25.)

5 (105 ILCS 5/27-830) (was 105 ILCS 5/27-24.4)

6 Sec. 27-830. Reimbursement amount.

7 (a) Each school district shall be entitled to
8 reimbursement for each student who finishes either the
9 classroom instruction part or the practice driving part of a
10 driver education course that meets the minimum requirements of
11 this Act. Reimbursement under this Act is payable from the
12 Drivers Education Fund in the State treasury.

13 Each year all funds appropriated from the Drivers
14 Education Fund to the State Board of Education, with the
15 exception of those funds necessary for administrative purposes
16 of the State Board of Education, shall be distributed in the
17 manner provided in this paragraph to school districts by the
18 State Board of Education for reimbursement of claims from the
19 previous school year. As soon as may be after each quarter of
20 the year, if moneys are available in the Drivers Education
21 Fund in the State treasury for payments under this Section,
22 the State Comptroller shall draw his or her warrants upon the
23 State Treasurer as directed by the State Board of Education.
24 The warrant for each quarter shall be in an amount equal to
25 one-fourth of the total amount to be distributed to school

1 districts for the year. Payments shall be made to school
2 districts as soon as may be after receipt of the warrants.

3 The base reimbursement amount shall be calculated by the
4 State Board by dividing the total amount appropriated for
5 distribution by the total of: (a) the number of students who
6 have completed the classroom instruction part for whom valid
7 claims have been made times 0.2; plus (b) the number of
8 students who have completed the practice driving instruction
9 part for whom valid claims have been made times 0.8.

10 The amount of reimbursement to be distributed on each
11 claim shall be 0.2 times the base reimbursement amount for
12 each validly claimed student who has completed the classroom
13 instruction part, plus 0.8 times the base reimbursement amount
14 for each validly claimed student who has completed the
15 practice driving instruction part.

16 (b) The school district which is the residence of a
17 student who attends a nonpublic school in another district
18 that has furnished the driver education course shall reimburse
19 the district offering the course, the difference between the
20 actual per capita cost of giving the course the previous
21 school year and the amount reimbursed by the State, which, for
22 purposes of this subsection (b), shall be referred to as
23 "course cost". If the course cost offered by the student's
24 resident district is less than the course cost of the course in
25 the district where the nonpublic school is located, then the
26 student is responsible for paying the district that furnished

1 the course the difference between the 2 amounts. If a
2 nonpublic school student chooses to attend a driver ~~driver's~~
3 education course in a school district besides the district
4 where the nonpublic school is located, then the student is
5 wholly responsible for the course cost; however, the nonpublic
6 school student may take the course in his or her resident
7 district on the same basis as public school students who are
8 enrolled in that district.

9 By April 1 the nonpublic school shall notify the district
10 offering the course of the names and district numbers of the
11 nonresident students desiring to take such course the next
12 school year. The district offering such course shall notify
13 the district of residence of those students affected by April
14 15. The school district furnishing the course may claim the
15 nonresident student for the purpose of making a claim for
16 State reimbursement under this Act.

17 (Source: P.A. 104-391, eff. 8-15-25; revised 12-12-25.)

18 (105 ILCS 5/27-835) (was 105 ILCS 5/27-24.5)

19 Sec. 27-835. Submission of claims. The district shall
20 report on forms prescribed by the State Board, on an ongoing
21 basis, a list of students by name, birth date, and sex, with
22 the date the behind-the-wheel instruction or the classroom
23 instruction or both were completed and with the status of the
24 course completion.

25 The State shall not reimburse any district for any student

1 who has repeated any part of the course more than once or who
2 did not meet the age requirements of this Act during the period
3 that the student was instructed in any part of the driver
4 ~~drivers~~ education course.

5 (Source: P.A. 104-391, eff. 8-15-25; revised 12-12-25.)

6 (105 ILCS 5/27-840) (was 105 ILCS 5/27-24.6)

7 Sec. 27-840. Attendance records. The school board shall
8 require the teachers of driver ~~drivers~~ education courses to
9 keep daily attendance records for students attending such
10 courses in the same manner as is prescribed in Section 24-18 of
11 this Code Act and such records shall be used to prepare and
12 certify claims made under the Driver Education Act. Claims for
13 reimbursement shall be made under oath or affirmation of the
14 chief school administrator for the district employed by the
15 school board or authorized driver education personnel employed
16 by the school board.

17 Whoever submits a false claim under the Driver Education
18 Act or makes a false record upon which a claim is based shall
19 be fined in an amount equal to the sum falsely claimed.

20 (Source: P.A. 104-391, eff. 8-15-25; revised 12-12-25.)

21 (105 ILCS 5/27-1080) (was 105 ILCS 5/27-23.18)

22 Sec. 27-1080 ~~27-23.18~~. Relaxation activities. Each school
23 district may provide to students, in addition to and not
24 substituting recess, at least 20 minutes a week of relaxation

1 activities to enhance the mental and physical health of
2 students as part of the school day. Relaxation activities may
3 include, but are not limited to, mindful-based movements,
4 yoga, stretching, meditation, breathing exercises, guided
5 relaxation techniques, quiet time, walking, in-person
6 conversation, and other stress-relieving activities. A school
7 district may partner with public and private community
8 organizations to provide relaxation activities. These
9 activities may take place in a physical education class,
10 social-emotional learning class, or student-support or
11 advisory class or as a part of another similar class,
12 including a new class.

13 (Source: P.A. 103-764, eff. 1-1-25; 104-391, eff. 8-15-25;
14 104-417, eff. 8-15-25; revised 9-24-25.)

15 (105 ILCS 5/27A-5)

16 Sec. 27A-5. Charter school; legal entity; requirements.

17 (a) A charter school shall be a public, nonsectarian,
18 nonreligious, non-home based, and non-profit school. A charter
19 school shall be organized and operated as a nonprofit
20 corporation or other discrete, legal, nonprofit entity
21 authorized under the laws of the State of Illinois.

22 (b) A charter school may be established under this Article
23 by creating a new school or by converting an existing public
24 school or attendance center to charter school status. In all
25 new applications to establish a charter school in a city

1 having a population exceeding 500,000, operation of the
2 charter school shall be limited to one campus. This limitation
3 does not apply to charter schools existing or approved on or
4 before April 16, 2003.

5 (b-5) (Blank).

6 (c) A charter school shall be administered and governed by
7 its board of directors or other governing body in the manner
8 provided in its charter. The governing body of a charter
9 school shall be subject to the Freedom of Information Act and
10 the Open Meetings Act. A charter school's board of directors
11 or other governing body must include at least one parent or
12 guardian of a pupil currently enrolled in the charter school
13 who may be selected through the charter school or a charter
14 network election, appointment by the charter school's board of
15 directors or other governing body, or by the charter school's
16 Parent Teacher Organization or its equivalent.

17 (c-5) No later than January 1, 2021 or within the first
18 year of his or her first term, every voting member of a charter
19 school's board of directors or other governing body shall
20 complete a minimum of 4 hours of professional development
21 leadership training to ensure that each member has sufficient
22 familiarity with the board's or governing body's role and
23 responsibilities, including financial oversight and
24 accountability of the school, evaluating the principal's and
25 school's performance, adherence to the Freedom of Information
26 Act and the Open Meetings Act, and compliance with education

1 and labor law. In each subsequent year of his or her term, a
2 voting member of a charter school's board of directors or
3 other governing body shall complete a minimum of 2 hours of
4 professional development training in these same areas. The
5 training under this subsection may be provided or certified by
6 a statewide charter school membership association or may be
7 provided or certified by other qualified providers approved by
8 the State Board.

9 (d) For purposes of this subsection (d), "non-curricular
10 health and safety requirement" means any health and safety
11 requirement created by statute or rule to provide, maintain,
12 preserve, or safeguard safe or healthful conditions for
13 students and school personnel or to eliminate, reduce, or
14 prevent threats to the health and safety of students and
15 school personnel. "Non-curricular health and safety
16 requirement" does not include any course of study or
17 specialized instructional requirement for which the State
18 Board has established goals and learning standards or which is
19 designed primarily to impart knowledge and skills for students
20 to master and apply as an outcome of their education.

21 A charter school shall comply with all non-curricular
22 health and safety requirements applicable to public schools
23 under the laws of the State of Illinois. The State Board shall
24 promulgate and post on its Internet website a list of
25 non-curricular health and safety requirements that a charter
26 school must meet. The list shall be updated annually no later

1 than September 1. Any charter contract between a charter
2 school and its authorizer must contain a provision that
3 requires the charter school to follow the list of all
4 non-curricular health and safety requirements promulgated by
5 the State Board and any non-curricular health and safety
6 requirements added by the State Board to such list during the
7 term of the charter. Nothing in this subsection (d) precludes
8 an authorizer from including non-curricular health and safety
9 requirements in a charter school contract that are not
10 contained in the list promulgated by the State Board,
11 including non-curricular health and safety requirements of the
12 authorizing local school board.

13 (e) Except as otherwise provided in the School Code, a
14 charter school shall not charge tuition; provided that a
15 charter school may charge reasonable fees for textbooks,
16 instructional materials, and student activities.

17 (f) A charter school shall be responsible for the
18 management and operation of its fiscal affairs, including, but
19 not limited to, the preparation of its budget. An audit of each
20 charter school's finances shall be conducted annually by an
21 outside, independent contractor retained by the charter
22 school. The contractor shall not be an employee of the charter
23 school or affiliated with the charter school or its authorizer
24 in any way, other than to audit the charter school's finances.
25 To ensure financial accountability for the use of public
26 funds, on or before December 1 of every year of operation, each

1 charter school shall submit to its authorizer and the State
2 Board a copy of its audit and a copy of the Form 990 the
3 charter school filed that year with the federal Internal
4 Revenue Service. In addition, if deemed necessary for proper
5 financial oversight of the charter school, an authorizer may
6 require quarterly financial statements from each charter
7 school.

8 (g) A charter school shall comply with all provisions of
9 this Article, the Illinois Educational Labor Relations Act,
10 all federal and State laws and rules applicable to public
11 schools that pertain to special education and the instruction
12 of English learners, and its charter. A charter school is
13 exempt from all other State laws and regulations in this Code
14 governing public schools and local school board policies;
15 however, a charter school is not exempt from the following:

16 (1) Sections 10-21.9 and 34-18.5 of this Code
17 regarding criminal history records checks and checks of
18 the Statewide Sex Offender Database and Statewide Murderer
19 and Violent Offender Against Youth Database of applicants
20 for employment;

21 (2) Sections 10-20.14, 10-22.6, 22-100, 24-24, 34-19,
22 and 34-84a of this Code regarding discipline of students;

23 (3) the Local Governmental and Governmental Employees
24 Tort Immunity Act;

25 (4) Section 108.75 of the General Not For Profit
26 Corporation Act of 1986 regarding indemnification of

1 officers, directors, employees, and agents;

2 (5) the Abused and Neglected Child Reporting Act;

3 (5.5) subsection (b) of Section 10-23.12 and
4 subsection (b) of Section 34-18.6 of this Code;

5 (6) the Illinois School Student Records Act;

6 (7) Section 10-17a of this Code regarding school
7 report cards;

8 (8) the P-20 Longitudinal Education Data System Act;

9 (9) Section 22-110 of this Code regarding bullying
10 prevention;

11 (10) Section 2-3.162 of this Code regarding student
12 discipline reporting;

13 (11) Sections 22-80 and 22-105 of this Code;

14 (12) Sections 10-20.60 and 34-18.53 of this Code;

15 (13) Sections 10-20.63 and 34-18.56 of this Code;

16 (14) Sections 22-90 and 26-18 of this Code;

17 (15) Section 22-30 of this Code;

18 (16) Sections 24-12 and 34-85 of this Code;

19 (17) the Seizure Smart School Act;

20 (18) Section 2-3.64a-10 of this Code;

21 (19) Sections 10-20.73 and 34-21.9 of this Code;

22 (20) Section 10-22.25b of this Code;

23 (21) Section 27-1015 of this Code;

24 (22) Section 27-1010 of this Code;

25 (23) Section 34-18.8 of this Code;

26 (24) Article 26A of this Code;

1 (25) Section 2-3.188 of this Code;

2 (26) Section 22-85.5 of this Code;

3 (27) subsections (d-10), (d-15), and (d-20) of Section
4 10-20.56 of this Code;

5 (28) Sections 10-20.83 and 34-18.78 of this Code;

6 (29) Section 10-20.13 of this Code;

7 (30) (blank);

8 (31) Section 34-21.6 of this Code;

9 (32) Section 22-85.10 of this Code;

10 (33) Section 2-3.196 of this Code;

11 (34) Section 22-95 of this Code;

12 (35) Section 34-18.62 of this Code;

13 (36) the Illinois Human Rights Act;

14 (37) Section 2-3.204 of this Code; and

15 (38) Section 22-106 ~~22-105~~ of this Code.

16 The change made by Public Act 96-104 to this subsection
17 (g) is declaratory of existing law.

18 (h) A charter school may negotiate and contract with a
19 school district, the governing body of a State college or
20 university or public community college, or any other public or
21 for-profit or nonprofit private entity for: (i) the use of a
22 school building and grounds or any other real property or
23 facilities that the charter school desires to use or convert
24 for use as a charter school site, (ii) the operation and
25 maintenance thereof, and (iii) the provision of any service,
26 activity, or undertaking that the charter school is required

1 to perform in order to carry out the terms of its charter.
2 Except as provided in subsection (i) of this Section, a school
3 district may charge a charter school reasonable rent for the
4 use of the district's buildings, grounds, and facilities. Any
5 services for which a charter school contracts with a school
6 district shall be provided by the district at cost. Any
7 services for which a charter school contracts with a local
8 school board or with the governing body of a State college or
9 university or public community college shall be provided by
10 the public entity at cost.

11 (i) In no event shall a charter school that is established
12 by converting an existing school or attendance center to
13 charter school status be required to pay rent for space that is
14 deemed available, as negotiated and provided in the charter
15 agreement, in school district facilities. However, all other
16 costs for the operation and maintenance of school district
17 facilities that are used by the charter school shall be
18 subject to negotiation between the charter school and the
19 local school board and shall be set forth in the charter.

20 (j) A charter school may limit student enrollment by age
21 or grade level.

22 (k) If the charter school is authorized by the State
23 Board, then the charter school is its own local education
24 agency.

25 (Source: P.A. 103-154, eff. 6-30-23; 103-175, eff. 6-30-23;
26 103-472, eff. 8-1-24; 103-605, eff. 7-1-24; 103-641, eff.

1 7-1-24; 103-806, eff. 1-1-25; 104-288, eff. 1-1-26; 104-391,
2 eff. 8-15-25; 104-417, eff. 8-15-25; revised 9-12-25.)

3 (105 ILCS 5/30-14.2)

4 Sec. 30-14.2. Deceased, Disabled, and MIA/POW Veterans'
5 Dependents scholarship.

6 (a) Any spouse, natural child, legally adopted child under
7 the age of 18 at the time of adoption, minor child younger than
8 18 who is under a court-ordered guardianship for at least 2
9 continuous years prior to application, or step-child under the
10 age of 18 at the time of marriage of an eligible veteran or
11 serviceperson who possesses all necessary entrance
12 requirements shall, upon application and proper proof, be
13 awarded a MIA/POW Scholarship consisting of the equivalent of
14 4 calendar years of full-time enrollment including summer
15 terms, to the state supported Illinois institution of higher
16 learning of his choice, subject to the restrictions listed
17 below.

18 "Eligible veteran or serviceperson" means any veteran or
19 serviceperson, including an Illinois National Guard member who
20 is on active duty or is active on a training assignment, who
21 has been declared by the U.S. Department of Defense or the U.S.
22 Department of Veterans Affairs to be a prisoner of war or
23 missing in action, or has died as the result of a
24 service-connected disability or has become a person with a
25 permanent disability from service-connected causes with 100%

1 disability and who (i) at the time of entering service was an
2 Illinois resident, or (ii) was an Illinois resident within 6
3 months after entering such service, or (iii) is a resident of
4 Illinois at the time of application for the Scholarship and,
5 at some point after entering such service, was a resident of
6 Illinois for at least 15 consecutive years.

7 "Full-time enrollment" means 12 or more semester hours of
8 courses per semester, or 12 or more quarter hours of courses
9 per quarter, or the equivalent thereof per term. Scholarships
10 utilized by dependents enrolled in less than full-time study
11 shall be computed in the proportion which the number of hours
12 so carried bears to full-time enrollment.

13 Scholarships awarded under this Section may be used by a
14 spouse or child without regard to his or her age. The holder of
15 a Scholarship awarded under this Section shall be subject to
16 all examinations and academic standards, including the
17 maintenance of minimum grade levels, that are applicable
18 generally to other enrolled students at the Illinois
19 institution of higher learning where the Scholarship is being
20 used. If the surviving spouse remarries or if there is a
21 divorce between the veteran or serviceperson and his or her
22 spouse while the dependent is pursuing his or her course of
23 study, Scholarship benefits will be terminated at the end of
24 the term for which he or she is presently enrolled. Such
25 dependents shall also be entitled, upon proper proof and
26 application, to enroll in any extension course offered by a

1 State supported Illinois institution of higher learning
2 without payment of tuition and approved fees.

3 The holder of a MIA/POW Scholarship authorized under this
4 Section shall not be required to pay any tuition or mandatory
5 fees while attending a State-controlled university or public
6 community college in this State for a period equivalent to 4
7 years of enrollment, including summer terms.

8 Any dependent who has been or shall be awarded a MIA/POW
9 Scholarship shall be reimbursed by the appropriate institution
10 of higher learning for any fees which he or she has paid and
11 for which exemption is granted under this Section if
12 application for reimbursement is made within 2 months
13 following the end of the school term for which the fees were
14 paid.

15 (b) In lieu of the benefit provided in subsection (a), any
16 spouse, natural child, legally adopted child, or step-child of
17 an eligible veteran or serviceperson, which spouse or child
18 has a physical, mental or developmental disability, shall be
19 entitled to receive, upon application and proper proof, a
20 benefit to be used for the purpose of defraying the cost of the
21 attendance or treatment of such spouse or child at one or more
22 appropriate therapeutic, rehabilitative or educational
23 facilities. The application and proof may be made by the
24 parent or legal guardian of the spouse or child on his or her
25 behalf.

26 The total benefit provided to any beneficiary under this

1 subsection shall not exceed the cost equivalent of 4 calendar
2 years of full-time enrollment, including summer terms, at the
3 University of Illinois. Whenever practicable in the opinion of
4 the Department of Veterans Affairs, payment of benefits under
5 this subsection shall be made directly to the facility, the
6 cost of attendance or treatment at which is being defrayed, as
7 such costs accrue.

8 (c) The benefits of this Section shall be administered by
9 and paid for out of funds made available to the Illinois
10 Department of Veterans Affairs. The amounts that become due to
11 any state supported Illinois institution of higher learning
12 shall be payable by the Comptroller to such institution on
13 vouchers approved by the Illinois Department of Veterans
14 Affairs. The amounts that become due under subsection (b) of
15 this Section shall be payable by warrant upon vouchers issued
16 by the Illinois Department of Veterans Affairs and approved by
17 the Comptroller. The Illinois Department of Veterans Affairs
18 shall determine, by rule, the eligibility of the persons who
19 make application for the benefits provided for in this
20 Section.

21 (Source: P.A. 104-234, eff. 8-15-25; 104-238, eff. 1-1-26;
22 revised 11-20-25.)

23 (105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

24 Sec. 34-2.3. Local school councils; powers and duties.
25 Each local school council shall have and exercise, consistent

1 with the provisions of this Article and the powers and duties
2 of the board of education, the following powers and duties:

3 1. (A) To annually evaluate the performance of the
4 principal of the attendance center using a Board-approved
5 ~~Board-approved~~ principal evaluation form, which shall
6 include the evaluation of (i) student academic
7 improvement, as defined by the school improvement plan,
8 (ii) student absenteeism rates at the school, (iii)
9 instructional leadership, (iv) the effective
10 implementation of programs, policies, or strategies to
11 improve student academic achievement, (v) school
12 management, and (vi) any other factors deemed relevant by
13 the local school council, including, without limitation,
14 the principal's communication skills and ability to create
15 and maintain a student-centered learning environment, to
16 develop opportunities for professional development, and to
17 encourage parental involvement and community partnerships
18 to achieve school improvement;

19 (B) to determine in the manner provided by subsection
20 (c) of Section 34-2.2 and subdivision 1.5 of this Section
21 whether the performance contract of the principal shall be
22 renewed; and

23 (C) to directly select, in the manner provided by
24 subsection (c) of Section 34-2.2, a new principal
25 (including a new principal to fill a vacancy) -- without
26 submitting any list of candidates for that position to the

1 general superintendent as provided in subdivision
2 ~~paragraph~~ 2 of this Section -- to serve under a 4 year
3 performance contract; provided that (i) the determination
4 of whether the principal's performance contract is to be
5 renewed, based upon the evaluation required by subdivision
6 1.5 of this Section, shall be made no later than 150 days
7 prior to the expiration of the current performance-based
8 contract of the principal, (ii) in cases where such
9 performance contract is not renewed -- a direct selection
10 of a new principal -- to serve under a 4 year performance
11 contract shall be made by the local school council no
12 later than 45 days prior to the expiration of the current
13 performance contract of the principal, and (iii) a
14 selection by the local school council of a new principal
15 to fill a vacancy under a 4-year ~~4-year~~ performance
16 contract shall be made within 90 days after the date such
17 vacancy occurs. A council ~~Council~~ shall be required, if
18 requested by the principal, to provide in writing the
19 reasons for the council's not renewing the principal's
20 contract.

21 1.5. The local school council's determination of
22 whether to renew the principal's contract shall be based
23 on an evaluation to assess the educational and
24 administrative progress made at the school during the
25 principal's current performance-based contract. The local
26 school council shall base its evaluation on (i) student

1 academic improvement, as defined by the school improvement
2 plan, (ii) student absenteeism rates at the school, (iii)
3 instructional leadership, (iv) the effective
4 implementation of programs, policies, or strategies to
5 improve student academic achievement, (v) school
6 management, and (vi) any other factors deemed relevant by
7 the local school council, including, without limitation,
8 the principal's communication skills and ability to create
9 and maintain a student-centered learning environment, to
10 develop opportunities for professional development, and to
11 encourage parental involvement and community partnerships
12 to achieve school improvement. If a local school council
13 fails to renew the performance contract of a principal
14 rated by the general superintendent, or his or her
15 designee, in the previous years' evaluations as meeting or
16 exceeding expectations, the principal, within 15 days
17 after the local school council's decision not to renew the
18 contract, may request a review of the local school
19 council's principal non-retention decision by a hearing
20 officer appointed by the American Arbitration Association.
21 A local school council member or members or the general
22 superintendent may support the principal's request for
23 review. During the period of the hearing officer's review
24 of the local school council's decision on whether or not
25 to retain the principal, the local school council shall
26 maintain all authority to search for and contract with a

1 person to serve as interim or acting principal, or as the
2 principal of the attendance center under a 4-year
3 performance contract, provided that any performance
4 contract entered into by the local school council shall be
5 voidable or modified in accordance with the decision of
6 the hearing officer. The principal may request review only
7 once while at that attendance center. If a local school
8 council renews the contract of a principal who failed to
9 obtain a rating of "meets" or "exceeds expectations" in
10 the general superintendent's evaluation for the previous
11 year, the general superintendent, within 15 days after the
12 local school council's decision to renew the contract, may
13 request a review of the local school council's principal
14 retention decision by a hearing officer appointed by the
15 American Arbitration Association. The general
16 superintendent may request a review only once for that
17 principal at that attendance center. All requests to
18 review the retention or non-retention of a principal shall
19 be submitted to the general superintendent, who shall, in
20 turn, forward such requests, within 14 days of receipt, to
21 the American Arbitration Association. The general
22 superintendent shall send a contemporaneous copy of the
23 request that was forwarded to the American Arbitration
24 Association to the principal and to each local school
25 council member and shall inform the local school council
26 of its rights and responsibilities under the arbitration

1 process, including the local school council's right to
2 representation and the manner and process by which the
3 Board shall pay the costs of the council's representation.
4 If the local school council retains the principal and the
5 general superintendent requests a review of the retention
6 decision, the local school council and the general
7 superintendent shall be considered parties to the
8 arbitration, a hearing officer shall be chosen between
9 those 2 parties pursuant to procedures promulgated by the
10 State Board of Education, and the principal may retain
11 counsel and participate in the arbitration. If the local
12 school council does not retain the principal and the
13 principal requests a review of the retention decision, the
14 local school council and the principal shall be considered
15 parties to the arbitration and a hearing officer shall be
16 chosen between those 2 parties pursuant to procedures
17 promulgated by the State Board of Education. The hearing
18 shall begin (i) within 45 days after the initial request
19 for review is submitted by the principal to the general
20 superintendent or (ii) if the initial request for review
21 is made by the general superintendent, within 45 days
22 after that request is mailed to the American Arbitration
23 Association. The hearing officer shall render a decision
24 within 45 days after the hearing begins and within 90 days
25 after the initial request for review. The Board shall
26 contract with the American Arbitration Association for all

1 of the hearing officer's reasonable and necessary costs.
2 In addition, the Board shall pay any reasonable costs
3 incurred by a local school council for representation
4 before a hearing officer.

5 1.10. The hearing officer shall conduct a hearing,
6 which shall include (i) a review of the principal's
7 performance, evaluations, and other evidence of the
8 principal's service at the school, (ii) reasons provided
9 by the local school council for its decision, and (iii)
10 documentation evidencing views of interested persons,
11 including, without limitation, students, parents, local
12 school council members, school faculty and staff, the
13 principal, the general superintendent or his or her
14 designee, and members of the community. The burden of
15 proof in establishing that the local school council's
16 decision was arbitrary and capricious shall be on the
17 party requesting the arbitration, and this party shall
18 sustain the burden by a preponderance of the evidence. The
19 hearing officer shall set the local school council
20 decision aside if that decision, in light of the record
21 developed at the hearing, is arbitrary and capricious. The
22 decision of the hearing officer may not be appealed to the
23 Board or the State Board of Education. If the hearing
24 officer decides that the principal shall be retained, the
25 retention period shall not exceed 2 years.

26 2. In the event (i) the local school council does not

1 renew the performance contract of the principal, or the
2 principal fails to receive a satisfactory rating as
3 provided in subsection (h) of Section 34-8.3, or the
4 principal is removed for cause during the term of his or
5 her performance contract in the manner provided by Section
6 34-85, or a vacancy in the position of principal otherwise
7 occurs prior to the expiration of the term of a
8 principal's performance contract, and (ii) the local
9 school council fails to directly select a new principal to
10 serve under a 4-year ~~4-year~~ performance contract, the
11 local school council in such event shall submit to the
12 general superintendent a list of 3 candidates -- listed in
13 the local school council's order of preference -- for the
14 position of principal, one of which shall be selected by
15 the general superintendent to serve as principal of the
16 attendance center. If the general superintendent fails or
17 refuses to select one of the candidates on the list to
18 serve as principal within 30 days after being furnished
19 with the candidate list, the general superintendent shall
20 select and place a principal on an interim basis (i) for a
21 period not to exceed one year or (ii) until the local
22 school council selects a new principal with 7 affirmative
23 votes as provided in subsection (c) of Section 34-2.2,
24 whichever occurs first. If the local school council fails
25 or refuses to select and appoint a new principal, as
26 specified by subsection (c) of Section 34-2.2, the general

1 superintendent may select and appoint a new principal on
2 an interim basis for an additional year or until a new
3 contract principal is selected by the local school
4 council. There shall be no discrimination on the basis of
5 race, sex, creed, color, or disability unrelated to
6 ability to perform in connection with the submission of
7 candidates for, and the selection of a candidate to serve
8 as principal of an attendance center. No person shall be
9 directly selected, listed as a candidate for, or selected
10 to serve as principal of an attendance center (i) if such
11 person has been removed for cause from employment by the
12 Board or (ii) if such person does not hold a valid
13 Professional Educator License issued under Article 21B and
14 endorsed as required by that Article for the position of
15 principal. A principal whose performance contract is not
16 renewed as provided under subsection (c) of Section 34-2.2
17 may nevertheless, if otherwise qualified and licensed as
18 herein provided and if he or she has received a
19 satisfactory rating as provided in subsection (h) of
20 Section 34-8.3, be included by a local school council as
21 one of the 3 candidates listed in order of preference on
22 any candidate list from which one person is to be selected
23 to serve as principal of the attendance center under a new
24 performance contract. The initial candidate list required
25 to be submitted by a local school council to the general
26 superintendent in cases where the local school council

1 does not renew the performance contract of its principal
2 and does not directly select a new principal to serve
3 under a 4-year ~~4-year~~ performance contract shall be
4 submitted not later than 30 days prior to the expiration
5 of the current performance contract. In cases where the
6 local school council fails or refuses to submit the
7 candidate list to the general superintendent no later than
8 30 days prior to the expiration of the incumbent
9 principal's contract, the general superintendent may
10 appoint a principal on an interim basis for a period not to
11 exceed one year, during which time the local school
12 council shall be able to select a new principal with 7
13 affirmative votes as provided in subsection (c) of Section
14 34-2.2. In cases where a principal is removed for cause or
15 a vacancy otherwise occurs in the position of principal
16 and the vacancy is not filled by direct selection by the
17 local school council, the candidate list shall be
18 submitted by the local school council to the general
19 superintendent within 90 days after the date such removal
20 or vacancy occurs. In cases where the local school council
21 fails or refuses to submit the candidate list to the
22 general superintendent within 90 days after the date of
23 the vacancy, the general superintendent may appoint a
24 principal on an interim basis for a period of one year,
25 during which time the local school council shall be able
26 to select a new principal with 7 affirmative votes as

1 provided in subsection (c) of Section 34-2.2.

2 2.5. Whenever a vacancy in the office of a principal
3 occurs for any reason, the vacancy shall be filled in the
4 manner provided by this Section by the selection of a new
5 principal to serve under a 4-year ~~4-year~~ performance
6 contract.

7 3. To establish additional criteria to be included as
8 part of the performance contract of its principal,
9 provided that such additional criteria shall not
10 discriminate on the basis of race, sex, creed, color, or
11 disability unrelated to ability to perform, and shall not
12 be inconsistent with the uniform 4-year ~~4-year~~ performance
13 contract for principals developed by the board as provided
14 in Section 34-8.1 of this ~~the School~~ Code or with other
15 provisions of this Article governing the authority and
16 responsibility of principals.

17 4. To approve the expenditure plan prepared by the
18 principal with respect to all funds allocated and
19 distributed to the attendance center by the Board. The
20 expenditure plan shall be administered by the principal.
21 Notwithstanding any other provision of this Code Act or
22 any other law, any expenditure plan approved and
23 administered under this Section 34-2.3 shall be consistent
24 with and subject to the terms of any contract for services
25 with a third party entered into by the Chicago School
26 Reform Board of Trustees or the board under this Code Act.

1 Via a supermajority vote of 8 members of a local
2 school council enrolling students through the 8th grade or
3 9 members of a local school council at a secondary
4 attendance center or an attendance center enrolling
5 students in grades 7 through 12, the Council may transfer
6 allocations pursuant to this Section 34-2.3 within funds;
7 provided that such a transfer is consistent with
8 applicable law and collective bargaining agreements.

9 Beginning in fiscal year 1991 and in each fiscal year
10 thereafter, the Board may reserve up to 1% of its total
11 fiscal year budget for distribution on a prioritized basis
12 to schools throughout the school system in order to assure
13 adequate programs to meet the needs of special student
14 populations as determined by the Board. This distribution
15 shall take into account the needs catalogued in the
16 Systemwide Plan and the various local school improvement
17 plans of the local school councils. Information about
18 these centrally funded programs shall be distributed to
19 the local school councils so that their subsequent
20 planning and programming will account for these
21 provisions.

22 Beginning in fiscal year 1991 and in each fiscal year
23 thereafter, from other amounts available in the applicable
24 fiscal year budget, the board shall allocate a lump sum
25 amount to each local school based upon such formula as the
26 board shall determine taking into account the special

1 needs of the student body. The local school principal
2 shall develop an expenditure plan in consultation with the
3 local school council, the professional personnel
4 leadership committee and with all other school personnel,
5 which reflects the priorities and activities as described
6 in the school's local school improvement plan and is
7 consistent with applicable law and collective bargaining
8 agreements and with board policies and standards; however,
9 the local school council shall have the right to request
10 waivers of board policy from the board of education and
11 waivers of employee collective bargaining agreements
12 pursuant to Section 34-8.1a.

13 The expenditure plan developed by the principal with
14 respect to amounts available from the fund for prioritized
15 special needs programs and the allocated lump sum amount
16 must be approved by the local school council.

17 The lump sum allocation shall take into account the
18 following principles:

19 a. Teachers: Each school shall be allocated funds
20 equal to the amount appropriated in the previous
21 school year for compensation for teachers (regular
22 grades kindergarten through 12th grade) plus whatever
23 increases in compensation have been negotiated
24 contractually or through longevity as provided in the
25 negotiated agreement. Adjustments shall be made due to
26 layoff or reduction in force, lack of funds or work,

1 change in subject requirements, enrollment changes, or
2 contracts with third parties for the performance of
3 services or to rectify any inconsistencies with
4 system-wide allocation formulas or for other
5 legitimate reasons.

6 b. Other personnel: Funds for other teacher
7 licensed and nonlicensed personnel paid through
8 non-categorical funds shall be provided according to
9 system-wide formulas based on student enrollment and
10 the special needs of the school as determined by the
11 Board.

12 c. Non-compensation items: Appropriations for all
13 non-compensation items shall be based on system-wide
14 formulas based on student enrollment and on the
15 special needs of the school or factors related to the
16 physical plant, including, but not limited to,
17 textbooks, electronic textbooks and the technological
18 equipment necessary to gain access to and use
19 electronic textbooks, supplies, electricity,
20 equipment, and routine maintenance.

21 d. Funds for categorical programs: Schools shall
22 receive personnel and funds based on, and shall use
23 such personnel and funds in accordance with State and
24 federal ~~Federal~~ requirements applicable to each
25 categorical program provided to meet the special needs
26 of the student body (including, but not limited to,

1 Federal Chapter I, Bilingual, and Special Education).

2 d.1. Funds for State Title I: Each school shall
3 receive funds based on State and Board requirements
4 applicable to each State Title I pupil provided to
5 meet the special needs of the student body. Each
6 school shall receive the proportion of funds as
7 provided in Section 18-8 or 18-8.15 to which they are
8 entitled. These funds shall be spent only with the
9 budgetary approval of the local school council ~~Local~~
10 ~~School Council~~ as provided in Section 34-2.3.

11 e. The local school council ~~Local School Council~~
12 shall have the right to request the principal to close
13 positions and open new ones consistent with the
14 provisions of the local school improvement plan
15 provided that these decisions are consistent with
16 applicable law and collective bargaining agreements.
17 If a position is closed, pursuant to this paragraph,
18 the local school shall have for its use the
19 system-wide average compensation for the closed
20 position.

21 f. Operating within existing laws and collective
22 bargaining agreements, the local school council shall
23 have the right to direct the principal to shift
24 expenditures within funds.

25 g. (Blank).

26 Any funds unexpended at the end of the fiscal year

1 shall be available to the board of education for use as
2 part of its budget for the following fiscal year.

3 5. To make recommendations to the principal concerning
4 textbook selection and concerning curriculum developed
5 pursuant to the school improvement plan which is
6 consistent with systemwide curriculum objectives in
7 accordance with Sections 34-8 and 34-18 of this ~~the School~~
8 Code and in conformity with the collective bargaining
9 agreement.

10 6. To advise the principal concerning the attendance
11 and disciplinary policies for the attendance center,
12 subject to the provisions of this Article and Article 26,
13 and consistent with the uniform system of discipline
14 established by the board pursuant to Section 34-19.

15 7. To approve a school improvement plan developed as
16 provided in Section 34-2.4. The process and schedule for
17 plan development shall be publicized to the entire school
18 community, and the community shall be afforded the
19 opportunity to make recommendations concerning the plan.
20 At least twice a year the principal and local school
21 council shall report publicly on progress and problems
22 with respect to plan implementation.

23 8. To evaluate the allocation of teaching resources
24 and other licensed and nonlicensed staff to the attendance
25 center to determine whether such allocation is consistent
26 with and in furtherance of instructional objectives and

1 school programs reflective of the school improvement plan
2 adopted for the attendance center; and to make
3 recommendations to the board, the general superintendent,L
4 and the principal concerning any reallocation of teaching
5 resources or other staff whenever the council determines
6 that any such reallocation is appropriate because the
7 qualifications of any existing staff at the attendance
8 center do not adequately match or support instructional
9 objectives or school programs which reflect the school
10 improvement plan.

11 9. To make recommendations to the principal and the
12 general superintendent concerning their respective
13 appointments, after August 31, 1989, and in the manner
14 provided by Section 34-8 and Section 34-8.1, of persons to
15 fill any vacant, additional,L or newly created positions
16 for teachers at the attendance center or at attendance
17 centers which include the attendance center served by the
18 local school council.

19 10. To request of the Board the manner in which
20 training and assistance shall be provided to the local
21 school council. Pursuant to Board guidelines a local
22 school council is authorized to direct the Board of
23 Education to contract with personnel or not-for-profit
24 organizations not associated with the school district to
25 train or assist council members. If training or assistance
26 is provided by contract with personnel or organizations

1 not associated with the school district, the period of
2 training or assistance shall not exceed 30 hours during a
3 given school year; the person shall not be employed on a
4 continuous basis longer than said period and shall not
5 have been employed by the Chicago Board of Education
6 within the preceding six months. Council members shall
7 receive training in at least the following areas:

8 1. school budgets;

9 2. educational theory pertinent to the attendance
10 center's particular needs, including the development
11 of the school improvement plan and the principal's
12 performance contract; and

13 3. personnel selection.

14 Council members shall, to the greatest extent possible,
15 complete such training within 90 days of election.

16 11. In accordance with systemwide guidelines contained
17 in the System-Wide Educational Reform Goals and Objectives
18 Plan, criteria for evaluation of performance shall be
19 established for local school councils and local school
20 council members. If a local school council persists in
21 noncompliance with systemwide requirements, the Board may
22 impose sanctions and take necessary corrective action,
23 consistent with Section 34-8.3.

24 12. Each local school council shall comply with the
25 Open Meetings Act and the Freedom of Information Act. Each
26 local school council shall issue and transmit to its

1 school community a detailed annual report accounting for
2 its activities programmatically and financially. Each
3 local school council shall convene at least 2
4 well-publicized meetings annually with its entire school
5 community. These meetings shall include presentation of
6 the proposed local school improvement plan, of the
7 proposed school expenditure plan, and the annual report,
8 and shall provide an opportunity for public comment.

9 13. Each local school council is encouraged to involve
10 additional non-voting members of the school community in
11 facilitating the council's exercise of its
12 responsibilities.

13 14. The local school council may adopt a school
14 uniform or dress code policy that governs the attendance
15 center and that is necessary to maintain the orderly
16 process of a school function or prevent endangerment of
17 student health or safety, consistent with the policies and
18 rules of the Board of Education. A school uniform or dress
19 code policy adopted by a local school council: (i) shall
20 not be applied in such manner as to discipline or deny
21 attendance to a transfer student or any other student for
22 noncompliance with that policy during such period of time
23 as is reasonably necessary to enable the student to
24 acquire a school uniform or otherwise comply with the
25 dress code policy that is in effect at the attendance
26 center into which the student's enrollment is transferred;

(ii) shall include criteria and procedures under which the local school council will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family in complying with an applicable school uniform or dress code policy; (iii) shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists; and (iv) shall not prohibit the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural, ethnic, or religious identity or any other protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act. A student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code policy shall not be required to comply with that policy if the student's parents or legal guardians present to the local school council a signed statement of objection detailing the grounds for the objection. If a local school council does not comply with the requirements and prohibitions set forth in this subdivision ~~paragraph~~ 14, the attendance center is subject to the penalty imposed pursuant to subsection (a) of Section 2-3.25.

15. All decisions made and actions taken by the local

1 school council in the exercise of its powers and duties
2 shall comply with State and federal laws, all applicable
3 collective bargaining agreements, court orders, and rules
4 properly promulgated by the Board.

5 15a. To grant, in accordance with board rules and
6 policies, the use of assembly halls and classrooms when
7 not otherwise needed, including lighting, heat, and
8 attendants, for public lectures, concerts, and other
9 educational and social activities.

10 15b. To approve, in accordance with board rules and
11 policies, receipts and expenditures for all internal
12 accounts of the attendance center, and to approve all
13 fund-raising activities by nonschool organizations that
14 use the school building.

15 16. (Blank).

16 ~~17.~~ Names and addresses of local school council members
17 shall be a matter of public record.

18 (Source: P.A. 102-360, eff. 1-1-22; 102-677, eff. 12-3-21;
19 102-894, eff. 5-20-22; 103-463, eff. 8-4-23; revised 6-27-25.)

20 (105 ILCS 5/34-21.6) (from Ch. 122, par. 34-21.6)

21 Sec. 34-21.6. Waiver of fees and fines.

22 (a) The board shall waive all fees and any fines for the
23 loss of school property assessed by the district on children
24 whose parents are unable to afford them, including, but not
25 limited to:

1 (1) children living in households that meet the free
2 lunch or breakfast eligibility guidelines established by
3 the federal government pursuant to Section 1758 of the
4 federal Richard B. Russell National School Lunch Act (42
5 U.S.C. 1758; 7 CFR 245 et seq.) and students whose parents
6 are veterans or active duty military personnel with income
7 at or below 200% of the federal poverty level, subject to
8 verification as set forth in subsection (b) of this
9 Section; and

10 (2) homeless children and youths as defined in Section
11 11434a of the federal McKinney-Vento Homeless Assistance
12 Act (42 U.S.C. 11434a).

13 Notice of waiver availability shall be given to parents or
14 guardians with every bill for fees or fines. The board shall
15 develop written policies and procedures implementing this
16 Section in accordance with regulations promulgated by the
17 State Board of Education.

18 (b) If the board participates in a federally funded,
19 school-based child nutrition program and uses a student's
20 application for, eligibility for, or participation in the
21 federally funded, school-based child nutrition program (42
22 U.S.C. 1758; 7 CFR 245 et seq.) as the basis for waiving fees
23 assessed by the district, then the board must follow the
24 verification requirements of the federally funded,
25 school-based child nutrition program (42 U.S.C. 1758; 7 CFR
26 245.6a).

1 If the board establishes a process for the determination
2 of eligibility for waiver of all fees assessed by the district
3 that is completely independent of the criteria listed in this
4 subsection (b), the board may provide for waiver verification
5 no more often than once every academic year. Information
6 obtained during the independent waiver verification process
7 indicating that the student does not meet free lunch or
8 breakfast eligibility guidelines may be used to deny the
9 waiver of the student's fees or fines for the loss of school
10 property, provided that any information obtained through this
11 independent process for determining or verifying eligibility
12 for fee waivers shall not be used to determine or verify
13 eligibility for any federally funded, school-based child
14 nutrition program.

15 This subsection shall not preclude children from obtaining
16 waivers at any point during the academic year.

17 (c) The board may not discriminate against, punish, or
18 penalize a student in any way because of an unpaid balance on
19 the student's school account or because the student's parents
20 or guardians are unable to pay any required fees or fines for
21 the loss of school property. This prohibition includes, but is
22 not limited to, the lowering of grades, exclusion from any
23 curricular or extracurricular program of the school district,
24 or withholding of student records, grades, transcripts, or
25 diplomas. Any person who violates this subsection (c) is
26 guilty of a petty offense.

1 (Source: P.A. 103-154, eff. 6-30-23; 104-391, eff. 8-15-25;
2 revised 12-12-25.)

3 (105 ILCS 5/34-21.10)

4 Sec. 34-21.10. Creation of districts and subdistricts;
5 reapportionment of subdistricts.

6 (a) For purposes of the election of Chicago Board of
7 Education members under subsection (b-15) of Section 34-3, the
8 General Assembly shall subdivide the City of Chicago into 10
9 electoral districts for the 2024 general election, and it
10 shall divide each of those districts into 2 subdistricts. The
11 subdistricts must be drawn on or before April 1, 2024 and must
12 be compact, contiguous, and substantially equal in population
13 and consistent with the Illinois Voting Rights Act of 2011.

14 (b) In the year following each decennial census, the
15 General Assembly shall redistrict the subdistricts to reflect
16 the results of the decennial census consistent with the
17 requirements in subsection (a). The reapportionment plan shall
18 be completed and formally approved by the General Assembly not
19 less than 90 days before the last date established by law for
20 the filing of nominating petitions for the second school board
21 election after the decennial census year. If by
22 reapportionment a member of the Board no longer resides within
23 the subdistrict from which the member was elected, the member
24 shall continue to serve in office until the expiration of the
25 member's regular term. All new members shall be elected from

1 the subdistricts as reapportioned.

2 (Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21;
3 103-467, eff. 8-4-23; 103-584, eff. 3-18-24; revised 6-27-25.)

4 Section 400. The Student Online Personal Protection Act is
5 amended by changing Section 20 as follows:

6 (105 ILCS 85/20)

7 Sec. 20. Permissive use or disclosure. An operator may use
8 or disclose covered information of a student under the
9 following circumstances:

10 (1) If other provisions of federal or State law
11 require the operator to disclose the information, and the
12 operator complies with the requirements of federal and
13 State law in protecting and disclosing that information.

14 (2) For legitimate research purposes as required by
15 State or federal law and subject to the restrictions under
16 applicable State and federal law or as allowed by State or
17 federal law and under the direction of a school, a school
18 district, or the State Board of Education if the covered
19 information is not used for advertising or to amass a
20 profile on the student for purposes other than for K
21 through 12 school purposes.

22 (3) To a State or local educational agency, including
23 schools and school districts, for K through 12 school
24 purposes, as permitted by State or federal law.

(Source: P.A. 100-315, eff. 8-24-17; revised 6-27-25.)

Section 405. The Care of Students with Diabetes Act is amended by changing Section 25 as follows:

(105 ILCS 145/25)

Sec. 25. Training for school employees and delegated care aides.

(a) Teachers, administrators, and school support personnel shall receive training in the basics of diabetes care, how to identify when a student with diabetes needs immediate or emergency medical attention, and whom to contact in the case of an emergency as outlined in Sections 10-22.39 and 3-11 of the School Code.

(b) Delegated care aides shall be trained to perform the tasks necessary to assist a student with diabetes in accordance with his or her diabetes care plan, including training to do the following:

(1) check blood glucose and record results;

(2) recognize and respond to the symptoms of hypoglycemia according to the diabetes care plan;

(3) recognize and respond to the symptoms of hyperglycemia according to the diabetes care plan;

(4) estimate the number of carbohydrates in a snack or lunch;

(5) administer insulin according to the student's

1 diabetes care plan and keep a record of the amount
2 administered; and

3 (6) respond in an emergency, including administering
4 glucagon and calling 9-1-1 ~~911~~.

5 (c) The school district shall coordinate training for
6 delegated care aides, teachers, administrators, and school
7 support personnel.

8 (d) Initial training of a delegated care aide shall be
9 provided by a licensed healthcare provider with expertise in
10 diabetes or a certified diabetes ~~diabetic~~ educator and
11 individualized by a student's parent or guardian. Training
12 must be consistent with the guidelines provided by the U.S.
13 Department of Health and Human Services in the guide for
14 school personnel entitled "Helping the Student with Diabetes
15 Succeed". The training shall be updated when the diabetes care
16 plan is changed and at least annually.

17 (e) School nurses, where available, or health care
18 providers may provide technical assistance or consultation or
19 both to delegated care aides.

20 (f) An information sheet shall be provided to any school
21 employee who transports a student for school-sponsored
22 activities. It shall identify the student with diabetes,
23 identify potential emergencies that may occur as a result of
24 the student's diabetes and the appropriate responses to such
25 emergencies, and provide emergency contact information.

26 (Source: P.A. 103-542, eff. 7-1-24 (see Section 905 of P.A.

103-563 for effective date of P.A. 103-542); revised 6-27-25.)

Section 410. The Higher Education Veterans Service Act is amended by changing Section 15 as follows:

(110 ILCS 49/15)

Sec. 15. Survey; coordinator; best practices report; best efforts.

(a) (Blank). ~~Veterans~~

(b) Each public college and university shall, at its discretion, (i) appoint, within 6 months after August 7, 2009 (the effective date of this Act), an existing employee or (ii) hire a new employee to serve as a Coordinator of Veterans and Military Personnel Student Services on each campus of the college or university that has an onsite, daily, full-time student headcount above 1,000 students.

The Coordinator of Veterans and Military Personnel Student Services shall be an ombudsperson serving the specific needs of student veterans and military personnel and their families and shall serve as an advocate before the administration of the college or university for the needs of student veterans. The college or university shall enable the Coordinator of Veterans and Military Personnel Student Services to communicate directly with the senior executive administration of the college or university periodically. The college or university shall retain unfettered discretion to determine the

1 organizational management structure of its institution.

2 In addition to any responsibilities the college or
3 university may assign, the Coordinator of Veterans and
4 Military Personnel Student Services shall make its best
5 efforts to create a centralized source for student veterans
6 and military personnel to learn how to receive all benefit
7 programs and services for which they are eligible.

8 Each college and university campus that is required to
9 have a Coordinator of Veterans and Military Personnel Student
10 Services shall regularly and conspicuously advertise the
11 office location and phone number of and Internet access to the
12 Coordinator of Veterans and Military Personnel Student
13 Services, along with a brief summary of the manner in which he
14 or she can assist student veterans. The advertisement shall
15 include, but is not necessarily limited to, the following:

16 (1) advertisements on each campus' Internet home page;

17 (2) any promotional mailings for student application;

18 and

19 (3) the website and any social media accounts of the
20 public college or university.

21 The Coordinator of Veterans and Military Personnel Student
22 Services shall facilitate other campus offices with the
23 promotion of programs and services that are available.

24 (c) (Blank). ~~Veterans Veterans~~

25 (d) (Blank). ~~Veterans~~

26 (e) Each college and university campus that is required to

1 have a Coordinator of Veterans and Military Personnel Student
2 Services under subsection (b) of this Section shall make its
3 best efforts to create academic and social programs and
4 services for veterans and active duty military personnel that
5 will provide reasonable opportunities for academic performance
6 and success.

7 Each public college and university shall make its best
8 efforts to determine how its online educational curricula can
9 be expanded or altered to serve the needs of student veterans
10 and currently deployed military, including a determination of
11 whether and to what extent the public colleges and
12 universities can share existing technologies to improve the
13 online curricula of peer institutions, provided such efforts
14 are both practically and economically feasible.

15 (Source: P.A. 104-234, eff. 8-15-25; 104-435, eff. 11-21-25;
16 revised 12-9-25.)

17 Section 415. The Student Transfer Achievement Reform Act
18 is amended by changing Section 21 as follows:

19 (110 ILCS 150/21)

20 Sec. 21. Community college and State university transfer
21 articulation agreements.

22 (a) A State university or community college shall, upon
23 the request of the community college district or State
24 university, enter into a transfer articulation agreement to

1 provide a seamless pathway for transfer. The community college
2 or State university may request to enter into multiple
3 articulation agreements as appropriate and requested.

4 The agreement between the State university and the
5 community college district may include 2+2 programs, which are
6 designed for students to take half of a degree at the community
7 college and the second half of the degree at the State
8 university, or 3+1 programs, which are designed for students
9 to transfer to the State university for completion of their
10 final, senior-level coursework if permitted by 23 Ill. Adm.
11 Code 1050, university policy, institutional accreditors, and
12 professional licensure bodies.

13 (b) Community colleges and State universities are also
14 encouraged to enter into agreements whereby community college
15 students may indicate their transfer destination of choice on
16 their application to the community college. If a transfer
17 destination is provided, the community college may share the
18 student's contact information with the destination university
19 so that it may contact the student and co-advise the student on
20 the recommended coursework for seamless transfer.

21 (c) A transfer articulation agreement shall be signed by
22 the president or chancellor of the community college or the
23 president's or chancellor's designee and by the president or
24 chancellor of the State university or the president's or
25 chancellor's designee.

26 A transfer articulation agreement shall include all of the

1 following:

2 (1) A statement identifying the participating
3 institutions or divisions of institutions that are part of
4 the agreement.

5 (2) A list of the eligibility criteria for transfer
6 admissions, including any minimum grade-point-average
7 requirements and prerequisites needed. Any limitations to
8 the agreement for admission to specific academic programs
9 shall also be included.

10 (3) A list of any scholarships or financial assistance
11 available to students participating in the articulation
12 agreement.

13 (4) A standardized transfer-credit framework for
14 general education and lower-division, major-specific
15 courses that clearly identifies specific courses that will
16 transfer between institutions, the number of credits that
17 will transfer, the program at the State university to
18 which credits will apply, if applicable, and an outline of
19 how transferred credits will be applied toward degree
20 requirements.

21 (5) A clearly defined transfer pathway outlining how
22 students at the community college can progress from their
23 program at the community college to the corresponding
24 program at the State university and be granted junior or
25 senior status as appropriate.

26 (6) Other degree requirements, including, but not

1 limited to, standardized test scores, required clinical
2 hours, internships, or residency requirements.

3 (7) A policy on the reverse transfer of credit for
4 those students who transfer prior to completion of the
5 community college degree as stated in the agreement and,
6 as applicable, the transfer of credit earned for
7 experiential learning, including, but not limited to,
8 prior learning assessment and competency-based education.

9 (8) The academic and non-academic opportunities and
10 support, such as designated transfer admission
11 coordinators, academic advisors, or other support specific
12 to students ~~student~~ participating in the agreement, if
13 applicable.

14 (9) Data-sharing requirements and limitations,
15 including, if applicable, assessment policies to measure
16 the effectiveness of the agreement.

17 (10) An agreement on the marketing process and
18 responsibilities for programs covered by the articulation
19 agreement, including any limitations imposed by either
20 party.

21 (11) A clear and transparent policy and appeal process
22 for resolving disputes over transfer credit acceptance.

23 (12) Dates of applicability of the agreement and
24 conditions for renewal or termination of the agreement.

25 (d) A transfer articulation agreement executed under this
26 Section does not negate any previous transfer articulation

1 agreement between a community college and a State university.

2 (e) If, within 180 calendar days after the initial request
3 to enter into a transfer articulation agreement, the community
4 college and State university do not reach an agreement on the
5 transfer articulation agreement, then the community college
6 may submit a written request to the Illinois Community College
7 Board or the State university may submit a written request to
8 the Board of Higher Education, which shall jointly assist with
9 facilitation of an agreement between the community college and
10 State university.

11 (Source: P.A. 104-402, eff. 8-15-25; revised 12-12-25.)

12 Section 420. The Board of Higher Education Act is amended
13 by setting forth and renumbering multiple versions of Section
14 9.45 as follows:

15 (110 ILCS 205/9.45)

16 Sec. 9.45. Acceptance of gifts, grants, and legacies;
17 creation of corporations, joint ventures, partnerships, and
18 associations; distribution of grants.

19 (a) To accept gifts, grants, or legacies from any source
20 when made for higher education purposes.

21 (b) To create and participate in the conduct and operation
22 of any corporation, joint venture, partnership, association,
23 or other organizational entity that has the power (i) to
24 acquire land, buildings, and other capital equipment for the

1 use and benefit of higher education and students in this
2 State; (ii) to accept gifts and make grants for the use and
3 benefit of higher education and students in this State; (iii)
4 to aid in the instruction and education of students in this
5 State; and (iv) to promote activities to acquaint residents of
6 this State with the facilities of the various institutions of
7 higher education.

8 (c) To distribute such other grants as may be authorized
9 or appropriated by the General Assembly for which the Board
10 may adopt any rules necessary for the purposes of implementing
11 and distributing funds pursuant to an authorized or
12 appropriated grant.

13 (Source: P.A. 104-292, eff. 8-15-25.)

14 (110 ILCS 205/9.46)

15 Sec. 9.46 ~~9.45~~. Statewide Data Dashboard.

16 (a) By March 15, 2027 and by March 15 of each year
17 thereafter, the Board of Higher Education, the Illinois
18 Community College Board, and the Illinois Student Assistance
19 Commission shall jointly prepare and release a Statewide Data
20 Dashboard to include individualized data on each public
21 institution of higher education and each private institution
22 of higher education on a publicly available website. Current
23 dashboard platforms and technology shall be used, unless a
24 more effective alternative is identified and practical. The
25 Statewide Data Dashboard shall be publicly accessible on a

1 publicly available website in a manner that allows for
2 centralized access in downloadable data files of the data
3 available on the website.

4 (b) The Board of Higher Education, the Illinois Community
5 College Board, and the Illinois Student Assistance Commission,
6 in consultation with stakeholders, shall collaborate jointly
7 and determine the indicators and presentation of the Statewide
8 Data Dashboard, which must include, at a minimum, the most
9 current data collected and maintained by the Board of Higher
10 Education, the Illinois Community College Board, and the
11 Illinois Student Assistance Commission related to the
12 following:

13 (1) student demographics, to the extent available,
14 including, but not limited to, race, ethnicity, gender,
15 rural students, federal Pell Grant status, adult students,
16 students with disabilities, transfer students, and
17 first-generation students;

18 (2) faculty and staff demographics, to the extent
19 available, including, but not limited to, race, ethnicity,
20 academic rank, and gender;

21 (3) institution characteristics, including, but not
22 limited to, total students, total faculty and staff, and
23 the demographic breakdown of each category to the extent
24 available;

25 (4) affordability characteristics, including, but not
26 limited to, the cost of attendance, including all

1 categories of tuition and fees, on-campus and off-campus
2 housing cost averages if applicable to the institution,
3 loan repayment rates to the extent available, and the
4 average net price of attendance if applicable to the
5 institution and to the extent available;

6 (5) student success factors, including, but not
7 limited to, enrollments, retention, completion within
8 standard and extended timeframes, and the student
9 demographic breakdown of each category to the extent
10 possible;

11 (6) a comparison of data covering a 5-year period if
12 feasible;

13 (7) institutional profile and mission, including, but
14 not limited to, Hispanic-serving institutions,
15 minority-serving institutions, and the Carnegie
16 Classification of institutions; and

17 (8) any additional data as reasonably determined and
18 agreed upon by the Board of Higher Education, the Illinois
19 Community College Board, and the Illinois Student
20 Assistance Commission.

21 (c) The Statewide Data Dashboard may not disaggregate data
22 to a level that would allow the identification of individual
23 students or disclose their personally identifying information.

24 (d) Data under the purview of the Board of Higher
25 Education, the Illinois Community College Board, or the
26 Illinois Student Assistance Commission shall remain under the

1 authority of the respective agency. To facilitate the
2 development and maintenance of the Statewide Data Dashboard,
3 the Board of Higher Education, the Illinois Community College
4 Board, and the Illinois Student Assistance Commission may
5 enter into memoranda of understanding or interagency
6 agreements ensuring compliance with applicable State and
7 federal data privacy laws.

8 (e) The Board of Higher Education, the Illinois Community
9 College Board, and the Illinois Student Assistance Commission
10 may adopt joint rules as necessary to administer this Section.

11 (Source: P.A. 104-405, eff. 1-1-26; revised 11-4-25.)

12 Section 425. The Public Community College Act is amended
13 by changing Section 3-33.6 as follows:

14 (110 ILCS 805/3-33.6) (from Ch. 122, par. 103-33.6)

15 Sec. 3-33.6. Monies in the working cash fund may be used
16 for any and all community college purposes and may be
17 transferred in whole or in part from the working cash fund to
18 the educational fund or operations and maintenance fund only
19 upon the authority of the board, which shall by resolution
20 direct the community college treasurer to make such transfers.
21 The resolution shall set forth (a) the taxes or other funds in
22 anticipation of the collection or receipt of which the working
23 cash fund is to be reimbursed, (b) the entire amount of taxes
24 extended, or which the board shall estimate will be extended

1 or received, for any year in anticipation of the collection of
2 all or part of which such transfers are to be made, (c) the
3 aggregate amount of warrants or notes theretofore issued in
4 anticipation of the collection of such taxes under this Act
5 together with the amount of interest accrued and which the
6 community college board estimates will accrue thereon, (d) the
7 amount of monies which the community college board estimates
8 will be derived for any year from the State, federal ~~Federal~~
9 government, or other sources in anticipation of the receipt of
10 all or part of which such transfer is to be made, (e) the
11 aggregate amount of receipts from taxes imposed to replace
12 revenue lost by units of local government and school districts
13 as a result of the abolition of ad valorem personal property
14 taxes, pursuant to Article IX, Section 5(c) of the
15 Constitution of the State of Illinois, which the corporate
16 authorities estimate will be set aside for the payment of the
17 proportionate amount of debt service and pension or retirement
18 obligations, as required by Section 12 of the State Revenue
19 Sharing Act ~~"An Act in relation to State Revenue Sharing with~~
20 ~~local government entities", approved July 31, 1969, as~~
21 ~~amended~~, and (f) the aggregate amount of monies theretofore
22 transferred from the working cash fund to the educational fund
23 or operations and maintenance fund in anticipation of the
24 collection of such taxes or of the receipt of such other monies
25 from other sources. The amount which the resolution shall
26 direct the community college treasurer so to transfer in

1 anticipation of the collection of taxes levied or to be
2 received for any year, together with the aggregate amount of
3 such anticipation tax warrants or notes theretofore drawn
4 against such taxes and the amount of the interest accrued and
5 estimated to accrue thereon, the amount estimated to be
6 required to satisfy debt service and pension or retirement
7 obligations, as set forth in Section 12 of the State Revenue
8 Sharing Act ~~"An Act in relation to State revenue sharing with~~
9 ~~local government entities", approved July 31, 1969, as~~
10 ~~amended~~, and the aggregate amount of such transfers
11 theretofore made in anticipation of the collection of such
12 taxes may not exceed 90% of the actual or estimated amount of
13 such taxes extended or to be extended or to be received as set
14 forth in the resolution. The amount which the resolution shall
15 direct the community college treasurer so to transfer in
16 anticipation of the receipt of monies to be derived for any
17 year from the State, Federal government or from other sources,
18 together with the aggregate amount theretofore transferred in
19 anticipation of the receipt of any such monies, may not exceed
20 the total amount which it is so estimated will be received from
21 such source. Any community college district may also abolish
22 its working cash fund upon the adoption of a resolution so
23 providing and directing the transfer of any balance in such
24 fund to the operating funds at the close of the then-current
25 fiscal year or may abate its working cash fund upon the
26 adoption of a resolution so providing and directing the

1 transfer of part of the balance in such fund to the operating
2 funds at any time. If a community college district elects to
3 abolish or abate its working cash fund under this provision,
4 it shall have the authority to increase or again create a
5 working cash fund at any time in the manner provided by Article
6 III of this Act. When monies are available in the working cash
7 fund, they shall, unless the community college district has
8 abolished or abated its working cash fund pursuant to this
9 Section, be transferred to the educational fund and operations
10 and maintenance fund and disbursed for the payment of salaries
11 and other educational purposes and operation and maintenance
12 of facilities purposes expenses so as to avoid, whenever
13 possible, the issuance of tax anticipation warrants.

14 Monies earned as interest from the investment of the
15 working cash fund, or any portion thereof, may be transferred
16 from the working cash fund to the educational fund or
17 operations and maintenance fund of the district without any
18 requirement of repayment to the working cash fund, upon the
19 authority of the board by separate resolution directing the
20 treasurer to make such transfer and stating the purpose
21 therefor.

22 (Source: P.A. 103-278, eff. 7-28-23; revised 6-27-25.)

23 Section 430. The Higher Education Loan Act is amended by
24 changing Section 6.14 as follows:

1 (110 ILCS 945/6.14) (from Ch. 144, par. 1606.14)

2 Sec. 6.14. Combining Education Loan series portfolios for
3 financing purposes. Notwithstanding any other provision
4 contained in this Act, to commingle ~~comingle~~ and pledge as
5 security for a series or issue of Bonds, with the consent of
6 all of the institutions of higher education and education loan
7 corporations which are participating in such series or issue,
8 (a) the Education loan series portfolios and some or all
9 future Education loan series portfolios of such institutions
10 of higher education and education loan corporations, and (b)
11 the loan funding deposits of such institutions and education
12 loan corporations provided that Education loan series
13 portfolios and other security and monies set aside in any fund
14 or funds pledged for any series of Bonds or issue of Bonds
15 shall be held for the sole benefit of such series or issue
16 separate and apart from Education loan series portfolios and
17 other security and monies pledged for any other series or
18 issue of Bonds of the Authority. Bonds may be issued in series
19 under one or more resolutions or trust agreements in the
20 discretion of the Authority.

21 (Source: P.A. 85-1326; revised 6-27-25.)

22 Section 435. The Higher Education Student Assistance Act
23 is amended by changing Section 50 as follows:

24 (110 ILCS 947/50)

1 Sec. 50. Teachers of Illinois scholarship program.

2 (a) As used in this Section:

3 "Qualified bilingual applicant" means a qualified student
4 who demonstrates proficiency in a language other than English
5 by (i) receiving a State Seal of Biliteracy from the State
6 Board of Education or (ii) receiving a passing score on an
7 educator licensure target language proficiency test.

8 "Qualified student" means a student who:

9 (i) was enrolled in a public school district in this
10 State, at any point in kindergarten through grade 12, that
11 had an average of least 70% of students who were eligible
12 for free or reduced-price lunch during the most recent 3
13 school years for which data is available from the State
14 Board of Education;

15 (ii) was either:

16 (A) enrolled in a public school district in this
17 State, at any point in kindergarten through grade 12,
18 that had a 3-year average teacher vacancy rate at or
19 above the 3-year statewide average teacher vacancy
20 rate, excluding public school districts that had zero
21 vacancies, in any school year among the most recent 3
22 school years for which data is available from the
23 State Board of Education; or

24 (B) enrolled in a public school district in this
25 State, at any point in kindergarten through grade 12,
26 in which the number of teacher vacancies in the

1 district was at or above the statewide average number
2 of teacher vacancies, excluding public school
3 districts that had zero vacancies, in any school year
4 among the most recent 3 school years for which data is
5 available from the State Board of Education;

6 (iii) has graduated from high school or has received a
7 State of Illinois High School Diploma;

8 (iv) is an Illinois resident and a citizen or
9 permanent resident of the United States;

10 (v) has made a timely application for a teacher
11 scholarship under this Section;

12 (vi) is enrolled on at least a half-time basis at a
13 qualified Illinois institution of higher learning;

14 (vii) is enrolled in a course of study leading to
15 teacher licensure, including alternative teacher
16 licensure, to be a preschool, elementary, or secondary
17 school teacher, or, if the student is already licensed to
18 teach, in a course of study leading to an additional
19 teaching endorsement or a master's degree in an academic
20 field in which he or she is teaching or plans to teach or
21 who has received one or more College and Career Pathway
22 Endorsements pursuant to Section 80 of the Postsecondary
23 and Workforce Readiness Act and commits to enrolling in a
24 course of study leading to teacher licensure, including
25 alternative teacher licensure, to be a preschool,
26 elementary, or secondary school teacher;

1 (viii) maintains a grade point average of no less than
2 2.5 on a 4.0 scale; and

3 (ix) continues to advance satisfactorily toward the
4 attainment of a degree.

5 (b) The Commission shall determine, at its discretion, how
6 to verify whether an applicant is a qualified student. The
7 Commission shall award teacher scholarships under this Section
8 to qualified students who demonstrate to the Commission that
9 they satisfy the requirements and purpose of this Section. All
10 qualified students may apply. A student who received a
11 scholarship under this Section in a previous academic year may
12 not be disqualified from receiving a subsequent award if the
13 public school district where the student had been enrolled no
14 longer meets the criteria regarding free or reduced-price
15 lunch or teacher vacancies described in this Section, as long
16 as the student maintains all other conditions of eligibility.

17 (c) The annual teacher scholarship amount shall be
18 computed by the institution. Each teacher scholarship awarded
19 under this Section shall be in an amount sufficient to pay the
20 total cost of attendance of the qualified Illinois institution
21 of higher learning at which the recipient is enrolled, up to an
22 annual maximum of \$7,500.

23 (d) The total amount of teacher scholarship assistance
24 awarded by the Commission under this Section to an individual
25 in any given fiscal year, when added to other financial
26 assistance awarded to that individual for that year, shall not

1 exceed the total cost of attendance at the institution at
2 which the student is enrolled. If the amount of a teacher
3 scholarship to be awarded to a scholarship recipient as
4 provided in subsection (c) of this Section exceeds the total
5 cost of attendance at the institution at which the student is
6 enrolled, the teacher scholarship shall be reduced by an
7 amount equal to the amount by which the combined financial
8 assistance available to the recipient exceeds the total cost
9 of attendance.

10 (e) The maximum number of academic terms for which a
11 recipient can receive teacher scholarship assistance shall be
12 8 semesters or 12 quarters.

13 (f) In any academic year for which an eligible applicant
14 under this Section accepts financial assistance through the
15 Golden Apple Scholars of Illinois Program, the Special
16 Education Teacher Tuition Waiver Program, or the Teach
17 Illinois Scholarship Program, the applicant shall not be
18 eligible for scholarship assistance awarded under this
19 Section.

20 (g) All applications for teacher scholarships to be
21 awarded under this Section shall be made to the Commission on
22 forms which the Commission shall provide. Applicants must
23 submit an application annually. Applicants must also complete
24 the Free Application for Federal Student Aid. The form of
25 applications and the information required to be set forth
26 therein shall be determined by the Commission, and the

1 Commission shall require applicants to submit with their
2 applications such supporting documents or recommendations as
3 the Commission deems necessary. If an application is
4 incomplete, the Commission shall notify the applicant. The
5 applicant shall then have an opportunity to furnish the
6 missing information; however, the application shall be
7 considered for processing only as of the date when the
8 application is complete and received by the Commission.
9 Applicants may be required to furnish the institution at which
10 they are enrolled with a copy of their high school
11 transcripts, any other documentation verifying high school
12 graduation, or a copy of their State of Illinois High School
13 Diplomas ~~Diploma~~.

14 (h) Subject to a separate appropriation for such purposes,
15 payment of any teacher scholarship awarded under this Section
16 shall be determined by the Commission. All scholarship funds
17 distributed in accordance with this subsection shall be paid
18 to the institution and used only for payment of the tuition and
19 fee and room and board expenses incurred by the student in
20 connection with his or her attendance at a qualified Illinois
21 institution of higher learning. Any teacher scholarship
22 awarded under this Section shall be applicable to 2 semesters
23 or 3 quarters of enrollment within a regular academic year. If
24 a recipient withdraws from enrollment prior to completion of
25 the first semester or quarter for which the teacher
26 scholarship is applicable, the school shall refund to the

1 Commission the full amount of the teacher scholarship.

2 (i) The Commission shall administer the teacher
3 scholarship program established by this Section and shall make
4 all necessary and proper rules not inconsistent with this
5 Section for its effective implementation. The Commission shall
6 make information available on its website regarding school
7 districts that meet the criteria set forth in the definition
8 of a qualified student under subsection (a).

9 (j) When an appropriation to the Commission for a given
10 fiscal year is insufficient to provide scholarships to all
11 qualified students, the Commission shall allocate the
12 appropriation in accordance with this subsection. If funds are
13 insufficient to provide all qualified students with a
14 scholarship as authorized by this Section, the Commission
15 shall allocate the available scholarship funds for that fiscal
16 year to qualified students who submit a timely complete
17 application form on or before a date specified by the
18 Commission based on the following order of priority:

19 (1) To students who received a scholarship under this
20 Section in the prior academic year and who remain eligible
21 for a teacher scholarship under this Section.

22 (2) To students who demonstrate the most financial
23 need, as determined by the Commission.

24 (3) To students with the earliest date of received
25 completed applications.

26 (4) To students enrolled at or above the junior level.

1 (k) If at least \$2,850,000 but less than \$4,200,000 is
2 appropriated in a given fiscal year for scholarships awarded
3 under this Section, then at least 10% of the funds
4 appropriated shall be reserved for qualified bilingual
5 applicants, with priority being given to qualified bilingual
6 applicants who are enrolled in an educator preparation program
7 with a concentration in bilingual, bicultural education. If at
8 least \$4,200,000 is appropriated in a given fiscal year for
9 the Teachers of Illinois scholarship program, then at least
10 30% of the funds appropriated shall be reserved for qualified
11 bilingual applicants, with priority being given to qualified
12 bilingual applicants who are enrolled in an educator
13 preparation program with a concentration in bilingual,
14 bicultural education. For a fiscal year to which this
15 subsection applies, if, on or after January 1 of that fiscal
16 year, appropriated funds remain after awarding reserved funds
17 to qualified bilingual applicants, then the Commission may, in
18 its discretion, award a portion of the reserved funds to other
19 qualified students in accordance with subsection (j).

20 (1) Prior to receiving scholarship assistance for any
21 academic year, each recipient of a teacher scholarship awarded
22 under this Section shall be required by the Commission to sign
23 and submit a teaching agreement or promissory note to the
24 Commission under which the recipient pledges that, within the
25 one-year period following the termination of the program for
26 which the recipient was awarded a teacher scholarship, the

1 recipient (i) shall begin teaching for a period of not less
2 than one year for each year of scholarship assistance he or she
3 was awarded under this Section and shall teach on a continuous
4 basis for the required period of time; (ii) shall fulfill this
5 teaching obligation at a public school district in this State
6 that had a 3-year average teacher vacancy rate at or above the
7 3-year statewide average teacher vacancy rate, excluding
8 public school districts that had zero vacancies, in any school
9 year among the most recent 3 school years for which data is
10 available from the State Board of Education or a public school
11 district in this State in which the number of teacher
12 vacancies in the district was at or above the statewide
13 average number of teacher vacancies, excluding public school
14 districts that had zero vacancies, in any school year among
15 the most recent 3 school years for which data is available from
16 the State Board of Education in the year during which the
17 recipient begins teaching at the school or may instead, if the
18 recipient received a scholarship as a qualified bilingual
19 applicant, fulfill this teaching obligation in a program in
20 transitional bilingual education pursuant to Article 14C of
21 the School Code or in a school in which 20 or more English
22 learner students in the same language classification are
23 enrolled; and (iii) shall, upon request by the Commission,
24 provide the Commission with evidence that he or she is
25 fulfilling or has fulfilled the terms of the teaching
26 agreement provided for in this subsection. Recipients of a

1 teacher scholarship under this Section are also required to
2 provide the Commission with evidence of compliance with
3 program requirements, including, but not limited to annual
4 follow-up questionnaires. Recipients of a teacher scholarship
5 under this Section must also promise to use the proceeds of the
6 scholarship for educational expenses.

7 (1-5) If, prior to the 2025-2026 academic year, an
8 individual received a scholarship under this Section and
9 signed an agreement pledging to teach at a school meeting
10 specified criteria and that individual receives a subsequent
11 scholarship under this Section on or after November 21, 2025
12 ~~(the effective date of Public Act 104-437) this amendatory Act~~
13 ~~of the 104th General Assembly~~, then that recipient may
14 complete his or her entire teaching obligation at a school
15 meeting the criteria described in subsection (1) of this
16 Section and the Commission shall consider such employment to
17 satisfy the terms of that recipient's agreement to teach
18 signed before November 21, 2025 (the effective date of Public
19 Act 104-437) ~~this amendatory Act of the 104th General~~
20 ~~Assembly~~.

21 (m) If a recipient of a teacher scholarship awarded under
22 this Section fails to fulfill the teaching obligation set
23 forth in subsection (1) of this Section, the scholarship
24 converts to a loan. The repayment period shall be completed
25 within 10 years after the scholarship converts to a loan.

26 The 10-year period may be extended if the recipient (i)

1 serves, for not more than 3 years, as a member of the United
2 States Armed Forces; (ii) is temporarily disabled, for not
3 more than 3 years, as established by the sworn affidavit of a
4 licensed physician; (iii) is seeking and unable to find
5 full-time employment, for one continuous period not to exceed
6 2 years, and is able to provide evidence of that fact; (iv)
7 withdraws from a course of study leading to licensure as a
8 teacher but is enrolled full time in another academic
9 discipline; or (v) is pursuing a graduate course of study and
10 is enrolled on a full-time basis for one continuous period of
11 time not to exceed 3 years. During the time a recipient
12 qualifies for any extensions, the recipient is not required to
13 make payments and interest does not accrue.

14 The recipient shall enter repayment status on the earliest
15 of the following: the first day of the first calendar month
16 after the recipient has ceased to pursue a course of study
17 leading to licensure as a teacher at the preschool,
18 elementary, or secondary level, but not before 6 months have
19 elapsed after the cessation of at least half-time enrollment
20 in such a course of study; the date the recipient informs the
21 Commission that the recipient does not plan to fulfill the
22 teaching obligation; or the day after the latest date upon
23 which the recipient must have begun teaching after completing
24 the postsecondary education for which the scholarship was
25 awarded.

26 The Commission shall require the recipient to repay the

1 amount of the scholarships received, prorated according to the
2 fraction of the teaching obligation not completed, at an
3 annual rate of interest equal to 5%, and, if applicable,
4 reasonable collection fees. If a recipient who enters into
5 repayment under this subsection (m) subsequently, within 5
6 years of entering repayment, begins to teach at a school
7 meeting the description under subsection (l) of this Section,
8 the Commission may reduce the amount owed by the recipient in
9 proportion to the amount of the teaching obligation completed.
10 All repayments collected under this Section shall be forwarded
11 to the State Comptroller for deposit into the State's General
12 Revenue Fund.

13 A recipient is not required to repay the amount of the
14 scholarship received if the recipient becomes permanently
15 totally disabled, as established by the sworn affidavit of a
16 qualified physician, or if the recipient's representative
17 provides the Commission with a death certificate or other
18 evidence that the recipient has died.

19 (n) A recipient of a teacher scholarship shall not be
20 considered in violation of the agreement entered into pursuant
21 to subsection (l) if the recipient (i) enrolls on a full-time
22 ~~full-time~~ basis as a graduate student in a course of study
23 related to the field of teaching at a qualified Illinois
24 institution of higher learning; (ii) is serving, not in excess
25 of 3 years, as a member of the armed services of the United
26 States; (iii) is a person with a temporary total disability

1 for a period of time not to exceed 3 years as established by
2 sworn affidavit of a qualified physician; (iv) is seeking
3 full-time employment for one continuous period not to exceed 2
4 years and is unable to find full time employment as a teacher
5 at a school district in this State that satisfies the criteria
6 set forth in subsection (l) of this Section and is able to
7 provide evidence of that fact; (v) becomes a person with a
8 permanent total disability as established by sworn affidavit
9 of a qualified physician; (vi) is taking additional courses,
10 on at least a half-time basis, needed to obtain licensure as a
11 teacher in Illinois; or (vii) is fulfilling teaching
12 requirements associated with other programs administered by
13 the Commission and cannot concurrently fulfill them under this
14 Section in a period of time equal to the length of the teaching
15 obligation.

16 (o) Scholarship recipients under this Section who withdraw
17 from a program of teacher education but remain enrolled in
18 school to continue their postsecondary studies in another
19 academic discipline shall not be required to commence
20 repayment of their Teachers of Illinois scholarship so long as
21 they remain enrolled in school on a full-time basis or if they
22 can document for the Commission special circumstances that
23 warrant extension of repayment.

24 (o-5) The Commission may not require repayment of any
25 Minority Teachers of Illinois scholarship from any recipient
26 who:

1 (1) received that scholarship during the 2024-2025
2 academic year;

3 (2) would have remained eligible for the Minority
4 Teachers of Illinois scholarship if it remained in effect
5 for the 2025-2026 academic year;

6 (3) does not meet the definition of a qualified
7 student under the Teachers of Illinois scholarship program
8 established by Public Act 104-437 ~~this amendatory Act of~~
9 ~~the 104th General Assembly~~; and

10 (4) does not complete the educator preparation program
11 in which the recipient was enrolled when receiving the
12 Minority Teachers of Illinois scholarship.

13 (p) The State Board of Education shall furnish all
14 appropriate data referenced within the definition of a
15 qualified student under subsection (a) on a timely basis to
16 the Commission.

17 (q) Each qualified Illinois institution of higher learning
18 that receives funds from the Teachers of Illinois scholarship
19 program shall ensure that each scholarship recipient enrolled
20 at the institution meets with an academic advisor at least
21 once per academic year to facilitate on-time completion of the
22 recipient's educator preparation program. Institutions shall
23 also submit eligibility information for qualified students in
24 sufficient time for the Commission to make award
25 announcements.

26 Teacher scholarship awards under this Section shall be

1 paid directly to the approved institution of record that
2 certifies to the Commission that the applicant is an eligible
3 recipient. The Commission shall annually establish priority
4 claim dates for the submission of payment requests and inform
5 institutions of the required priority dates. Late payment
6 requests shall result in the delayed processing of payments.
7 Payment requests shall be processed in the sequence of receipt
8 by the Commission and as funds are available. Institutions may
9 submit their payment requests beginning 10 days prior to the
10 start of classes for the term for which payment is being
11 requested.

12 The Commission shall disburse scholarship funds in 2 or 3
13 installments, depending on the number of terms financed by the
14 scholarship, except that multiple disbursements are not
15 required in cases in which the applicant's eligibility is not
16 determined until the final term of the regular academic year
17 for which the scholarship is being awarded or if a student is
18 attending only one term and the maximum award does not exceed
19 the student's cost of attendance.

20 Funds shall be remitted by the Commission to institutions
21 on behalf of recipients. Upon receipt of scholarship funds,
22 the institution shall verify the recipient's enrollment status
23 for the term for which the award was intended. If enrolled, the
24 institution may credit the scholarship funds to the
25 recipient's account for expenses due and payable. The balance
26 of the disbursement shall be released to the recipient. Upon

1 receipt of the scholarship funds, if the recipient has
2 withdrawn from enrollment for the terms for which the award
3 was intended, the institution shall return the amount of the
4 scholarship payment to the Commission.

5 (r) The changes made to this Section by Public Act 104-437
6 ~~this amendatory Act of the 104th General Assembly~~ shall first
7 apply beginning with awards made for the 2025-2026 academic
8 year.

9 (Source: P.A. 103-448, eff. 8-4-23; 104-417, eff. 8-15-25;
10 104-437, eff. 11-21-25; revised 12-12-25.)

11 Section 440. The Military School Scholarship Act is
12 amended by changing Section 1 as follows:

13 (110 ILCS 955/1) (from Ch. 144, par. 21a)

14 Sec. 1. The board of county commissioners or the county
15 board of any county may appropriate a sum of money not to
16 exceed \$600 a year, for the support and education of a student
17 in any military school operating in the State, which has been
18 declared by the Governor to be a post of the Illinois National
19 Guard under and by virtue of the provisions of the University
20 Military Inspection Act ~~"An Act to provide for the annual~~
21 ~~inspection of the several departments of the universities,~~
22 ~~colleges, academies and other educational institutions~~
23 ~~organized under the laws of the State of Illinois,"~~ filed June
24 ~~26, 1895, and amendments thereto.~~

(Source: P.A. 80-331; revised 6-27-25.)

Section 445. The Student Loan Servicing Rights Act is amended by changing Section 7-30 as follows:

(110 ILCS 992/7-30)

Sec. 7-30. Limits on covered income. An EISA must specify the definition of income to be used for the purposes of calculating a consumer's payment obligation under the EISA. No EISA shall include any of the following in its definition of income:

(1) the income of the consumer's spouse, children, or dependents or a party to a civil union with the consumer under the Illinois Religious Freedom Protection and Civil Union Act; ~~or~~

(2) any amount paid by the consumer under Title II or XVI of the Social Security Act, 42 U.S.C. 401 et seq. or 42 U.S.C. 1381 et seq., or under a State program funded by Title IV of the Social Security Act, 42 U.S.C. 601 et seq;

(3) individual retirement account distributions;

(4) pensions and annuities;

(5) social security benefits;

(6) any sources of government aid provided to individuals, including, but not limited to:

(A) unemployment programs;

(B) disaster relief programs;

1 (C) Medicare or Medicaid benefits;

2 (D) benefits received through the Supplemental
3 Nutrition Assistance Program;

4 (E) economic impact payments;

5 (F) the earned income tax credit or child tax
6 credit;

7 (G) other income excluded from the definition of
8 taxable income set forth by the Internal Revenue
9 Service; or

10 (H) passive income that is not derived as a result
11 of a consumer's active participation in any trade or
12 business.

13 (Source: P.A. 104-383, eff. 8-15-25; revised 12-12-25.)

14 Section 450. The Illinois Banking Act is amended by
15 changing Sections 2 and 48.1 as follows:

16 (205 ILCS 5/2) (from Ch. 17, par. 302)

17 Sec. 2. General definitions. In this Act, unless the
18 context otherwise requires, the following words and phrases
19 shall have the following meanings:

20 "Accommodation party" shall have the meaning ascribed to
21 that term in Section 3-419 of the Uniform Commercial Code.

22 "Action" in the sense of a judicial proceeding includes
23 recoupments, counterclaims, set-off, and any other proceeding
24 in which rights are determined.

1 "Affiliate facility" of a bank means a main banking
2 premises or branch of another commonly owned bank. The main
3 banking premises or any branch of a bank may be an "affiliate
4 facility" with respect to one or more other commonly owned
5 banks.

6 "Appropriate federal banking agency" means the Federal
7 Deposit Insurance Corporation, the Federal Reserve Bank of
8 Chicago, or the Federal Reserve Bank of St. Louis, as
9 determined by federal law.

10 "Bank" means any person doing a banking business whether
11 subject to the laws of this or any other jurisdiction.

12 A "banking house", "branch", "branch bank", or "branch
13 office" shall mean any place of business of a bank at which
14 deposits are received, checks paid, or loans made, but shall
15 not include any place at which only records thereof are made,
16 posted, or kept. A place of business at which deposits are
17 received, checks paid, or loans made shall not be deemed to be
18 a branch, branch bank, or branch office if the place of
19 business is adjacent to and connected with the main banking
20 premises, or if it is separated from the main banking premises
21 by not more than an alley; provided always that (i) if the
22 place of business is separated by an alley from the main
23 banking premises there is a connection between the 2 by public
24 or private way or by subterranean or overhead passage, and
25 (ii) if the place of business is in a building not wholly
26 occupied by the bank, the place of business shall not be within

1 any office or room in which any other business or service of
2 any kind or nature other than the business of the bank is
3 conducted or carried on. A place of business at which deposits
4 are received, checks paid, or loans made shall not be deemed to
5 be a branch, branch bank, or branch office (i) of any bank if
6 the place is a terminal established and maintained in
7 accordance with paragraph (17) of Section 5 of this Act, or
8 (ii) of a commonly owned bank by virtue of transactions
9 conducted at that place on behalf of the other commonly owned
10 bank under paragraph (23) of Section 5 of this Act if the place
11 is an affiliate facility with respect to the other bank.

12 "Branch of an out-of-state bank" means a branch
13 established or maintained in Illinois by an out-of-state bank
14 as a result of a merger between an Illinois bank and the
15 out-of-state bank that occurs on or after May 31, 1997, or any
16 branch established by the out-of-state bank following the
17 merger.

18 "Bylaws" means the bylaws of a bank that are adopted by the
19 bank's board of directors or shareholders for the regulation
20 and management of the bank's affairs. If the bank operates as a
21 limited liability company, however, "bylaws" means the
22 operating agreement of the bank.

23 "Call report fee" means the fee to be paid to the
24 Commissioner by each State bank pursuant to paragraph (a) of
25 subsection (3) of Section 48 of this Act.

26 "Capital" includes the aggregate of outstanding capital

1 stock and preferred stock.

2 "Cash flow reserve account" means the account within the
3 books and records of the Commissioner of Banks and Real Estate
4 used to record funds designated to maintain a reasonable Bank
5 and Trust Company Fund operating balance to meet agency
6 obligations on a timely basis.

7 "Charter" includes the original charter and all amendments
8 thereto and articles of merger or consolidation.

9 "Commissioner" means the Commissioner of Banks and Real
10 Estate, except that beginning on April 6, 2009 (the effective
11 date of Public Act 95-1047), all references in this Act to the
12 Commissioner of Banks and Real Estate are deemed, in
13 appropriate contexts, to be references to the Secretary of
14 Financial and Professional Regulation.

15 "Commonly owned banks" means 2 or more banks that each
16 qualify as a bank subsidiary of the same bank holding company
17 pursuant to Section 18 of the Federal Deposit Insurance Act;
18 "commonly owned bank" refers to one of a group of commonly
19 owned banks but only with respect to one or more of the other
20 banks in the same group.

21 "Community" means a city, village, or incorporated town
22 and also includes the area served by the banking offices of a
23 bank, but need not be limited or expanded to conform to the
24 geographic boundaries of units of local government.

25 "Company" means a corporation, limited liability company,
26 partnership, business trust, association, or similar

1 organization and, unless specifically excluded, includes a
2 "State bank" and a "bank".

3 "Consolidating bank" means a party to a consolidation.

4 "Consolidation" takes place when 2 or more banks, or a
5 trust company and a bank, are extinguished and by the same
6 process a new bank is created, taking over the assets and
7 assuming the liabilities of the banks or trust company passing
8 out of existence.

9 "Continuing bank" means a merging bank, the charter of
10 which becomes the charter of the resulting bank.

11 "Converting bank" means a State bank converting to become
12 a national bank, or a national bank converting to become a
13 State bank.

14 "Converting trust company" means a trust company
15 converting to become a State bank.

16 "Court" means a court of competent jurisdiction.

17 "Director" means a member of the board of directors of a
18 bank. In the case of a manager-managed limited liability
19 company, however, "director" means a manager of the bank and,
20 in the case of a member-managed limited liability company,
21 "director" means a member of the bank. The term "director"
22 does not include an advisory director, honorary director,
23 director emeritus, or similar person, unless the person is
24 otherwise performing functions similar to those of a member of
25 the board of directors.

26 "Director of Banking" means the Director of the Division

1 of Banking of the Department of Financial and Professional
2 Regulation.

3 "Eligible depository institution" means an insured savings
4 association that is in default, an insured savings association
5 that is in danger of default, a State or national bank that is
6 in default or a State or national bank that is in danger of
7 default, as those terms are defined in this Section, or a new
8 bank as that term is defined in Section 11(m) of the Federal
9 Deposit Insurance Act or a bridge bank as that term is defined
10 in Section 11(n) of the Federal Deposit Insurance Act or a new
11 federal savings association authorized under Section
12 11(d) (2) (f) of the Federal Deposit Insurance Act.

13 "Fiduciary" means trustee, agent, executor, administrator,
14 committee, guardian for a minor or for a person under legal
15 disability, receiver, trustee in bankruptcy, assignee for
16 creditors, or any holder of a similar position of trust.

17 "Financial institution" means a bank, savings bank,
18 savings and loan association, credit union, or any licensee
19 under the Consumer Installment Loan Act or the Sales Finance
20 Agency Act and, for purposes of Section 48.3, any proprietary
21 network, funds transfer corporation, or other entity providing
22 electronic funds transfer services, or any corporate
23 fiduciary, its subsidiaries, affiliates, parent company, or
24 contractual service provider that is examined by the
25 Commissioner. For purposes of Section 5c and subsection (b) of
26 Section 13 of this Act, "financial institution" includes any

1 proprietary network, funds transfer corporation, or other
2 entity providing electronic funds transfer services, and any
3 corporate fiduciary.

4 "Foundation" means the Illinois Bank Examiners' Education
5 Foundation.

6 "General obligation" means a bond, note, debenture,
7 security, or other instrument evidencing an obligation of the
8 government entity that is the issuer that is supported by the
9 full available resources of the issuer, the principal and
10 interest of which is payable in whole or in part by taxation.

11 "Guarantee" means an undertaking or promise to answer for
12 payment of another's debt or performance of another's duty,
13 liability, or obligation, whether "payment guaranteed" or
14 "collection guaranteed".

15 "In danger of default" means a State or national bank, a
16 federally chartered insured savings association, or an
17 Illinois state chartered insured savings association with
18 respect to which the Commissioner or the appropriate federal
19 banking agency has advised the Federal Deposit Insurance
20 Corporation that:

21 (1) in the opinion of the Commissioner or the
22 appropriate federal banking agency,

23 (A) the State or national bank or insured savings
24 association is not likely to be able to meet the
25 demands of the State or national bank's or savings
26 association's obligations in the normal course of

1 business; and

2 (B) there is no reasonable prospect that the State
3 or national bank or insured savings association will
4 be able to meet those demands or pay those obligations
5 without federal assistance; or

6 (2) in the opinion of the Commissioner or the
7 appropriate federal banking agency,

8 (A) the State or national bank or insured savings
9 association has incurred or is likely to incur losses
10 that will deplete all or substantially all of its
11 capital; and

12 (B) there is no reasonable prospect that the
13 capital of the State or national bank or insured
14 savings association will be replenished without
15 federal assistance.

16 "In default" means, with respect to a State or national
17 bank or an insured savings association, any adjudication or
18 other official determination by any court of competent
19 jurisdiction, the Commissioner, the appropriate federal
20 banking agency, or other public authority pursuant to which a
21 conservator, receiver, or other legal custodian is appointed
22 for a State or national bank or an insured savings
23 association.

24 "Insured savings association" means any federal savings
25 association chartered under Section 5 of the federal Home
26 Owners' Loan Act and any State savings association chartered

1 under the Illinois Savings and Loan Act of 1985 or a
2 predecessor Illinois statute, the deposits of which are
3 insured by the Federal Deposit Insurance Corporation. The term
4 also includes a savings bank organized or operating under the
5 Savings Bank Act.

6 "Insured savings association in recovery" means an insured
7 savings association that is not an eligible depository
8 institution and that does not meet the minimum capital
9 requirements applicable with respect to the insured savings
10 association.

11 "Issuer" means, for purposes of Section 33, every person
12 who shall have issued or proposed to issue any security;
13 except that (1) with respect to certificates of deposit,
14 voting trust certificates, collateral-trust certificates, and
15 certificates of interest or shares in an unincorporated
16 investment trust not having a board of directors (or persons
17 performing similar functions), "issuer" means the person or
18 persons performing the acts and assuming the duties of
19 depositor or manager pursuant to the provisions of the trust,
20 agreement, or instrument under which the securities are
21 issued; (2) with respect to trusts other than those specified
22 in clause (1) above, where the trustee is a corporation
23 authorized to accept and execute trusts, "issuer" means the
24 entrusters, depositors, or creators of the trust and any
25 manager or committee charged with the general direction of the
26 affairs of the trust pursuant to the provisions of the

1 agreement or instrument creating the trust; and (3) with
2 respect to equipment trust certificates or like securities,
3 "issuer" means the person to whom the equipment or property is
4 or is to be leased or conditionally sold.

5 "Letter of credit" shall have the same meaning as that
6 term is given in Section 5-102 of the Uniform Commercial Code.

7 "Main banking premises" means the location that is
8 designated in a bank's charter as its main office.

9 "Maker or obligor" means, for purposes of Section 33, the
10 issuer of a security, the promisor in a debenture or other debt
11 security, or the mortgagor or grantor of a trust deed or
12 similar conveyance of a security interest in real or personal
13 property.

14 "Merged bank" means a merging bank that is not the
15 continuing, resulting, or surviving bank in a consolidation or
16 merger.

17 "Merger" includes consolidation.

18 "Merging bank" means a party to a bank merger.

19 "Merging trust company" means a trust company party to a
20 merger with a State bank.

21 "Mid-tier bank holding company" means a corporation that
22 (a) owns 100% of the issued and outstanding shares of each
23 class of stock of a State bank, (b) has no other subsidiaries,
24 and (c) 100% of the issued and outstanding shares of the
25 corporation are owned by a parent bank holding company.

26 "Municipality" means any municipality, political

1 subdivision, school district, taxing district, or agency.

2 "National bank" means a national banking association
3 located in this State and, after May 31, 1997, means a national
4 banking association without regard to its location.

5 "Out-of-state bank" means a bank chartered under the laws
6 of a state other than Illinois, a territory of the United
7 States, or the District of Columbia.

8 "Parent bank holding company" means a corporation that is
9 a bank holding company as that term is defined in the Illinois
10 Bank Holding Company Act of 1957 and owns 100% of the issued
11 and outstanding shares of a mid-tier bank holding company.

12 "Person" means an individual, corporation, limited
13 liability company, partnership, joint venture, trust, estate,
14 or unincorporated association.

15 "Public agency" means the State of Illinois, the various
16 counties, townships, cities, towns, villages, school
17 districts, educational service regions, special road
18 districts, public water supply districts, fire protection
19 districts, drainage districts, levee districts, sewer
20 districts, housing authorities, the Illinois Bank Examiners'
21 Education Foundation, the Chicago Park District, and all other
22 political corporations or subdivisions of the State of
23 Illinois, whether now or hereafter created, whether herein
24 specifically mentioned or not, and shall also include any
25 other state or any political corporation or subdivision of
26 another state.

1 "Public funds" or "public money" means current operating
2 funds, special funds, interest and sinking funds, and funds of
3 any kind or character belonging to, in the custody of, or
4 subject to the control or regulation of the United States or a
5 public agency. "Public funds" or "public money" shall include
6 funds held by any of the officers, agents, or employees of the
7 United States or of a public agency in the course of their
8 official duties and, with respect to public money of the
9 United States, shall include Postal Savings funds.

10 "Published" means the publishing of the notice referred to
11 in some newspaper of general circulation in the community in
12 which the bank is located at least once each week for 3
13 successive weeks. Publishing shall be accomplished by, and at
14 the expense of, the bank required to publish. Where publishing
15 is required, the bank shall submit to the Commissioner that
16 evidence of the publication as the Commissioner shall deem
17 appropriate.

18 "Qualified financial contract" means any security
19 contract, commodity contract, forward contract, including spot
20 and forward foreign exchange contracts, repurchase agreement,
21 swap agreement, and any similar agreement, any option to enter
22 into any such agreement, including any combination of the
23 foregoing, and any master agreement for such agreements. A
24 master agreement, together with all supplements thereto, shall
25 be treated as one qualified financial contract. The contract,
26 option, agreement, or combination of contracts, options, or

1 agreements shall be reflected upon the books, accounts, or
2 records of the bank, or a party to the contract shall provide
3 documentary evidence of such agreement.

4 "Recorded" means the filing or recording of the notice or
5 instrument referred to in the office of the Recorder of the
6 county wherein the bank is located.

7 "Resulting bank" means the bank resulting from a merger or
8 conversion.

9 "Secretary" means the Secretary of Financial and
10 Professional Regulation, or a person authorized by the
11 Secretary or by this Act to act in the Secretary's stead.

12 "Securities" means stocks, bonds, debentures, notes, or
13 other similar obligations.

14 "Special purpose trust company" means a special purpose
15 trust company under Article IIA of the Corporate Fiduciary
16 Act.

17 "Stand-by letter of credit" means a letter of credit under
18 which drafts are payable upon the condition the customer has
19 defaulted in performance of a duty, liability, or obligation.

20 "State bank" means any banking corporation that has a
21 banking charter issued by the Commissioner under this Act.

22 "State Banking Board" means the State Banking Board of
23 Illinois.

24 "Subsidiary", with respect to a specified company, means a
25 company that is controlled by the specified company. For
26 purposes of paragraphs (8) and (12) of Section 5 of this Act,

1 "control" means the exercise of operational or managerial
2 control of a corporation by the bank, either alone or together
3 with other affiliates of the bank.

4 "Surplus" means the aggregate of (i) amounts paid in
5 excess of the par value of capital stock and preferred stock;
6 (ii) amounts contributed other than for capital stock and
7 preferred stock and allocated to the surplus account; and
8 (iii) amounts transferred from undivided profits.

9 "Tier 1 Capital" and "Tier 2 Capital" have the meanings
10 assigned to those terms in regulations promulgated for the
11 appropriate federal banking agency of a state bank, as those
12 regulations are now or hereafter amended.

13 "Trust company" means a limited liability company or
14 corporation incorporated in this State for the purpose of
15 accepting and executing trusts.

16 "Undivided profits" means undistributed earnings less
17 discretionary transfers to surplus.

18 "Unimpaired capital and unimpaired surplus", for the
19 purposes of paragraph (21) of Section 5 and Sections 32, 33,
20 34, 35.1, 35.2, and 47 of this Act, means the sum of the state
21 bank's Tier 1 Capital and Tier 2 Capital plus such other
22 shareholder equity as may be included by regulation of the
23 Commissioner. Unimpaired capital and unimpaired surplus shall
24 be calculated on the basis of the date of the last quarterly
25 call report filed with the Commissioner preceding the date of
26 the transaction for which the calculation is made, provided

1 that: (i) when a material event occurs after the date of the
2 last quarterly call report filed with the Commissioner that
3 reduces or increases the bank's unimpaired capital and
4 unimpaired surplus by 10% or more, then the unimpaired capital
5 and unimpaired surplus shall be calculated from the date of
6 the material event for a transaction conducted after the date
7 of the material event; and (ii) if the Commissioner determines
8 for safety and soundness reasons that a state bank should
9 calculate unimpaired capital and unimpaired surplus more
10 frequently than provided by this paragraph, the Commissioner
11 may by written notice direct the bank to calculate unimpaired
12 capital and unimpaired surplus at a more frequent interval. In
13 the case of a state bank newly chartered under Section 13 or a
14 state bank resulting from a merger, consolidation, or
15 conversion under Sections 21 through 26 for which no preceding
16 quarterly call report has been filed with the Commissioner,
17 unimpaired capital and unimpaired surplus shall be calculated
18 for the first calendar quarter on the basis of the effective
19 date of the charter, merger, consolidation, or conversion.

20 (Source: P.A. 104-310, eff. 8-15-25; 104-417, eff. 8-15-25;
21 104-428, eff. 8-18-25; revised 9-12-25.)

22 (205 ILCS 5/48.1)

23 Sec. 48.1. Customer financial records; confidentiality.

24 (a) For the purpose of this Section, the term "financial
25 records" means any original, any copy, or any summary of:

1 (1) a document granting signature authority over a
2 deposit or account;

3 (2) a statement, ledger card, or other record on any
4 deposit or account, which shows each transaction in or
5 with respect to that account;

6 (3) a check, draft, or money order drawn on a bank or
7 issued and payable by a bank; or

8 (4) any other item containing information pertaining
9 to any relationship established in the ordinary course of
10 a bank's business between a bank and its customer,
11 including financial statements or other financial
12 information provided by the customer.

13 (b) This Section does not prohibit:

14 (1) The preparation, examination, handling, or
15 maintenance of any financial records by any officer,
16 employee, or agent of a bank having custody of the
17 records, or the examination of the records by a certified
18 public accountant engaged by the bank to perform an
19 independent audit.

20 (2) The examination of any financial records by, or
21 the furnishing of financial records by a bank to, any
22 officer, employee, or agent of (i) the Commissioner of
23 Banks and Real Estate, (ii) after May 31, 1997, a state
24 regulatory authority authorized to examine a branch of a
25 State bank located in another state, (iii) the Comptroller
26 of the Currency, (iv) the Federal Reserve Board, or (v)

1 the Federal Deposit Insurance Corporation for use solely
2 in the exercise of his duties as an officer, employee, or
3 agent.

4 (3) The publication of data furnished from financial
5 records relating to customers where the data cannot be
6 identified to any particular customer or account.

7 (4) The making of reports or returns required under
8 Chapter 61 of the Internal Revenue Code of 1986.

9 (5) Furnishing information concerning the dishonor of
10 any negotiable instrument permitted to be disclosed under
11 the Uniform Commercial Code.

12 (6) The exchange in the regular course of business of
13 (i) credit information between a bank and other banks or
14 financial institutions or commercial enterprises, directly
15 or through a consumer reporting agency, or (ii) financial
16 records or information derived from financial records
17 between a bank and other banks or financial institutions
18 or commercial enterprises for the purpose of conducting
19 due diligence pursuant to a purchase or sale involving the
20 bank or assets or liabilities of the bank.

21 (7) The furnishing of information to the appropriate
22 law enforcement authorities where the bank reasonably
23 believes it has been the victim of a crime.

24 (8) The furnishing of information under the Revised
25 Uniform Unclaimed Property Act.

26 (9) The furnishing of information under the Illinois

1 Income Tax Act and the Illinois Estate and
2 Generation-Skipping Transfer Tax Act.

3 (10) The furnishing of information under the federal
4 Currency and Foreign Transactions Reporting Act Title 31,
5 United States Code, Section 1051 et seq.

6 (11) The furnishing of information under any other
7 statute that, by its terms or by regulations promulgated
8 thereunder, requires the disclosure of financial records
9 other than by subpoena, summons, warrant, or court order.

10 (12) The furnishing of information about the existence
11 of an account of a person to a judgment creditor of that
12 person who has made a written request for that
13 information.

14 (13) The exchange in the regular course of business of
15 information between commonly owned banks in connection
16 with a transaction authorized under paragraph (23) of
17 Section 5 and conducted at an affiliate facility.

18 (14) The furnishing of information in accordance with
19 the federal Personal Responsibility and Work Opportunity
20 Reconciliation Act of 1996. Any bank governed by this Act
21 shall enter into an agreement for data exchanges with a
22 State agency provided the State agency pays to the bank a
23 reasonable fee not to exceed its actual cost incurred. A
24 bank providing information in accordance with this item
25 shall not be liable to any account holder or other person
26 for any disclosure of information to a State agency, for

1 encumbering or surrendering any assets held by the bank in
2 response to a lien or order to withhold and deliver issued
3 by a State agency, or for any other action taken pursuant
4 to this item, including individual or mechanical errors,
5 provided the action does not constitute gross negligence
6 or willful misconduct. A bank shall have no obligation to
7 hold, encumber, or surrender assets until it has been
8 served with a subpoena, summons, warrant, court or
9 administrative order, lien, or levy.

10 (15) The exchange in the regular course of business of
11 information between a bank and any commonly owned
12 affiliate of the bank, subject to the provisions of the
13 Financial Institutions Insurance Sales Law.

14 (16) The furnishing of information to law enforcement
15 authorities, the Illinois Department on Aging and its
16 regional administrative and provider agencies, the
17 Department of Human Services Office of Inspector General,
18 or public guardians: (i) upon subpoena by the
19 investigatory entity or the guardian, or (ii) if there is
20 suspicion by the bank that a customer who is an elderly
21 person or person with a disability has been or may become
22 the victim of financial exploitation. For the purposes of
23 this item (16), the term: (i) "elderly person" means a
24 person who is 60 or more years of age, (ii) "person with a
25 disability" means a person who has or reasonably appears
26 to the bank to have a physical or mental disability that

1 impairs his or her ability to seek or obtain protection
2 from or prevent financial exploitation, and (iii)
3 "financial exploitation" means tortious or illegal use of
4 the assets or resources of an elderly person or person
5 with a disability, and includes, without limitation,
6 misappropriation of the assets or resources of the elderly
7 person or person with a disability by undue influence,
8 breach of fiduciary relationship, intimidation, fraud,
9 deception, extortion, or the use of assets or resources in
10 any manner contrary to law. A bank or person furnishing
11 information pursuant to this item (16) shall be entitled
12 to the same rights and protections as a person furnishing
13 information under the Adult Protective Services Act and
14 the Illinois Domestic Violence Act of 1986.

15 (17) The disclosure of financial records or
16 information as necessary to effect, administer, or enforce
17 a transaction requested or authorized by the customer, or
18 in connection with:

19 (A) servicing or processing a financial product or
20 service requested or authorized by the customer;

21 (B) maintaining or servicing a customer's account
22 with the bank; or

23 (C) a proposed or actual securitization or
24 secondary market sale (including sales of servicing
25 rights) related to a transaction of a customer.

26 Nothing in this item (17), however, authorizes the

1 sale of the financial records or information of a customer
2 without the consent of the customer.

3 (18) The disclosure of financial records or
4 information as necessary to protect against actual or
5 potential fraud, unauthorized transactions, claims, or
6 other liability.

7 (19) (A) The disclosure of financial records or
8 information related to a private label credit program
9 between a financial institution and a private label party
10 in connection with that private label credit program. Such
11 information is limited to outstanding balance, available
12 credit, payment and performance and account history,
13 product references, purchase information, and information
14 related to the identity of the customer.

15 (B) (1) For purposes of this paragraph (19) of
16 subsection (b) of Section 48.1, a "private label credit
17 program" means a credit program involving a financial
18 institution and a private label party that is used by a
19 customer of the financial institution and the private
20 label party primarily for payment for goods or services
21 sold, manufactured, or distributed by a private label
22 party.

23 (2) For purposes of this paragraph (19) of subsection
24 (b) of Section 48.1, a "private label party" means, with
25 respect to a private label credit program, any of the
26 following: a retailer, a merchant, a manufacturer, a trade

1 group, or any such person's affiliate, subsidiary, member,
2 agent, or service provider.

3 (20) (A) The furnishing of financial records of a
4 customer to the Department to aid the Department's initial
5 determination or subsequent re-determination of the
6 customer's eligibility for Medicaid and Medicaid long-term
7 care benefits for long-term care services, provided that
8 the bank receives the written consent and authorization of
9 the customer, which shall:

10 (1) have the customer's signature notarized;

11 (2) be signed by at least one witness who
12 certifies that he or she believes the customer to be of
13 sound mind and memory;

14 (3) be tendered to the bank at the earliest
15 practicable time following its execution,
16 certification, and notarization;

17 (4) specifically limit the disclosure of the
18 customer's financial records to the Department; and

19 (5) be in substantially the following form:

20 CUSTOMER CONSENT AND AUTHORIZATION

21 FOR RELEASE OF FINANCIAL RECORDS

22 I, ... , hereby authorize

23 (Name of Customer)

1

2 (Name of Financial Institution)

3

4 (Address of Financial Institution)

5 to disclose the following financial records:

6 any and all information concerning my deposit, savings, money
7 market, certificate of deposit, individual retirement,
8 retirement plan, 401(k) plan, incentive plan, employee benefit
9 plan, mutual fund and loan accounts (including, but not
10 limited to, any indebtedness or obligation for which I am a
11 co-borrower, co-obligor, guarantor, or surety), and any and
12 all other accounts in which I have an interest and any other
13 information regarding me in the possession of the Financial
14 Institution,

15 to the Illinois Department of Human Services or the Illinois
16 Department of Healthcare and Family Services, or both ("the
17 Department"), for the following purpose(s):

18 to aid in the initial determination or re-determination by the
19 State of Illinois of my eligibility for Medicaid long-term
20 care benefits, pursuant to applicable law.

1 I understand that this Consent and Authorization may be
2 revoked by me in writing at any time before my financial
3 records, as described above, are disclosed, and that this
4 Consent and Authorization is valid until the Financial
5 Institution receives my written revocation. This Consent and
6 Authorization shall constitute valid authorization for the
7 Department identified above to inspect all such financial
8 records set forth above, and to request and receive copies of
9 such financial records from the Financial Institution (subject
10 to such records search and reproduction reimbursement policies
11 as the Financial Institution may have in place). An executed
12 copy of this Consent and Authorization shall be sufficient and
13 as good as the original and permission is hereby granted to
14 honor a photostatic or electronic copy of this Consent and
15 Authorization. Disclosure is strictly limited to the
16 Department identified above and no other person or entity
17 shall receive my financial records pursuant to this Consent
18 and Authorization. By signing this form, I agree to indemnify
19 and hold the Financial Institution harmless from any and all
20 claims, demands, and losses, including reasonable attorneys
21 fees and expenses, arising from or incurred in its reliance on
22 this Consent and Authorization. As used herein, "Customer"
23 shall mean "Member" if the Financial Institution is a credit
24 union.

25

1 (Date) (Signature of Customer)

2

3

4 (Address of Customer)

5

6 (Customer's birth date)

7 (month/day/year)

8 The undersigned witness certifies that,
9 known to me to be the same person whose name is subscribed as
10 the customer to the foregoing Consent and Authorization,
11 appeared before me and the notary public and acknowledged
12 signing and delivering the instrument as his or her free and
13 voluntary act for the uses and purposes therein set forth. I
14 believe him or her to be of sound mind and memory. The
15 undersigned witness also certifies that the witness is not an
16 owner, operator, or relative of an owner or operator of a
17 long-term care facility in which the customer is a patient or
18 resident.

19 Dated:

20 (Signature of Witness)

21

(Print Name of Witness)

.....

.....

(Address of Witness)

State of Illinois)

) ss.

County of)

The undersigned, a notary public in and for the above county and state, certifies that, known to me to be the same person whose name is subscribed as the customer to the foregoing Consent and Authorization, appeared before me together with the witness, ..., in person and acknowledged signing and delivering the instrument as the free and voluntary act of the customer for the uses and purposes therein set forth.

Dated:

Notary Public:

My commission expires:

(B) In no event shall the bank distribute the customer's financial records to the long-term care facility from which the customer seeks initial or

1 continuing residency or long-term care services.

2 (C) A bank providing financial records of a customer
3 in good faith relying on a consent and authorization
4 executed and tendered in accordance with this paragraph
5 (20) shall not be liable to the customer or any other
6 person in relation to the bank's disclosure of the
7 customer's financial records to the Department. The
8 customer signing the consent and authorization shall
9 indemnify and hold the bank harmless that relies in good
10 faith upon the consent and authorization and incurs a loss
11 because of such reliance. The bank recovering under this
12 indemnification provision shall also be entitled to
13 reasonable attorney's fees and the expenses of recovery.

14 (D) A bank shall be reimbursed by the customer for all
15 costs reasonably necessary and directly incurred in
16 searching for, reproducing, and disclosing a customer's
17 financial records required or requested to be produced
18 pursuant to any consent and authorization executed under
19 this paragraph (20). The requested financial records shall
20 be delivered to the Department within 10 days after
21 receiving a properly executed consent and authorization or
22 at the earliest practicable time thereafter if the
23 requested records cannot be delivered within 10 days, but
24 delivery may be delayed until the final reimbursement of
25 all costs is received by the bank. The bank may honor a
26 photostatic or electronic copy of a properly executed

1 consent and authorization.

2 (E) Nothing in this paragraph (20) shall impair,
3 abridge, or abrogate the right of a customer to:

4 (1) directly disclose his or her financial records
5 to the Department or any other person; or

6 (2) authorize his or her attorney or duly
7 appointed agent to request and obtain the customer's
8 financial records and disclose those financial records
9 to the Department.

10 (F) For purposes of this paragraph (20), "Department"
11 means the Department of Human Services and the Department
12 of Healthcare and Family Services or any successor
13 administrative agency of either agency.

14 (21) The furnishing of financial records of a deceased
15 customer to a public administrator of any county or other
16 governmental jurisdiction for the purpose of facilitating
17 burial of the customer.

18 (22) ~~(21)~~ The furnishing of financial information to
19 the executor, executrix, administrator, or other lawful
20 representative of the estate of a customer.

21 (c) Except as otherwise provided by this Act, a bank may
22 not disclose to any person, except to the customer or his duly
23 authorized agent, any financial records or financial
24 information obtained from financial records relating to that
25 customer of that bank unless:

26 (1) the customer has authorized disclosure to the

1 person;

2 (2) the financial records are disclosed in response to
3 a lawful subpoena, summons, warrant, citation to discover
4 assets, or court order which meets the requirements of
5 subsection (d) of this Section; or

6 (3) the bank is attempting to collect an obligation
7 owed to the bank and the bank complies with the provisions
8 of Section 2I of the Consumer Fraud and Deceptive Business
9 Practices Act.

10 (d) A bank shall disclose financial records under
11 paragraph (2) of subsection (c) of this Section under a lawful
12 subpoena, summons, warrant, citation to discover assets, or
13 court order only after the bank sends a copy of the subpoena,
14 summons, warrant, citation to discover assets, or court order
15 to the person establishing the relationship with the bank, if
16 living, and, otherwise the person's personal representative,
17 if known, at the person's last known address by first class
18 mail, postage prepaid, through a third-party commercial
19 carrier or courier with delivery charge fully prepaid, by hand
20 delivery, or by electronic delivery at an email address on
21 file with the bank (if the person establishing the
22 relationship with the bank has consented to receive electronic
23 delivery and, if the person establishing the relationship with
24 the bank is a consumer, the person has consented under the
25 consumer consent provisions set forth in Section 7001 of Title
26 15 of the United States Code), unless the bank is specifically

1 prohibited from notifying the person by order of court or by
2 applicable State or federal law. A bank shall not mail a copy
3 of a subpoena to any person pursuant to this subsection if the
4 subpoena was issued by a grand jury.

5 (e) Any officer or employee of a bank who knowingly and
6 willfully furnishes financial records in violation of this
7 Section is guilty of a business offense and, upon conviction,
8 shall be fined not more than \$1,000.

9 (f) Any person who knowingly and willfully induces or
10 attempts to induce any officer or employee of a bank to
11 disclose financial records in violation of this Section is
12 guilty of a business offense and, upon conviction, shall be
13 fined not more than \$1,000.

14 (g) A bank shall be reimbursed for costs that are
15 reasonably necessary and that have been directly incurred in
16 searching for, reproducing, or transporting books, papers,
17 records, or other data required or requested to be produced
18 pursuant to a lawful subpoena, summons, warrant, citation to
19 discover assets, or court order. The Commissioner shall
20 determine the rates and conditions under which payment may be
21 made.

22 (Source: P.A. 104-123, eff. 1-1-26; 104-310, eff. 8-15-25;
23 revised 11-20-25.)

24 Section 455. The Savings Bank Act is amended by changing
25 Section 4013 as follows:

1 (205 ILCS 205/4013)

2 Sec. 4013. Access to books and records; communication with
3 members and shareholders.

4 (a) Every member or shareholder shall have the right to
5 inspect books and records of the savings bank that pertain to
6 his accounts. Otherwise, the right of inspection and
7 examination of the books and records shall be limited as
8 provided in this Act, and no other person shall have access to
9 the books and records nor shall be entitled to a list of the
10 members or shareholders.

11 (b) For the purpose of this Section, the term "financial
12 records" means any original, any copy, or any summary of (1) a
13 document granting signature authority over a deposit or
14 account; (2) a statement, ledger card, or other record on any
15 deposit or account that shows each transaction in or with
16 respect to that account; (3) a check, draft, or money order
17 drawn on a savings bank or issued and payable by a savings
18 bank; or (4) any other item containing information pertaining
19 to any relationship established in the ordinary course of a
20 savings bank's business between a savings bank and its
21 customer, including financial statements or other financial
22 information provided by the member or shareholder.

23 (c) This Section does not prohibit:

24 (1) The preparation, examination, handling, or
25 maintenance of any financial records by any officer,

1 employee, or agent of a savings bank having custody of
2 records or examination of records by a certified public
3 accountant engaged by the savings bank to perform an
4 independent audit.

5 (2) The examination of any financial records by, or
6 the furnishing of financial records by a savings bank to,
7 any officer, employee, or agent of the Commissioner of
8 Banks and Real Estate or the federal depository
9 institution regulator for use solely in the exercise of
10 his duties as an officer, employee, or agent.

11 (3) The publication of data furnished from financial
12 records relating to members or holders of capital where
13 the data cannot be identified to any particular member,
14 shareholder, or account.

15 (4) The making of reports or returns required under
16 Chapter 61 of the Internal Revenue Code of 1986.

17 (5) Furnishing information concerning the dishonor of
18 any negotiable instrument permitted to be disclosed under
19 the Uniform Commercial Code.

20 (6) The exchange in the regular course of business of
21 (i) credit information between a savings bank and other
22 savings banks or financial institutions or commercial
23 enterprises, directly or through a consumer reporting
24 agency, or (ii) financial records or information derived
25 from financial records between a savings bank and other
26 savings banks or financial institutions or commercial

1 enterprises for the purpose of conducting due diligence
2 pursuant to a purchase or sale involving the savings bank
3 or assets or liabilities of the savings bank.

4 (7) The furnishing of information to the appropriate
5 law enforcement authorities where the savings bank
6 reasonably believes it has been the victim of a crime.

7 (8) The furnishing of information pursuant to the
8 Revised Uniform Unclaimed Property Act.

9 (9) The furnishing of information pursuant to the
10 Illinois Income Tax Act and the Illinois Estate and
11 Generation-Skipping Transfer Tax Act.

12 (10) The furnishing of information pursuant to the
13 federal Currency and Foreign Transactions Reporting Act,
14 (Title 31, United States Code, Section 1051 et seq.).

15 (11) The furnishing of information pursuant to any
16 other statute which, by its terms or by regulations
17 promulgated thereunder, requires the disclosure of
18 financial records other than by subpoena, summons,
19 warrant, or court order.

20 (12) The furnishing of information in accordance with
21 the federal Personal Responsibility and Work Opportunity
22 Reconciliation Act of 1996. Any savings bank governed by
23 this Act shall enter into an agreement for data exchanges
24 with a State agency provided the State agency pays to the
25 savings bank a reasonable fee not to exceed its actual
26 cost incurred. A savings bank providing information in

1 accordance with this item shall not be liable to any
2 account holder or other person for any disclosure of
3 information to a State agency, for encumbering or
4 surrendering any assets held by the savings bank in
5 response to a lien or order to withhold and deliver issued
6 by a State agency, or for any other action taken pursuant
7 to this item, including individual or mechanical errors,
8 provided the action does not constitute gross negligence
9 or willful misconduct. A savings bank shall have no
10 obligation to hold, encumber, or surrender assets until it
11 has been served with a subpoena, summons, warrant, court
12 or administrative order, lien, or levy.

13 (13) The furnishing of information to law enforcement
14 authorities, the Illinois Department on Aging and its
15 regional administrative and provider agencies, the
16 Department of Human Services Office of Inspector General,
17 or public guardians: (i) upon subpoena by the
18 investigatory entity or the guardian, or (ii) if there is
19 suspicion by the savings bank that a customer who is an
20 elderly person or person with a disability has been or may
21 become the victim of financial exploitation. For the
22 purposes of this item (13), the term: (i) "elderly person"
23 means a person who is 60 or more years of age, (ii) "person
24 with a disability" means a person who has or reasonably
25 appears to the savings bank to have a physical or mental
26 disability that impairs his or her ability to seek or

1 obtain protection from or prevent financial exploitation,
2 and (iii) "financial exploitation" means tortious or
3 illegal use of the assets or resources of an elderly
4 person or person with a disability, and includes, without
5 limitation, misappropriation of the assets or resources of
6 the elderly person or person with a disability by undue
7 influence, breach of fiduciary relationship, intimidation,
8 fraud, deception, extortion, or the use of assets or
9 resources in any manner contrary to law. A savings bank or
10 person furnishing information pursuant to this item (13)
11 shall be entitled to the same rights and protections as a
12 person furnishing information under the Adult Protective
13 Services Act and the Illinois Domestic Violence Act of
14 1986.

15 (14) The disclosure of financial records or
16 information as necessary to effect, administer, or enforce
17 a transaction requested or authorized by the member or
18 holder of capital, or in connection with:

19 (A) servicing or processing a financial product or
20 service requested or authorized by the member or
21 holder of capital;

22 (B) maintaining or servicing an account of a
23 member or holder of capital with the savings bank; or

24 (C) a proposed or actual securitization or
25 secondary market sale (including sales of servicing
26 rights) related to a transaction of a member or holder

1 of capital.

2 Nothing in this item (14), however, authorizes the
3 sale of the financial records or information of a member
4 or holder of capital without the consent of the member or
5 holder of capital.

6 (15) The exchange in the regular course of business of
7 information between a savings bank and any commonly owned
8 affiliate of the savings bank, subject to the provisions
9 of the Financial Institutions Insurance Sales Law.

10 (16) The disclosure of financial records or
11 information as necessary to protect against or prevent
12 actual or potential fraud, unauthorized transactions,
13 claims, or other liability.

14 (17) (a) The disclosure of financial records or
15 information related to a private label credit program
16 between a financial institution and a private label party
17 in connection with that private label credit program. Such
18 information is limited to outstanding balance, available
19 credit, payment and performance and account history,
20 product references, purchase information, and information
21 related to the identity of the customer.

22 (b) (1) For purposes of this paragraph (17) of
23 subsection (c) of Section 4013, a "private label credit
24 program" means a credit program involving a financial
25 institution and a private label party that is used by a
26 customer of the financial institution and the private

1 label party primarily for payment for goods or services
2 sold, manufactured, or distributed by a private label
3 party.

4 (2) For purposes of this paragraph (17) of subsection
5 (c) of Section 4013, a "private label party" means, with
6 respect to a private label credit program, any of the
7 following: a retailer, a merchant, a manufacturer, a trade
8 group, or any such person's affiliate, subsidiary, member,
9 agent, or service provider.

10 (18)(a) The furnishing of financial records of a
11 customer to the Department to aid the Department's initial
12 determination or subsequent re-determination of the
13 customer's eligibility for Medicaid and Medicaid long-term
14 care benefits for long-term care services, provided that
15 the savings bank receives the written consent and
16 authorization of the customer, which shall:

17 (1) have the customer's signature notarized;

18 (2) be signed by at least one witness who
19 certifies that he or she believes the customer to be of
20 sound mind and memory;

21 (3) be tendered to the savings bank at the
22 earliest practicable time following its execution,
23 certification, and notarization;

24 (4) specifically limit the disclosure of the
25 customer's financial records to the Department; and

26 (5) be in substantially the following form:

CUSTOMER CONSENT AND AUTHORIZATION
FOR RELEASE OF FINANCIAL RECORDS

I, ... , hereby authorize
(Name of Customer)

.....
(Name of Financial Institution)

.....
(Address of Financial Institution)

to disclose the following financial records:

any and all information concerning my deposit, savings, money
market, certificate of deposit, individual retirement,
retirement plan, 401(k) plan, incentive plan, employee benefit
plan, mutual fund and loan accounts (including, but not
limited to, any indebtedness or obligation for which I am a
co-borrower, co-obligor, guarantor, or surety), and any and
all other accounts in which I have an interest and any other
information regarding me in the possession of the Financial
Institution,

to the Illinois Department of Human Services or the Illinois

1 Department of Healthcare and Family Services, or both ("the
2 Department"), for the following purpose(s):

3 to aid in the initial determination or re-determination by the
4 State of Illinois of my eligibility for Medicaid long-term
5 care benefits, pursuant to applicable law.

6 I understand that this Consent and Authorization may be
7 revoked by me in writing at any time before my financial
8 records, as described above, are disclosed, and that this
9 Consent and Authorization is valid until the Financial
10 Institution receives my written revocation. This Consent and
11 Authorization shall constitute valid authorization for the
12 Department identified above to inspect all such financial
13 records set forth above, and to request and receive copies of
14 such financial records from the Financial Institution (subject
15 to such records search and reproduction reimbursement policies
16 as the Financial Institution may have in place). An executed
17 copy of this Consent and Authorization shall be sufficient and
18 as good as the original and permission is hereby granted to
19 honor a photostatic or electronic copy of this Consent and
20 Authorization. Disclosure is strictly limited to the
21 Department identified above and no other person or entity
22 shall receive my financial records pursuant to this Consent
23 and Authorization. By signing this form, I agree to indemnify
24 and hold the Financial Institution harmless from any and all

1 claims, demands, and losses, including reasonable attorneys
2 fees and expenses, arising from or incurred in its reliance on
3 this Consent and Authorization. As used herein, "Customer"
4 shall mean "Member" if the Financial Institution is a credit
5 union.

6

7 (Date) (Signature of Customer)

8

9

10 (Address of Customer)

11

12 (Customer's birth date)

13 (month/day/year)

14 The undersigned witness certifies that,
15 known to me to be the same person whose name is subscribed as
16 the customer to the foregoing Consent and Authorization,
17 appeared before me and the notary public and acknowledged
18 signing and delivering the instrument as his or her free and
19 voluntary act for the uses and purposes therein set forth. I
20 believe him or her to be of sound mind and memory. The
21 undersigned witness also certifies that the witness is not an
22 owner, operator, or relative of an owner or operator of a

1 long-term care facility in which the customer is a patient or
2 resident.

3 Dated:

4 (Signature of Witness)

5

6 (Print Name of Witness)

7

8

9 (Address of Witness)

10 State of Illinois)

11) ss.

12 County of

13 The undersigned, a notary public in and for the above county
14 and state, certifies that, known to me to be the
15 same person whose name is subscribed as the customer to the
16 foregoing Consent and Authorization, appeared before me
17 together with the witness, ..., in person and
18 acknowledged signing and delivering the instrument as the free
19 and voluntary act of the customer for the uses and purposes
20 therein set forth.

1 Dated:

2 Notary Public:

3 My commission expires:

4 (b) In no event shall the savings bank distribute the
5 customer's financial records to the long-term care
6 facility from which the customer seeks initial or
7 continuing residency or long-term care services.

8 (c) A savings bank providing financial records of a
9 customer in good faith relying on a consent and
10 authorization executed and tendered in accordance with
11 this paragraph (18) shall not be liable to the customer or
12 any other person in relation to the savings bank's
13 disclosure of the customer's financial records to the
14 Department. The customer signing the consent and
15 authorization shall indemnify and hold the savings bank
16 harmless that relies in good faith upon the consent and
17 authorization and incurs a loss because of such reliance.
18 The savings bank recovering under this indemnification
19 provision shall also be entitled to reasonable attorney's
20 fees and the expenses of recovery.

21 (d) A savings bank shall be reimbursed by the customer
22 for all costs reasonably necessary and directly incurred
23 in searching for, reproducing, and disclosing a customer's
24 financial records required or requested to be produced
25 pursuant to any consent and authorization executed under

1 this paragraph (18). The requested financial records shall
2 be delivered to the Department within 10 days after
3 receiving a properly executed consent and authorization or
4 at the earliest practicable time thereafter if the
5 requested records cannot be delivered within 10 days, but
6 delivery may be delayed until the final reimbursement of
7 all costs is received by the savings bank. The savings
8 bank may honor a photostatic or electronic copy of a
9 properly executed consent and authorization.

10 (e) Nothing in this paragraph (18) shall impair,
11 abridge, or abrogate the right of a customer to:

12 (1) directly disclose his or her financial records
13 to the Department or any other person; or

14 (2) authorize his or her attorney or duly
15 appointed agent to request and obtain the customer's
16 financial records and disclose those financial records
17 to the Department.

18 (f) For purposes of this paragraph (18), "Department"
19 means the Department of Human Services and the Department
20 of Healthcare and Family Services or any successor
21 administrative agency of either agency.

22 (19) The furnishing of financial records of a deceased
23 customer to a public administrator of any county or other
24 governmental jurisdiction for the purpose of facilitating
25 burial of the customer.

26 (20) ~~(19)~~ The furnishing of financial information to

1 the executor, executrix, administrator, or other lawful
2 representative of the estate of a customer.

3 (d) A savings bank may not disclose to any person, except
4 to the member or holder of capital or his duly authorized
5 agent, any financial records relating to that member or
6 shareholder of the savings bank unless:

7 (1) the member or shareholder has authorized
8 disclosure to the person; or

9 (2) the financial records are disclosed in response to
10 a lawful subpoena, summons, warrant, citation to discover
11 assets, or court order that meets the requirements of
12 subsection (e) of this Section.

13 (e) A savings bank shall disclose financial records under
14 subsection (d) of this Section pursuant to a lawful subpoena,
15 summons, warrant, citation to discover assets, or court order
16 only after the savings bank sends a copy of the subpoena,
17 summons, warrant, citation to discover assets, or court order
18 to the person establishing the relationship with the savings
19 bank, if living, and otherwise, the person's personal
20 representative, if known, at the person's last known address
21 by first class mail, postage prepaid, through a third-party
22 commercial carrier or courier with delivery charge fully
23 prepaid, by hand delivery, or by electronic delivery at an
24 email address on file with the savings bank (if the person
25 establishing the relationship with the savings bank has
26 consented to receive electronic delivery and, if the person

1 establishing the relationship with the savings bank is a
2 consumer, the person has consented under the consumer consent
3 provisions set forth in Section 7001 of Title 15 of the United
4 States Code), unless the savings bank is specifically
5 prohibited from notifying the person by order of court or by
6 applicable State or federal law. A savings bank shall not mail
7 a copy of a subpoena to any customer pursuant to this
8 subsection if the subpoena was issued by a grand jury.

9 (f) Any officer or employee of a savings bank who
10 knowingly and willfully furnishes financial records in
11 violation of this Section is guilty of a business offense and,
12 upon conviction, shall be fined not more than \$1,000.

13 (g) Any person who knowingly and willfully induces or
14 attempts to induce any officer or employee of a savings bank to
15 disclose financial records in violation of this Section is
16 guilty of a business offense and, upon conviction, shall be
17 fined not more than \$1,000.

18 (h) If any member or shareholder desires to communicate
19 with the other members or shareholders of the savings bank
20 with reference to any question pending or to be presented at an
21 annual or special meeting, the savings bank shall give that
22 person, upon request, a statement of the approximate number of
23 members or shareholders entitled to vote at the meeting and an
24 estimate of the cost of preparing and delivering the
25 communication. The requesting member shall submit the
26 communication to the Commissioner who, upon finding it to be

1 appropriate and truthful, shall direct that it be prepared and
2 delivered to the members upon the requesting member's or
3 shareholder's payment or adequate provision for payment of the
4 expenses of preparation and delivery.

5 (i) A savings bank shall be reimbursed for costs that are
6 necessary and that have been directly incurred in searching
7 for, reproducing, or transporting books, papers, records, or
8 other data required to be reproduced pursuant to a lawful
9 subpoena, warrant, citation to discover assets, or court
10 order.

11 (j) Notwithstanding the provisions of this Section, a
12 savings bank may sell or otherwise make use of lists of names
13 and addresses of persons who have obtained a financial product
14 or service from the savings bank. All other information is
15 subject to the disclosure provisions of this Section. At the
16 request of any person who has obtained a financial product or
17 service from the savings bank, that person's name and address
18 shall be deleted from any list that is to be sold or used in
19 any other manner beyond identification of the person's
20 accounts.

21 (Source: P.A. 104-123, eff. 1-1-26; 104-310, eff. 8-15-25;
22 revised 11-20-25.)

23 Section 460. The Illinois Credit Union Act is amended by
24 changing Section 10 as follows:

1 (205 ILCS 305/10)

2 Sec. 10. Credit union records; member financial records.

3 (1) A credit union shall establish and maintain books,
4 records, accounting systems, and procedures which accurately
5 reflect its operations and which enable the Department to
6 readily ascertain the true financial condition of the credit
7 union and whether it is complying with this Act.

8 (2) A photostatic or photographic reproduction of any
9 credit union records shall be admissible as evidence of
10 transactions with the credit union.

11 (3)(a) For the purpose of this Section, the term
12 "financial records" means any original, any copy, or any
13 summary of (1) a document granting signature authority over an
14 account, (2) a statement, ledger card, or other record on any
15 account which shows each transaction in or with respect to
16 that account, (3) a check, draft, or money order drawn on a
17 financial institution or other entity or issued and payable by
18 or through a financial institution or other entity, or (4) any
19 other item containing information pertaining to any
20 relationship established in the ordinary course of business
21 between a credit union and its member, including financial
22 statements or other financial information provided by the
23 member.

24 (b) This Section does not prohibit:

25 (1) The preparation, examination, handling, or
26 maintenance of any financial records by any officer,

1 employee, or agent of a credit union having custody of
2 such records, or the examination of such records by a
3 certified public accountant engaged by the credit union to
4 perform an independent audit.

5 (2) The examination of any financial records by or the
6 furnishing of financial records by a credit union to any
7 officer, employee, or agent of the Department, the
8 National Credit Union Administration, Federal Reserve
9 Board or any insurer of share accounts for use solely in
10 the exercise of his duties as an officer, employee, or
11 agent.

12 (3) The publication of data furnished from financial
13 records relating to members where the data cannot be
14 identified to any particular member or account.

15 (4) The making of reports or returns required under
16 Chapter 61 of the Internal Revenue Code of 1954.

17 (5) Furnishing information concerning the dishonor of
18 any negotiable instrument permitted to be disclosed under
19 the Uniform Commercial Code.

20 (6) The exchange in the regular course of business of
21 (i) credit information between a credit union and other
22 credit unions or financial institutions or commercial
23 enterprises, directly or through a consumer reporting
24 agency, or (ii) financial records or information derived
25 from financial records between a credit union and other
26 credit unions or financial institutions or commercial

1 enterprises for the purpose of conducting due diligence
2 pursuant to a merger or a purchase or sale of assets or
3 liabilities of the credit union.

4 (7) The furnishing of information to the appropriate
5 law enforcement authorities where the credit union
6 reasonably believes it has been the victim of a crime.

7 (8) The furnishing of information pursuant to the
8 Revised Uniform Unclaimed Property Act.

9 (9) The furnishing of information pursuant to the
10 Illinois Income Tax Act and the Illinois Estate and
11 Generation-Skipping Transfer Tax Act.

12 (10) The furnishing of information pursuant to the
13 federal Currency and Foreign Transactions Reporting Act,
14 Title 31, United States Code, Section 1051 et sequentia.

15 (11) The furnishing of information pursuant to any
16 other statute which by its terms or by regulations
17 promulgated thereunder requires the disclosure of
18 financial records other than by subpoena, summons,
19 warrant, or court order.

20 (12) The furnishing of information in accordance with
21 the federal Personal Responsibility and Work Opportunity
22 Reconciliation Act of 1996. Any credit union governed by
23 this Act shall enter into an agreement for data exchanges
24 with a State agency provided the State agency pays to the
25 credit union a reasonable fee not to exceed its actual
26 cost incurred. A credit union providing information in

1 accordance with this item shall not be liable to any
2 account holder or other person for any disclosure of
3 information to a State agency, for encumbering or
4 surrendering any assets held by the credit union in
5 response to a lien or order to withhold and deliver issued
6 by a State agency, or for any other action taken pursuant
7 to this item, including individual or mechanical errors,
8 provided the action does not constitute gross negligence
9 or willful misconduct. A credit union shall have no
10 obligation to hold, encumber, or surrender assets until it
11 has been served with a subpoena, summons, warrant, court
12 or administrative order, lien, or levy.

13 (13) The furnishing of information to law enforcement
14 authorities, the Illinois Department on Aging and its
15 regional administrative and provider agencies, the
16 Department of Human Services Office of Inspector General,
17 or public guardians: (i) upon subpoena by the
18 investigatory entity or the guardian, or (ii) if there is
19 suspicion by the credit union that a member who is an
20 elderly person or person with a disability has been or may
21 become the victim of financial exploitation. For the
22 purposes of this item (13), the term: (i) "elderly person"
23 means a person who is 60 or more years of age, (ii) "person
24 with a disability" means a person who has or reasonably
25 appears to the credit union to have a physical or mental
26 disability that impairs his or her ability to seek or

1 obtain protection from or prevent financial exploitation,
2 and (iii) "financial exploitation" means tortious or
3 illegal use of the assets or resources of an elderly
4 person or person with a disability, and includes, without
5 limitation, misappropriation of the assets or resources of
6 the elderly person or person with a disability by undue
7 influence, breach of fiduciary relationship, intimidation,
8 fraud, deception, extortion, or the use of assets or
9 resources in any manner contrary to law. A credit union or
10 person furnishing information pursuant to this item (13)
11 shall be entitled to the same rights and protections as a
12 person furnishing information under the Adult Protective
13 Services Act and the Illinois Domestic Violence Act of
14 1986.

15 (13.5) The furnishing of information to any person on
16 a list submitted and periodically updated by a member who
17 is an elderly person or person with a disability, if there
18 is suspicion by the credit union that the member has been
19 or may become a victim of financial exploitation. For
20 purposes of this item (13.5), the terms "elderly person",
21 "person with a disability", and "financial exploitation"
22 have the meanings given to those terms in item (13). The
23 credit union may convey the suspicion to any of the
24 following persons, if the person is not the suspected
25 perpetrator: (i) any person on the list; (ii) any
26 co-owner, additional authorized signatory, or beneficiary

1 on the account of the member; or (iii) any person known by
2 the credit union to be a family member, including a
3 parent, spouse, adult child, or sibling. When providing
4 information under this item (13.5), the credit union shall
5 limit the information and only disclose that the credit
6 union has cause to suspect that the member may be a victim
7 or target of financial exploitation and the basis or bases
8 of the credit union's reasonable suspicion, without
9 disclosing any other details or confidential information
10 regarding the financial affairs of the member. Any
11 disclosure made pursuant to this subsection shall comply
12 with all other privacy laws and legal prohibitions,
13 including confidentiality requirements for suspicious
14 activity reports. The credit union may rely on information
15 provided by the member in compiling the list of contact
16 persons. The credit union and any employee of the credit
17 union acting in good faith is immune from all criminal,
18 civil, and administrative liability for contacting a
19 person or electing not to contact a person under this item
20 (13.5) and for actions taken in furtherance of that
21 determination, if the determination was made based on a
22 reasonable suspicion.

23 (14) The disclosure of financial records or
24 information as necessary to effect, administer, or enforce
25 a transaction requested or authorized by the member, or in
26 connection with:

1 (A) servicing or processing a financial product or
2 service requested or authorized by the member;

3 (B) maintaining or servicing a member's account
4 with the credit union; or

5 (C) a proposed or actual securitization or
6 secondary market sale (including sales of servicing
7 rights) related to a transaction of a member.

8 Nothing in this item (14), however, authorizes the
9 sale of the financial records or information of a member
10 without the consent of the member.

11 (15) The disclosure of financial records or
12 information as necessary to protect against or prevent
13 actual or potential fraud, unauthorized transactions,
14 claims, or other liability.

15 (16)(a) The disclosure of financial records or
16 information related to a private label credit program
17 between a financial institution and a private label party
18 in connection with that private label credit program. Such
19 information is limited to outstanding balance, available
20 credit, payment and performance and account history,
21 product references, purchase information, and information
22 related to the identity of the customer.

23 (b)(1) For purposes of this item (16), "private label
24 credit program" means a credit program involving a
25 financial institution and a private label party that is
26 used by a customer of the financial institution and the

1 private label party primarily for payment for goods or
2 services sold, manufactured, or distributed by a private
3 label party.

4 (2) For purposes of this item (16), "private label
5 party" means, with respect to a private label credit
6 program, any of the following: a retailer, a merchant, a
7 manufacturer, a trade group, or any such person's
8 affiliate, subsidiary, member, agent, or service provider.

9 (17)(a) The furnishing of financial records of a
10 member to the Department to aid the Department's initial
11 determination or subsequent re-determination of the
12 member's eligibility for Medicaid and Medicaid long-term
13 care benefits for long-term care services, provided that
14 the credit union receives the written consent and
15 authorization of the member, which shall:

16 (1) have the member's signature notarized;

17 (2) be signed by at least one witness who
18 certifies that he or she believes the member to be of
19 sound mind and memory;

20 (3) be tendered to the credit union at the
21 earliest practicable time following its execution,
22 certification, and notarization;

23 (4) specifically limit the disclosure of the
24 member's financial records to the Department; and

25 (5) be in substantially the following form:

1 CUSTOMER CONSENT AND AUTHORIZATION

2 FOR RELEASE OF FINANCIAL RECORDS

3 I, ... , hereby authorize
4 (Name of Customer)

5
6 (Name of Financial Institution)

7
8 (Address of Financial Institution)

9 to disclose the following financial records:

10 any and all information concerning my deposit, savings, money
11 market, certificate of deposit, individual retirement,
12 retirement plan, 401(k) plan, incentive plan, employee benefit
13 plan, mutual fund and loan accounts (including, but not
14 limited to, any indebtedness or obligation for which I am a
15 co-borrower, co-obligor, guarantor, or surety), and any and
16 all other accounts in which I have an interest and any other
17 information regarding me in the possession of the Financial
18 Institution,

19 to the Illinois Department of Human Services or the Illinois
20 Department of Healthcare and Family Services, or both ("the

1 Department"), for the following purpose(s):

2 to aid in the initial determination or re-determination by the
3 State of Illinois of my eligibility for Medicaid long-term
4 care benefits, pursuant to applicable law.

5 I understand that this Consent and Authorization may be
6 revoked by me in writing at any time before my financial
7 records, as described above, are disclosed, and that this
8 Consent and Authorization is valid until the Financial
9 Institution receives my written revocation. This Consent and
10 Authorization shall constitute valid authorization for the
11 Department identified above to inspect all such financial
12 records set forth above, and to request and receive copies of
13 such financial records from the Financial Institution (subject
14 to such records search and reproduction reimbursement policies
15 as the Financial Institution may have in place). An executed
16 copy of this Consent and Authorization shall be sufficient and
17 as good as the original and permission is hereby granted to
18 honor a photostatic or electronic copy of this Consent and
19 Authorization. Disclosure is strictly limited to the
20 Department identified above and no other person or entity
21 shall receive my financial records pursuant to this Consent
22 and Authorization. By signing this form, I agree to indemnify
23 and hold the Financial Institution harmless from any and all
24 claims, demands, and losses, including reasonable attorneys

1 fees and expenses, arising from or incurred in its reliance on
2 this Consent and Authorization. As used herein, "Customer"
3 shall mean "Member" if the Financial Institution is a credit
4 union.

5

6 (Date) (Signature of Customer)

7

8

9 (Address of Customer)

10

11 (Customer's birth date)

12 (month/day/year)

13 The undersigned witness certifies that,
14 known to me to be the same person whose name is subscribed as
15 the customer to the foregoing Consent and Authorization,
16 appeared before me and the notary public and acknowledged
17 signing and delivering the instrument as his or her free and
18 voluntary act for the uses and purposes therein set forth. I
19 believe him or her to be of sound mind and memory. The
20 undersigned witness also certifies that the witness is not an
21 owner, operator, or relative of an owner or operator of a
22 long-term care facility in which the customer is a patient or

1 resident.

2 Dated:

3 (Signature of Witness)

4

5 (Print Name of Witness)

6

7

8 (Address of Witness)

9 State of Illinois)

10) ss.

11 County of

12 The undersigned, a notary public in and for the above county
13 and state, certifies that, known to me to be the
14 same person whose name is subscribed as the customer to the
15 foregoing Consent and Authorization, appeared before me
16 together with the witness, ..., in person and
17 acknowledged signing and delivering the instrument as the free
18 and voluntary act of the customer for the uses and purposes
19 therein set forth.

20 Dated:

1 Notary Public:

2 My commission expires:

3 (b) In no event shall the credit union distribute the
4 member's financial records to the long-term care facility
5 from which the member seeks initial or continuing
6 residency or long-term care services.

7 (c) A credit union providing financial records of a
8 member in good faith relying on a consent and
9 authorization executed and tendered in accordance with
10 this item (17) shall not be liable to the member or any
11 other person in relation to the credit union's disclosure
12 of the member's financial records to the Department. The
13 member signing the consent and authorization shall
14 indemnify and hold the credit union harmless that relies
15 in good faith upon the consent and authorization and
16 incurs a loss because of such reliance. The credit union
17 recovering under this indemnification provision shall also
18 be entitled to reasonable attorney's fees and the expenses
19 of recovery.

20 (d) A credit union shall be reimbursed by the member
21 for all costs reasonably necessary and directly incurred
22 in searching for, reproducing, and disclosing a member's
23 financial records required or requested to be produced
24 pursuant to any consent and authorization executed under
25 this item (17). The requested financial records shall be

1 delivered to the Department within 10 days after receiving
2 a properly executed consent and authorization or at the
3 earliest practicable time thereafter if the requested
4 records cannot be delivered within 10 days, but delivery
5 may be delayed until the final reimbursement of all costs
6 is received by the credit union. The credit union may
7 honor a photostatic or electronic copy of a properly
8 executed consent and authorization.

9 (e) Nothing in this item (17) shall impair, abridge,
10 or abrogate the right of a member to:

11 (1) directly disclose his or her financial records
12 to the Department or any other person; or

13 (2) authorize his or her attorney or duly
14 appointed agent to request and obtain the member's
15 financial records and disclose those financial records
16 to the Department.

17 (f) For purposes of this item (17), "Department" means
18 the Department of Human Services and the Department of
19 Healthcare and Family Services or any successor
20 administrative agency of either agency.

21 (18) The furnishing of the financial records of a
22 member to an appropriate law enforcement authority,
23 without prior notice to or consent of the member, upon
24 written request of the law enforcement authority, when
25 reasonable suspicion of an imminent threat to the personal
26 security and safety of the member exists that necessitates

1 an expedited release of the member's financial records, as
2 determined by the law enforcement authority. The law
3 enforcement authority shall include a brief explanation of
4 the imminent threat to the member in its written request
5 to the credit union. The written request shall reflect
6 that it has been authorized by a supervisory or managerial
7 official of the law enforcement authority. The decision to
8 furnish the financial records of a member to a law
9 enforcement authority shall be made by a supervisory or
10 managerial official of the credit union. A credit union
11 providing information in accordance with this item (18)
12 shall not be liable to the member or any other person for
13 the disclosure of the information to the law enforcement
14 authority.

15 (19) The furnishing of financial records of a deceased
16 member to a public administrator of any county or other
17 governmental jurisdiction for the purpose of facilitating
18 burial of the customer.

19 (20) ~~(19)~~ The furnishing of financial information to
20 the executor, executrix, administrator, or other lawful
21 representative of the estate of a member.

22 (c) Except as otherwise provided by this Act, a credit
23 union may not disclose to any person, except to the member or
24 his duly authorized agent, any financial records relating to
25 that member of the credit union unless:

26 (1) the member has authorized disclosure to the

1 person;

2 (2) the financial records are disclosed in response to
3 a lawful subpoena, summons, warrant, citation to discover
4 assets, or court order that meets the requirements of
5 subparagraph (3) (d) of this Section; or

6 (3) the credit union is attempting to collect an
7 obligation owed to the credit union and the credit union
8 complies with the provisions of Section 2I of the Consumer
9 Fraud and Deceptive Business Practices Act.

10 (d) A credit union shall disclose financial records under
11 item (3) (c) (2) of this Section pursuant to a lawful subpoena,
12 summons, warrant, citation to discover assets, or court order
13 only after the credit union sends a copy of the subpoena,
14 summons, warrant, citation to discover assets, or court order
15 to the person establishing the relationship with the credit
16 union, if living, and otherwise the person's personal
17 representative, if known, at the person's last known address
18 by first class mail, postage prepaid, through a third-party
19 commercial carrier or courier with delivery charge fully
20 prepaid, by hand delivery, or by electronic delivery at an
21 email address on file with the credit union (if the person
22 establishing the relationship with the credit union has
23 consented to receive electronic delivery and, if the person
24 establishing the relationship with the credit union is a
25 consumer, the person has consented under the consumer consent
26 provisions set forth in Section 7001 of Title 15 of the United

1 States Code), unless the credit union is specifically
2 prohibited from notifying the person by order of court or by
3 applicable State or federal law. In the case of a grand jury
4 subpoena, a credit union shall not mail a copy of a subpoena to
5 any person pursuant to this subsection if the subpoena was
6 issued by a grand jury or notifying the person would
7 constitute a violation of the federal Right to Financial
8 Privacy Act of 1978.

9 (e)(1) Any officer or employee of a credit union who
10 knowingly and willfully furnishes financial records in
11 violation of this Section is guilty of a business offense and
12 upon conviction thereof shall be fined not more than \$1,000.

13 (2) Any person who knowingly and willfully induces or
14 attempts to induce any officer or employee of a credit union to
15 disclose financial records in violation of this Section is
16 guilty of a business offense and upon conviction thereof shall
17 be fined not more than \$1,000.

18 (f) A credit union shall be reimbursed for costs which are
19 reasonably necessary and which have been directly incurred in
20 searching for, reproducing or transporting books, papers,
21 records or other data of a member required or requested to be
22 produced pursuant to a lawful subpoena, summons, warrant,
23 citation to discover assets, or court order. The Secretary and
24 the Director may determine, by rule, the rates and conditions
25 under which payment shall be made. Delivery of requested
26 documents may be delayed until final reimbursement of all

1 costs is received.

2 (Source: P.A. 104-123, eff. 1-1-26; 104-310, eff. 8-15-25;
3 104-403, eff. 1-1-26; revised 9-15-25.)

4 Section 465. The Uniform Money Transmission Modernization
5 Act is amended by changing Sections 2-1 and 11-2 as follows:

6 (205 ILCS 658/2-1)

7 Sec. 2-1. Definitions. As used in this Act:

8 "Acting in concert" means persons knowingly acting
9 together with a common goal of jointly acquiring control of a
10 licensee whether or not pursuant to an express agreement.

11 "Authorized delegate" means a person a licensee designates
12 to engage in money transmission on behalf of the licensee.

13 "Average daily money transmission liability" means the
14 amount of the licensee's outstanding money transmission
15 obligations in this State at the end of each day in a given
16 period of time, added together, and divided by the total
17 number of days in the given period of time. For purposes of
18 calculating average daily money transmission liability under
19 this Act for any licensee required to do so, the given period
20 of time shall be the quarters ending March 31, June 30,
21 September 30, and December 31.

22 "Bank Secrecy Act" means the Bank Secrecy Act, 31 U.S.C.
23 5311, et seq. and its implementing rules and regulations, as
24 amended and recodified from time to time.

1 "Bill payment service" means the business of transmitting
2 money on behalf of an Illinois person for the purposes of
3 paying the person's bills.

4 "Closed loop stored value" means stored value that is
5 redeemable by the issuer only for goods or services provided
6 by the issuer or its affiliate or franchisees of the issuer or
7 its affiliate, except to the extent required by applicable law
8 to be redeemable in cash for its cash value.

9 "Control" means:

10 (1) the power to vote, directly or indirectly, at
11 least 25% of the outstanding voting shares or voting
12 interests of a licensee or person in control of a
13 licensee;

14 (2) the power to elect or appoint a majority of key
15 individuals or executive officers, managers, directors,
16 trustees, or other persons exercising managerial authority
17 of a person in control of a licensee; or

18 (3) the power to exercise, directly or indirectly, a
19 controlling influence over the management or policies of a
20 licensee or person in control of a licensee.

21 For purposes of determining the percentage of a person
22 controlled by any other person, the person's interest shall be
23 aggregated with the interest of any other immediate family
24 member, including the person's spouse, parents, children,
25 siblings, mothers-in-law and fathers-in-law, sons-in-law and
26 daughters-in-law, brothers-in-law and sisters-in-law, and any

1 other person who shares such person's home.

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

4 "Division" means the Division of Financial Institutions of
5 the Department of Financial and Professional Regulation.

6 "Eligible rating" means a credit rating of any of the 3
7 highest rating categories provided by an eligible rating
8 service, whereby each category may include rating category
9 modifiers such as "plus" or "minus" for S&P, or the equivalent
10 for any other eligible rating service. For purposes of this
11 definition, long-term credit ratings are deemed eligible if
12 the rating is equal to "A-" or higher by S&P, or the equivalent
13 from any other eligible rating service; short-term credit
14 ratings are deemed eligible if the rating is equal to or higher
15 than "A-2" or "SP-2" by S&P, or the equivalent from any other
16 eligible rating service; if ratings differ among eligible
17 rating services, the highest rating shall apply when
18 determining whether a security bears an eligible rating.

19 "Eligible rating service" means any nationally recognized
20 statistical rating organization as defined by the U.S.
21 Securities and Exchange Commission, and any other organization
22 designated by the Secretary by rule or order.

23 "Federally insured depository financial institution" means
24 a bank, credit union, savings and loan association, trust
25 company, savings association, savings bank, industrial bank,
26 or industrial loan company organized under the laws of the

1 United States or any state of the United States, if the bank,
2 credit union, savings and loan association, trust company,
3 savings association, savings bank, industrial bank, or
4 industrial loan company has federally insured deposits.

5 "In this State" means at a physical location within this
6 State for a transaction requested in person. For a transaction
7 requested electronically or by phone, the provider of money
8 transmission may determine if the person requesting the
9 transaction is in this State by relying on other information
10 provided by the person regarding the location of the
11 individual's residential address or a business entity's
12 principal place of business or other physical address
13 location, and any records associated with the person that the
14 provider of money transmission may have that indicate such
15 location, including, but not limited to, an address associated
16 with an account. Solely for purposes of payroll processing
17 services, "in this State", for a transaction requested
18 electronically or by phone, means the mailing address the
19 person requesting the payroll processing services uses with
20 the Internal Revenue Service is in Illinois.

21 "Individual" means a natural person.

22 "Key individual" means any individual ultimately
23 responsible for establishing or directing policies and
24 procedures of the licensee, such as an executive officer,
25 manager, director, or trustee.

26 "Licensee" means a person licensed under this Act.

1 "Material litigation" means litigation₇ that_L according to
2 United States generally accepted accounting principles, is
3 significant to a person's financial health and would be
4 required to be disclosed in the person's annual audited
5 financial statements, report to shareholders, or similar
6 records.

7 "Money" means a medium of exchange that is authorized or
8 adopted by the United States or a foreign government as part of
9 its currency and that is customarily used and accepted as a
10 medium of exchange in the country of issuance. "Money"
11 includes a monetary unit of account established by an
12 intergovernmental organization or by agreement between 2 or
13 more governments.

14 "Monetary value" means a medium of exchange, whether or
15 not redeemable in money unless excluded by rule by the
16 Secretary.

17 "Money transmission" means any of the following:

18 (1) Selling or issuing payment instruments to a person
19 located in this State.

20 (2) Selling or issuing stored value to a person
21 located in this State.

22 (3) Receiving money for transmission from a person
23 located in this State or transmitting money in this State.

24 "Money transmission" includes bill payment services and
25 payroll processing services. "Money transmission" does not
26 include the provision solely of online or telecommunications

1 services or network access.

2 "MSB accredited state agency" means a state agency that is
3 accredited by the Conference of State Bank Supervisors and
4 Money Transmitter Regulators Association for money
5 transmission licensing and supervision.

6 "Multistate licensing process" means any agreement entered
7 into by and among state regulators relating to coordinated
8 processing of applications for money transmission licenses,
9 applications for the acquisition of control of a licensee,
10 control determinations, or notice and information requirements
11 for a change of key individuals.

12 "NMLS" means the Nationwide Multistate Licensing System
13 and Registry developed by the Conference of State Bank
14 Supervisors and the American Association of Residential
15 Mortgage Regulators and owned and operated by the State
16 Regulatory Registry, LLC, or any successor or affiliated
17 entity, for the licensing and registration of persons in
18 financial services industries.

19 "Outstanding money transmission obligations" means any of
20 the following:

21 (1) Any payment instrument or stored value issued or
22 sold by the licensee to a person located in the United
23 States or reported as sold by an authorized delegate of
24 the licensee to a person that is located in the United
25 States that has not yet been paid or refunded by or for the
26 licensee or escheated in accordance with applicable

1 abandoned property laws; or

2 (2) Any money received for transmission by the
3 licensee or an authorized delegate in the United States
4 from a person located in the United States that has not
5 been received by the payee, refunded to the sender, or
6 escheated in accordance with applicable abandoned property
7 laws.

8 For purposes of this definition, "in the United States"
9 includes, to the extent applicable, a person in any state,
10 territory, or possession of the United States; the District of
11 Columbia; the Commonwealth of Puerto Rico; or a U.S. military
12 installation that is located in a foreign country.

13 "Passive investor" means a person that:

14 (1) does not have the power to elect a majority of key
15 individuals or executive officers, managers, directors,
16 trustees, or other persons exercising managerial authority
17 of a person in control of a licensee;

18 (2) is not employed by and does not have any
19 managerial duties of the licensee or person in control of
20 a licensee;

21 (3) does not have the power to exercise, directly or
22 indirectly, a controlling influence over the management or
23 policies of a licensee or person in control of a licensee;
24 and

25 (4) either:

26 (A) attests to items (1), (2), and (3), in a form

1 and in a medium prescribed by the Secretary; or

2 (B) commits to the passivity characteristics of
3 items (1), (2), and (3), in a written document.

4 "Payment instrument" means a written or electronic check,
5 draft, money order, traveler's check, or other written or
6 electronic instrument for the transmission or payment of money
7 or monetary value, whether or not negotiable. "Payment
8 instrument" does not include stored value or any instrument
9 that (1) is redeemable by the issuer only for goods or services
10 provided by the issuer or its affiliate or franchisees of the
11 issuer or its affiliate, except to the extent required by
12 applicable law to be redeemable in cash for its cash value; or
13 (2) is not sold to the public but issued and distributed as
14 part of a loyalty, rewards, or promotional program.

15 "Payroll processing services" means receiving money for
16 transmission pursuant to a contract with a person to deliver
17 wages or salaries, make payment of payroll taxes to State and
18 federal agencies, make payments relating to employee benefit
19 plans, or make distributions of other authorized deductions
20 from wages or salaries. "Payroll processing services" does not
21 include an employer performing payroll processing services on
22 its own behalf or on behalf of its affiliate.

23 "Person" means any individual, general partnership,
24 limited partnership, limited liability company, corporation,
25 trust, association, joint stock corporation, or other
26 corporate entity identified by the Secretary.

1 "Receiving money for transmission" or "money received for
2 transmission" means receiving money or monetary value in the
3 United States for transmission within or outside the United
4 States by electronic or other means.

5 "Secretary" means the Secretary of Financial and
6 Professional Regulation, the acting Secretary, or a person
7 authorized by the Secretary.

8 "Stored value" means monetary value representing a claim
9 against the issuer evidenced by an electronic or digital
10 record, and that is intended and accepted for use as a means of
11 redemption for money or monetary value, or payment for goods
12 or services. "Stored value" includes, but is not limited to,
13 "prepaid access" as defined by 31 CFR Section 1010.100, as
14 amended or recodified from time to time. Notwithstanding the
15 foregoing, "stored value" does not include a payment
16 instrument or closed loop stored value, or stored value not
17 sold to the public but issued and distributed as part of a
18 loyalty, rewards, or promotional program.

19 "Tangible net worth" means the aggregate assets of a
20 licensee excluding all intangible assets, less liabilities, as
21 determined in accordance with United States generally accepted
22 accounting principles.

23 (Source: P.A. 103-991, eff. 8-9-24; revised 6-24-25.)

24 (205 ILCS 658/11-2)

25 Sec. 11-2. Suspension and revocation of licenses.

1 (a) The Secretary may issue an order to suspend or revoke a
2 license of a licensee or order a licensee to revoke the
3 designation of an authorized delegate if:

4 (1) the licensee has failed to comply with any
5 provision of this Act, or any order, decision, finding,
6 rule, regulation, or direction of the Secretary lawfully
7 made pursuant to the authority of this Act;

8 (2) the licensee does not cooperate with an
9 examination or investigation by the Secretary;

10 (3) the licensee engages in fraud, intentional
11 misrepresentation, or gross negligence;

12 (4) an authorized delegate is convicted of a violation
13 of a State or federal anti-money laundering statute, or
14 violates a rule adopted or an order issued under this Act,
15 as a result of the licensee's willful misconduct or
16 grossly negligent inattention to its legal obligations;

17 (5) the competence, experience, character, or general
18 fitness of the licensee, authorized delegate, person in
19 control of a licensee, key individual, or responsible
20 person of the authorized delegate indicates that it is not
21 in the public interest to permit the person to provide
22 money transmission;

23 (6) the licensee engages in an unsafe or unsound
24 practice;

25 (7) the licensee is insolvent, suspends payment of its
26 obligations, or makes a general assignment for the benefit

1 of its creditors;

2 (8) the licensee does not remove an authorized
3 delegate after the Secretary issues and serves upon the
4 licensee a final order including a finding that the
5 authorized delegate has violated this Act;

6 (9) a fact or condition exists that, if it had existed
7 or had been known at the time the licensee applied for its
8 license, would have been ground for denying the
9 application;

10 (10) the licensee knowingly fails to make a report
11 required by this Act;

12 (11) the licensee fails to pay a judgment entered in
13 favor of a claimant, plaintiff, or creditor ~~credit~~ in an
14 action arising out of the licensee's business regulated
15 under this Act within 30 days after the judgment becomes
16 final or within 30 days after the expiration or
17 termination of a stay of execution;

18 (12) the licensee has been convicted under the laws of
19 this State, another state, or the United States of a
20 felony or of a crime involving breach of trust or
21 dishonesty; or

22 (13) the licensee violates the ~~Illinois Uniform~~
23 Revised Uniform Unclaimed Property Act.

24 (b) In determining whether a licensee is engaging in an
25 unsafe or unsound practice, the Secretary may consider the
26 size and condition of the licensee's money transmission, the

1 magnitude of the loss, the gravity of the violation of this
2 Act, and the previous conduct of the person involved.

3 (c) In every case in which a license is suspended or
4 revoked, the Secretary shall issue a formal written notice of
5 the suspension or revocation, setting forth the specific
6 reasons for the suspension or revocation of the license, and
7 serve the licensee, either personally or by certified mail.
8 Service by certified mail shall be deemed completed when the
9 notice is deposited into U.S. Mail and the order of suspension
10 or revocation of a license shall take effect upon service of
11 the order.

12 (d) A licensee whose license has been suspended or revoked
13 by the Secretary under this Section may request a hearing, in
14 writing, within 10 days after the date of service. If a
15 licensee submits a timely request for a hearing, the order
16 shall be stayed until a final administrative order is entered
17 and the Secretary shall schedule a hearing unless otherwise
18 agreed to by the parties.

19 (e) The Secretary shall conduct hearings pursuant to this
20 Section and in accordance with 38 Ill. Adm. Code 100, as
21 amended or recodified from time to time.

22 (Source: P.A. 103-991, eff. 8-9-24; revised 6-24-25.)

23 Section 470. The Consumer Installment Loan Act is amended
24 by changing Section 15 as follows:

1 (205 ILCS 670/15) (from Ch. 17, par. 5415)

2 Sec. 15. Charges permitted.

3 (a) Every licensee may lend a principal amount not
4 exceeding \$40,000 and may charge, contract for, and receive
5 thereon an annual percentage rate of no more than 36%, subject
6 to the provisions of this Act. For purposes of this Section,
7 the annual percentage rate shall be calculated as such rate is
8 calculated using the system for calculating a military annual
9 percentage rate under Section 232.4 of Title 32 of the Code of
10 Federal Regulations as in effect on March 23, 2021 (the
11 effective date of Public Act 101-658) ~~this amendatory Act of~~
12 ~~the 101st General Assembly.~~

13 (b) For purposes ~~purpose~~ of this Section, the following
14 terms shall have the meanings ascribed herein.

15 "Applicable interest" for a precomputed loan contract
16 means the amount of interest attributable to each monthly
17 installment period. It is computed as if each installment
18 period were one month and any interest charged for extending
19 the first installment period beyond one month is ignored. The
20 applicable interest for any monthly installment period is that
21 portion of the precomputed interest that bears the same ratio
22 to the total precomputed interest as the balances scheduled to
23 be outstanding during that month bear to the sum of all
24 scheduled monthly outstanding balances in the original
25 contract.

26 "Interest-bearing loan" means a loan in which the debt is

1 expressed as a principal amount plus interest charged on
2 actual unpaid principal balances for the time actually
3 outstanding.

4 "Precomputed loan" means a loan in which the debt is
5 expressed as the sum of the original principal amount plus
6 interest computed actuarially in advance, assuming all
7 payments will be made when scheduled.

8 "Substantially equal installment" includes a last
9 regularly scheduled payment that may be less than, but not
10 more than 5% larger than, the previous scheduled payment
11 according to a disclosed payment schedule agreed to by the
12 parties.

13 (c) Loans may be interest-bearing or precomputed.

14 (d) To compute time for either interest-bearing or
15 precomputed loans for the calculation of interest and other
16 purposes, a month shall be a calendar month and a day shall be
17 considered 1/30th of a month when calculation is made for a
18 fraction of a month. A month shall be 1/12th of a year. A
19 calendar month is that period from a given date in one month to
20 the same numbered date in the following month, and if there is
21 no same numbered date, to the last day of the following month.
22 When a period of time includes a month and a fraction of a
23 month, the fraction of the month is considered to follow the
24 whole month. In the alternative, for interest-bearing loans,
25 the licensee may charge interest at the rate of 1/365th of the
26 agreed annual rate for each day actually elapsed.

1 (d-5) No licensee or other person may condition an
2 extension of credit to a consumer on the consumer's repayment
3 by preauthorized electronic fund transfers. Payment options,
4 including, but not limited to, electronic fund transfers and
5 Automated ~~Automatic~~ Clearing House (ACH) transactions may be
6 offered to consumers as a choice and method of payment chosen
7 by the consumer.

8 (e) With respect to interest-bearing loans:

9 (1) Interest shall be computed on unpaid principal
10 balances outstanding from time to time, for the time
11 outstanding, until fully paid. Each payment shall be
12 applied first to the accumulated interest and the
13 remainder of the payment applied to the unpaid principal
14 balance; provided however, that if the amount of the
15 payment is insufficient to pay the accumulated interest,
16 the unpaid interest continues to accumulate to be paid
17 from the proceeds of subsequent payments and is not added
18 to the principal balance.

19 (2) Interest shall not be payable in advance or
20 compounded. However, if part or all of the consideration
21 for a new loan contract is the unpaid principal balance of
22 a prior loan, then the principal amount payable under the
23 new loan contract may include any unpaid interest which
24 has accrued. The unpaid principal balance of a precomputed
25 loan is the balance due after refund or credit of unearned
26 interest as provided in paragraph (f), clause (3). The

1 resulting loan contract shall be deemed a new and separate
2 loan transaction for all purposes.

3 (3) Loans must be fully amortizing and be repayable in
4 substantially equal and consecutive weekly, biweekly,
5 semimonthly, or monthly installments. Notwithstanding this
6 requirement, rates may vary according to an index that is
7 independently verifiable and beyond the control of the
8 licensee.

9 (4) The lender or creditor may, if the contract
10 provides, collect a delinquency or collection charge on
11 each installment in default for a period of not less than
12 10 days in an amount not exceeding 5% of the installment on
13 installments in excess of \$200, or \$10 on installments of
14 \$200 or less, but only one delinquency and collection
15 charge may be collected on any installment, regardless of
16 the period during which it remains in default.

17 (f) With respect to precomputed loans:

18 (1) Loans shall be repayable in substantially equal
19 and consecutive weekly, biweekly, semimonthly, or monthly
20 installments of principal and interest combined, except
21 that the first installment period may be longer than one
22 month by not more than 15 days, and the first installment
23 payment amount may be larger than the remaining payments
24 by the amount of interest charged for the extra days; and
25 provided further that monthly installment payment dates
26 may be omitted to accommodate borrowers with seasonal

1 income.

2 (2) Payments may be applied to the combined total of
3 principal and precomputed interest until the loan is fully
4 paid. Payments shall be applied in the order in which they
5 become due, except that any insurance proceeds received as
6 a result of any claim made on any insurance, unless
7 sufficient to prepay the contract in full, may be applied
8 to the unpaid installments of the total of payments in
9 inverse order.

10 (3) When any loan contract is paid in full by cash,
11 renewal or refinancing, or a new loan, one month or more
12 before the final installment due date, a licensee shall
13 refund or credit the obligor with the total of the
14 applicable interest for all fully unexpired installment
15 periods, as originally scheduled or as deferred, which
16 follow the day of prepayment; provided, if the prepayment
17 occurs prior to the first installment due date, the
18 licensee may retain 1/30 of the applicable interest for a
19 first installment period of one month for each day from
20 the date of the loan to the date of prepayment, and shall
21 refund or credit the obligor with the balance of the total
22 interest contracted for. If the maturity of the loan is
23 accelerated for any reason and judgment is entered, the
24 licensee shall credit the borrower with the same refund as
25 if prepayment in full had been made on the date the
26 judgment is entered.

1 (4) The lender or creditor may, if the contract
2 provides, collect a delinquency or collection charge on
3 each installment in default for a period of not less than
4 10 days in an amount not exceeding 5% of the installment on
5 installments in excess of \$200, or \$10 on installments of
6 \$200 or less, but only one delinquency or collection
7 charge may be collected on any installment regardless of
8 the period during which it remains in default.

9 (5) If the parties agree in writing, either in the
10 loan contract or in a subsequent agreement, to a deferment
11 of wholly unpaid installments, a licensee may grant a
12 deferment and may collect a deferment charge as provided
13 in this Section. A deferment postpones the scheduled due
14 date of the earliest unpaid installment and all subsequent
15 installments as originally scheduled, or as previously
16 deferred, for a period equal to the deferment period. The
17 deferment period is that period during which no
18 installment is scheduled to be paid by reason of the
19 deferment. The deferment charge for a one-month period may
20 not exceed the applicable interest for the installment
21 period immediately following the due date of the last
22 undeferred payment. A proportionate charge may be made for
23 deferment for periods of more or less than one month. A
24 deferment charge is earned pro rata during the deferment
25 period and is fully earned on the last day of the deferment
26 period. Should a loan be prepaid in full during a

1 deferment period, the licensee shall credit to the obligor
2 a refund of the unearned deferment charge in addition to
3 any other refund or credit made for prepayment of the loan
4 in full.

5 (6) If 2 or more installments are delinquent one full
6 month or more on any due date, and if the contract so
7 provides, the licensee may reduce the unpaid balance by
8 the refund credit which would be required for prepayment
9 in full on the due date of the most recent maturing
10 installment in default. Thereafter, and in lieu of any
11 other default or deferment charges, the agreed rate of
12 interest may be charged on the unpaid balance until fully
13 paid.

14 (7) Fifteen days after the final installment as
15 originally scheduled or deferred, the licensee, for any
16 loan contract which has not previously been converted to
17 interest-bearing under paragraph (f), clause (6), may
18 compute and charge interest on any balance remaining
19 unpaid, including unpaid default or deferment charges, at
20 the agreed rate of interest until fully paid. At the time
21 of payment of said final installment, the licensee shall
22 give notice to the obligor stating any amounts unpaid.

23 (Source: P.A. 103-1014, eff. 8-9-24; revised 6-24-25.)

24 Section 475. The Digital Assets and Consumer Protection
25 Act is amended by changing Sections 1-5, 1-10, 1-15, 1-20,

1 5-10, and 35-15 as follows:

2 (205 ILCS 731/1-5)

3 Sec. 1-5. Definitions.

4 (a) As used in this Act:

5 "Affiliate" means any person that controls, is controlled
6 by, or is under common control with another person. For
7 purposes of this definition, "control" means the possession,
8 direct or indirect, of the power to direct or cause the
9 direction of the management and policies of a person.

10 "Applicant" means a person that applies for registration
11 under this Act.

12 "Bank" means a bank, savings banks, savings and loan
13 association, savings association, or industrial loan company
14 chartered under the laws of this State or any other state or
15 under the laws of the United States.

16 "Confidential supervisory information" means information
17 or documents obtained by employees, agents, or representatives
18 of the Department in the course of any examination,
19 investigation, audit, visit, registration, certification,
20 review, licensing, or any other regulatory or supervisory
21 activity pursuant to this Act, and any record prepared or
22 obtained by the Department to the extent that the record
23 summarizes or contains information derived from any report,
24 document, or record described in this Act.

25 "Conflict of interest" means an interest that might

1 incline a covered person or an individual who is an associated
2 person of a covered person to make a recommendation that is not
3 disinterested.

4 "Corporate fiduciary" shall mean a corporate fiduciary as
5 defined by Section 1-5.05 of the Corporate Fiduciary Act.

6 "Covered person" means a registrant or person required to
7 register pursuant to this Act.

8 "Covered exchange" means a covered person that exchanges
9 or holds itself out as being able to exchange a digital asset
10 for a resident as part of a business or on behalf of a customer
11 who has entered into an agreement with a business for the
12 provision of such services.

13 "Credit union" means a credit union chartered under the
14 laws of this State or any other state or under the laws of the
15 United States.

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

18 "Digital asset" means a digital representation of value
19 that is used as a medium of exchange, unit of account, or store
20 of value, and that is not fiat currency, whether or not
21 denominated in fiat currency. "Digital asset" does not include
22 any of the following:

23 (1) A digital representation of value that a merchant
24 grants as part of an affinity or rewards program and that
25 primarily relates to such affinity or rewards program.

26 (2) A digital representation of value that is issued

1 by or on behalf of a game publisher and that is used
2 primarily within online games or gaming platforms.

3 (3) Other digital representations of value that have
4 substantial value, utility, or significance beyond the
5 asset's mere existence as a digital asset, including
6 digital equivalents of tangible and intangible goods such
7 as: (A) works of art, musical compositions, literary
8 works, and similar intellectual property; (B) collectibles
9 and merchandise; and (C) licenses, tickets, and similar
10 rights to attend events or participate in activities.

11 (4) A digital representation of value that is not
12 marketed, used, promoted, offered, or sold for investment
13 or speculation, except that this exclusion shall not apply
14 to any digital representation of value that (A) is
15 meme-based with no intrinsic value or utility or (B) is
16 marketed, used, promoted, offered, or sold in a manner
17 that intends to establish a reasonable expectation or
18 belief among the general public that the instrument will
19 retain a nominal value that is so stable as to render the
20 nominal value effectively fixed. The Department may adopt
21 rules to clarify the scope and applicability of this
22 subsection.

23 (5) A digital representation of value that is used as
24 part of prepaid cards.

25 "Digital asset business activity" means any of the
26 following:

1 (1) Exchanging, transferring, or storing a digital
2 asset as part of a business or on behalf of a customer who
3 has entered into an agreement with a business for the
4 provision of such services.

5 (2) Engaging in digital asset administration.

6 (3) Any other business activity involving digital
7 assets designated by rule by the Department as may be
8 necessary and appropriate for the protection of residents.

9 "Digital asset business activity" does not include (1)
10 peer-to-peer exchanges or transfers of digital assets, (2)
11 decentralized exchanges facilitating peer-to-peer exchanges or
12 transfers solely through use of a computer program or a
13 transaction protocol that is intended to automatically
14 execute, control, or document events and actions, (3) the
15 development, publication, constitution, administration,
16 maintenance, and dissemination of software in and of itself,
17 (4) the issuance of a non-fungible token in and of itself, and
18 (5) validating a digital asset transaction, operating a node,
19 or engaging in similar activity to participate in
20 facilitating, operating, or securing a blockchain system.

21 "Exchange", when used as a verb, means to exchange, buy,
22 sell, trade, or convert, on behalf of a resident, either of the
23 following:

24 (1) A digital asset for fiat currency or one or more
25 forms of digital assets.

26 (2) Fiat currency for one or more forms of digital

1 assets.

2 "Exchange" does not include buying, selling, or trading
3 digital assets for a person's own account in a principal
4 capacity.

5 "Executive officer" includes, without limitation, an
6 individual who is a director, officer, manager, managing
7 member, partner, or trustee, or other functionally equivalent
8 responsible individual, of a person.

9 "Federally insured depository institution" shall mean an
10 insured depository institution as defined by Section 3(c)(2)
11 of the Federal Deposit Insurance Act, 12 U.S.C. 1813(c)(2), as
12 amended, or an insured credit union as defined by Section
13 101(7) of the Federal Credit Union Act, 12 U.S.C. 1752(7), as
14 amended.

15 "Fiat currency" means a medium of exchange or unit of
16 value issued by the United States or a foreign government and
17 that is designated as legal tender in its country of issuance.

18 "Insolvent" means any of the following:

19 (1) Having generally ceased to pay debts in the
20 ordinary course of business other than as a result of a
21 bona fide dispute.

22 (2) Being unable to pay debts as they become due.

23 (3) Being insolvent within the meaning of federal
24 bankruptcy law.

25 "Non-fungible token" means any unique digital identifier
26 on any blockchain or digital asset network used to certify

1 authenticity and ownership rights that is not readily
2 exchangeable or replaceable with a mutually interchangeable
3 digital asset of the same value. The Department may modify
4 this definition by rule.

5 "Person" includes, without limitation, any individual,
6 corporation, business trust, estate, trust, partnership,
7 proprietorship, syndicate, limited liability company,
8 association, joint venture, government, governmental
9 subsection, agency or instrumentality, public corporation or
10 joint stock company, or any other organization or legal or
11 commercial entity.

12 "Prepaid card" means an electronic payment device that,
13 subject to any rules adopted by the Department:

14 (1) is usable at a single merchant or an affiliated
15 group of merchants that share the same name, mark, or
16 logo, or is usable at multiple, unaffiliated merchants or
17 service providers;

18 (2) is issued in and for a specified amount of fiat
19 currency;

20 (3) can be reloaded in and for only fiat currency, if
21 at all;

22 (4) is issued or reloaded on a prepaid basis for the
23 future purchase or delivery of goods or services;

24 (5) is honored upon presentation;

25 (6) can be redeemed in and for only fiat currency, if
26 at all;

1 (7) is governed by the Uniform Money Transmission
2 Modernization Act; and

3 (8) complies with any other condition designated by
4 rule by the Department as may be necessary and appropriate
5 for the protection of residents.

6 "Qualified custodian" means a bank, credit union, or trust
7 company, subject to any rules adopted by the Department.

8 "Record" means information that is inscribed on a tangible
9 medium or that is stored in an electronic or other medium and
10 is retrievable in perceivable form.

11 "Registrant" means a person registered under this Act.

12 "Resident" means any of the following:

13 (1) A person who is domiciled in this State.

14 (2) A person who is physically located in this State
15 for more than 183 days of the previous 365 days.

16 (3) A person who has a place of business in this State.

17 (4) A legal representative of a person that is
18 domiciled in this State.

19 "Request for assistance" means all inquiries, complaints,
20 account disputes, and requests for documentation a covered
21 person receives from residents.

22 "Responsible individual" means an individual who has
23 direct control over, or significant management, policy, or
24 decision-making authority with respect to, a person's digital
25 asset business activity in this State.

26 "Secretary" means the Secretary of Financial and

1 Professional Regulation and any authorized representative of
2 the Secretary.

3 "Service provider" means any person that provides a
4 material service to a covered person in connection with the
5 offering or provision by that covered person of a digital
6 asset business activity in this State, including a person that
7 either:

8 (1) Participates in designing, operating, or
9 maintaining the digital asset business activity.

10 (2) Processes transactions relating to the digital
11 asset business activity, other than unknowingly or
12 incidentally transmitting or processing financial data in
13 a manner that the data is undifferentiated from other
14 types of data of the same form as the person transmits or
15 processes.

16 "State" means a state of the United States, the District
17 of Columbia, Puerto Rico, the United States Virgin Islands, or
18 any territory or insular possession subject to the
19 jurisdiction of the United States.

20 "Store", "storage", and "storing", except in the phrase
21 "store of value", mean ~~means~~ to store, hold, or maintain
22 custody or control of a digital asset on behalf of a resident
23 by a person other than the resident.

24 "Transfer" means to transfer or transmit a digital asset
25 on behalf of a resident, including by doing any of the
26 following:

1 (1) Crediting the digital asset to the account or
2 storage of another person.

3 (2) Moving the digital asset from one account or
4 storage of a resident to another account or storage of the
5 same resident.

6 (3) Relinquishing custody or control of a digital
7 asset to another person.

8 "United States dollar equivalent of digital assets" means
9 the equivalent value of a particular digital asset in United
10 States dollars shown on a covered exchange regulated in the
11 United States for a particular date or period specified in
12 this Act, subject to any rules adopted by the Department.

13 (b) Whenever the terms "include", "including" or terms of
14 similar import appear in this Act, unless the context requires
15 otherwise, such terms shall not be construed to imply the
16 exclusion of any person, class, or thing not specifically
17 included.

18 (c) A reference in this Act to any other law or statute of
19 this State, or of any other jurisdiction, means such law or
20 statute as amended to the effective date of this Act, and
21 unless the context otherwise requires, as amended thereafter.

22 (d) Any reference to this Act shall include any rules
23 adopted in accordance with this Act.

24 (Source: P.A. 104-428, eff. 8-18-25; revised 12-12-25.)

1 Sec. 1-10. Applicability.

2 (a) This Act governs the digital asset business activity
3 of a person doing business in this State or, wherever located,
4 who engages in or holds itself out as engaging in the activity
5 with or on behalf of a resident, to the extent not preempted by
6 federal law and except as otherwise provided in subsection
7 ~~subsections~~ (b), (c), (d), or (e).

8 (b) (1) This Act does not apply to the exchange, transfer,
9 or storage of a digital asset or to digital asset
10 administration to the extent that:

11 (A) the Securities Exchange Act of 1934, 15 U.S.C.
12 78a et seq., or the Illinois Securities Law of 1953
13 govern the activity as a security transaction and the
14 activity is regulated by the U.S. Securities and
15 Exchange Commission or the Illinois Secretary of
16 State; or

17 (B) the Commodity Exchange Act, 7 U.S.C. 1 et
18 seq., governs the activity, the activity is in
19 connection with trading of a contract of sale of a
20 commodity for future delivery, an option on such a
21 contract or a swap, and the activity is regulated by
22 the U.S. Commodity Futures Trading Commission.

23 (2) This subsection shall be construed in a manner
24 consistent with affording the greatest protection to
25 residents and the Department's authority under subsection
26 (a) of Section 1-15 to exercise nonexclusive oversight and

1 enforcement under any federal law applicable to digital
2 asset business activity. This subsection shall not be
3 construed to exempt an activity solely because a financial
4 regulatory agency has anti-fraud and anti-manipulation
5 enforcement authority over the activity.

6 (c) This Act does not apply to the following persons:

7 (1) The United States, a state ~~State~~, political
8 subdivision of a state ~~State~~, agency, or instrumentality
9 of federal, state ~~State~~, or local government, or a foreign
10 government or a subdivision, department, agency, or
11 instrumentality of a foreign government.

12 (2) A federally insured depository institution.

13 (3) A corporate fiduciary acting as a fiduciary or
14 otherwise engaging in fiduciary activities.

15 (4) A merchant using digital assets solely for the
16 purchase or sale of goods or services, excluding the sale
17 or ~~of~~ purchase of digital assets, in the ordinary course
18 of its business.

19 (5) A person using digital assets solely for the
20 purchase or sale of goods or services for his or her own
21 personal, family, or household purposes.

22 (6) A person who (A) contributes connectivity software
23 or computing power or otherwise participates in the
24 process of securing a network, (B) records digital asset
25 transactions to the network or protocol governing transfer
26 of the digital representation of value, or (C) develops,

1 publishes, constitutes, administers, maintains, or
2 otherwise distributes software relating to the network, so
3 long as the person does not control transactions of
4 digital assets on the network.

5 (7) A credit union with member share accounts insured
6 by an insurer approved by the credit union's primary
7 financial regulatory agency. An out-of-state credit union
8 may not conduct any activity in this State that is not
9 authorized for a credit union chartered under the laws of
10 this State.

11 Nothing in this Act grants persons described in this
12 subsection (c) authority to engage in any activity not
13 otherwise granted under existing law.

14 (d) The Department may by rule or order clarify whether an
15 activity is governed under this Act or another Act that
16 governs money transmission. This subsection (d) shall not be
17 applied in a manner inconsistent with the protection of
18 residents.

19 (e) Notwithstanding any other provision of this Act, the
20 Department, by rule or order, may conditionally or
21 unconditionally exempt any person, digital asset, or
22 transaction, or any class or classes of persons, digital
23 assets, or transactions, from any provision of this Act or of
24 any rule thereunder, to the extent that the exemption is
25 necessary or appropriate, in the public interest, and
26 consistent with the protection of residents.

1 (Source: P.A. 104-428, eff. 8-18-25; revised 12-12-25.)

2 (205 ILCS 731/1-15)

3 Sec. 1-15. General powers and duties.

4 (a) The Department shall regulate digital asset business
5 activity in this State, unless it is exempt pursuant to
6 Section 1-10. To the extent permissible under federal law, the
7 Department shall exercise nonexclusive oversight and
8 enforcement under any federal law applicable to digital asset
9 business activity.

10 (b) The functions, powers, and duties conferred upon the
11 Department by this Act are cumulative to any other functions,
12 powers, and duties conferred upon the Department by other laws
13 applicable to digital asset business activity.

14 (c) The Department shall have the following functions,
15 powers, and duties in carrying out its responsibilities under
16 this Act and any other law applicable to digital asset
17 business activity in this State:

18 (1) to issue or refuse to issue any registration or
19 other authorization under this Act;

20 (2) to revoke or suspend for cause any registration or
21 other authorization under this Act;

22 (3) to keep records of all registrations or other
23 authorizations under this Act;

24 (4) to receive, consider, investigate, and act upon
25 complaints made by any person relating to any digital

1 asset business activity in this State;

2 (5) to prescribe the forms of and receive:

3 (A) applications for registrations or other
4 authorizations under this Act; and

5 (B) all reports and all books and records required
6 to be made under this Act;

7 (6) to subpoena documents and witnesses and compel
8 their attendance and production, to administer oaths, and
9 to require the production of any books, papers, or other
10 materials relevant to any inquiry authorized by this Act
11 or other law applicable to digital asset business activity
12 in this State;

13 (7) to issue orders against any person:

14 (A) if the Secretary has reasonable cause to
15 believe that an unsafe, unsound, or unlawful practice
16 has occurred, is occurring, or is about to occur;

17 (B) if any person has violated, is violating, or
18 is about to violate any law, rule, or written
19 agreement with the Secretary; or

20 (C) for the purpose of administering the
21 provisions of this Act or other law applicable to
22 digital asset business activity and any rule adopted
23 in accordance with this Act or other law applicable to
24 digital asset business activity;

25 (8) to address any inquiries to any covered person, or
26 the directors, officers, or employees of the covered

1 person, or the affiliates or service providers of the
2 covered person, in relation to the covered person's
3 activities and conditions or any other matter connected
4 with its affairs, and it shall be the duty of any person so
5 addressed to promptly reply in writing to those inquiries;
6 the Secretary may also require reports from any covered
7 person at any time the Secretary chooses;

8 (9) to examine the books and records of every covered
9 person, affiliate, or service provider;

10 (10) to enforce the provisions of this Act and any
11 state or federal law applicable to digital asset business
12 activity;

13 (11) to levy fees, fines, ~~and~~ civil penalties, charges
14 for services, and assessments to defray operating
15 expenses, including direct and indirect costs, of
16 administering this Act and other laws applicable to
17 digital asset business activity;

18 (12) to appoint examiners, supervisors, experts, and
19 special assistants as needed to effectively and
20 efficiently administer this Act and other laws applicable
21 to digital asset business activity;

22 (13) to conduct hearings for the purpose of carrying
23 out the purposes of this Act;

24 (14) to exercise visitorial power over a covered
25 person, affiliate, or service provider;

26 (15) to enter into cooperative agreements with federal

1 and state regulatory authorities and to accept reports of
2 examinations from federal and state regulatory
3 authorities;

4 (16) to assign on an emergency basis an examiner or
5 examiners to monitor the affairs of a covered person,
6 affiliate, or service provider with whatever frequency the
7 Secretary determines appropriate and to charge the covered
8 person for reasonable and necessary expenses of the
9 Secretary if in the opinion of the Secretary an emergency
10 exists or appears likely to occur;

11 (17) to impose civil penalties against a covered
12 person, affiliate, or service provider for failing to
13 respond to a regulatory request or reporting requirement;

14 ~~and~~

15 (18) to conduct investigations, market surveillance,
16 and research, studies, and analyses of matters affecting
17 the interests of users of digital assets;

18 (19) to take such actions as the Secretary deems
19 necessary to educate and protect users of digital assets;

20 (20) to develop and implement initiatives and programs
21 to promote responsible innovation in digital asset
22 business activity; and

23 (21) to perform any other lawful acts necessary or
24 desirable to carry out the purposes and provisions of this
25 Act and other laws applicable to digital asset business
26 activity.

1 (d) The Department may share any information obtained
2 pursuant to this Act or any other law applicable to digital
3 asset business activity with law enforcement officials or
4 other regulatory agencies.

5 (Source: P.A. 104-428, eff. 8-18-25; revised 12-12-25.)

6 (205 ILCS 731/1-20)

7 Sec. 1-20. Funds.

8 (a) All moneys collected or received by the Department
9 under this Act shall be deposited into the Consumer Protection
10 Fund, which is hereby created as a special fund in the State
11 treasury. The amounts deposited into the Consumer Protection
12 Fund shall be used for the ordinary and contingent expenses of
13 the Department in administering this Act and other financial
14 laws; nothing in this Act shall prevent the continuation of
15 the practice of paying expenses involving salaries,
16 retirement, social security, and State-paid insurance of State
17 officers and employees by appropriation from the General
18 Revenue Fund or any other fund. Moneys deposited into the
19 Consumer Protection Fund may be transferred to the Professions
20 Indirect Cost Fund or any other Department fund.

21 (b) The expenses of administering this Act, including
22 investigations and examinations provided for in this Act,
23 shall be borne by and assessed against persons regulated by
24 this Act. The Department may establish fees by rule, including
25 in the following categories:

1 (1) investigation of registrants and registration
2 applicant fees;

3 (2) examination fees;

4 (3) contingent fees; and

5 (4) such other categories as may be required to
6 administer this Act.

7 (c) The Department shall charge and collect fees from
8 covered persons, which shall be nonrefundable unless otherwise
9 indicated, for the expenses of administering this Act as
10 follows:

11 (1) Each covered person shall pay \$150 for each hour
12 or part of an hour for each examiner or staff assigned to
13 the supervision of the covered person plus actual travel
14 costs for any examination of digital asset business
15 activity pursuant to the Act.

16 (2) Each covered person shall pay to the Department
17 its pro rata share of the cost for administration of this
18 Act that exceeds other fees listed in this Act, as
19 estimated by the Department, for the current year and any
20 deficit actually incurred in the administration of the Act
21 in prior years. The total annual assessment for all
22 registrants shall initially be divided into a
23 transaction-based assessment and a custody-based
24 assessment, each equal to approximately half the cost for
25 administration of this Act. Each registrant's pro rata
26 share of the transaction-based assessment shall be the

percentage that the total volume of digital asset transactions conducted on behalf of residents by the registrant bears to the total volume of digital asset transactions by all registrants in Illinois. Each registrant's pro rata share of the custody-based assessment shall be the percentage that the total United States dollar value of digital assets held in custody or controlled by the registrant for residents bears to the total United States dollar value held in custody or controlled by all registrants in Illinois for residents.

(3) Beginning one year after the effective date of this Act, the Department may, by rule, amend the fees set forth in this subsection in accordance with this Act. The Department is authorized to consider setting fees for digital asset business activity based on the value of digital assets transacted by covered persons, volume of digital assets transacted by covered persons, the value of digital assets held in custody by covered persons ~~person~~, and the volume of digital assets held in custody by covered persons.

(Source: P.A. 104-428, eff. 8-18-25; revised 12-12-25.)

(205 ILCS 731/5-10)

Sec. 5-10. Custody and protection of customer assets.

(a) A covered person that stores, holds, or maintains custody or control of a digital asset for one or more persons

1 shall:

2 (1) at all times maintain an amount of each type of
3 digital asset sufficient to satisfy the aggregate
4 entitlements of the persons to the type of digital asset;

5 (2) segregate such digital assets from the other
6 assets of the covered person; and

7 (3) not sell, transfer, assign, lend, hypothecate,
8 pledge, or otherwise use or encumber such digital assets,
9 except for the sale, transfer, or assignment of such
10 digital assets at the direction of such other persons.

11 (b) If a covered person violates subsection (a), then the
12 property interests of the persons in the digital asset are pro
13 rata property interests in the type of digital asset to which
14 the persons are entitled without regard to the time the
15 persons became entitled to the digital asset or the covered
16 person obtained control of the digital asset.

17 (c) A digital asset subject to this Section is:

18 (1) held for the persons entitled to the digital asset
19 under subsection (a);

20 (2) not the property of the covered person; and

21 (3) not subject to the claims of creditors of the
22 covered person.

23 (d) Digital assets subject to this Section, even if
24 commingled with other assets of the covered person, are held
25 in trust for the benefit of the persons entitled to the digital
26 assets under subsection (a), in the event of insolvency, the

1 filing of a petition by or against the covered person under the
2 United States Bankruptcy Code (11 U.S.C. 101 et seq.) for
3 bankruptcy or reorganization, the filing of a petition by or
4 against the covered person for receivership, the commencement
5 of any other judicial or administrative proceeding for its
6 dissolution or reorganization, or an action by a creditor
7 against the covered person who is not a beneficiary of this
8 statutory trust. No digital asset impressed with a trust
9 pursuant to this subsection shall be subject to attachment,
10 levy of execution, or sequestration by order of any court,
11 except for a beneficiary of this statutory trust.

12 (e) The Department may adopt rules applicable to covered
13 persons related to additional protections of customer assets,
14 including, but not limited to:

15 (1) rules requiring that digital assets and funds
16 controlled by the covered person on behalf of residents be
17 held in accounts segregated from the covered person's own
18 digital assets and funds;

19 (2) rules related to qualified custodians that may
20 hold such segregated accounts;

21 (3) rules related to titling of such segregated
22 accounts;

23 (4) rules related to audit requirements for customer
24 assets;

25 (5) rules requiring compliance with specific
26 provisions of the Uniform Commercial Code applicable to

1 digital assets;

2 (6) rules restricting selling, transferring,
3 assigning, lending, hypothecating, pledging, or otherwise
4 using or encumbering customer assets; and

5 (7) any rules ~~as may be~~ as may be necessary and
6 appropriate for the protection of residents or necessary
7 to effectuate the purposes of this Section.

8 (Source: P.A. 104-428, eff. 8-18-25; revised 12-12-25.)

9 (205 ILCS 731/35-15)

10 Sec. 35-15. Transition period.

11 (a) A covered person engaging in digital asset business
12 activity without a registration under this Act shall not be
13 considered in violation of Section 15-5 or 5-25 until July 1,
14 2027.

15 (b) A covered person engaging in digital asset business
16 activity shall not be considered in violation of Sections 5-5,
17 5-10, and 5-20 until January 1, 2027.

18 (c) A covered exchange shall not be considered in
19 violation of Section 5-15 until January 1, 2027.

20 (d) Notwithstanding the foregoing, the Department may
21 adopt rules pursuant to this Act upon this Act becoming law
22 with such rules not to take effect earlier than January 1,
23 2026."~~—~~

24 (Source: P.A. 104-428, eff. 8-18-25; revised 12-12-25.)

1 Section 480. The Illinois Community Reinvestment Act is
2 amended by changing Section 35-15 as follows:

3 (205 ILCS 735/35-15)

4 Sec. 35-15. Examinations.

5 (a) The Secretary shall have the authority to examine each
6 covered financial institution for compliance with this Act, in
7 consultation with State and federal regulators with an
8 appropriate regulatory interest, for and in compliance with
9 applicable State and federal fair lending laws, including, but
10 not limited to, the Illinois Human Rights Act, the federal
11 Equal Credit Opportunity Act, and the federal Home Mortgage
12 Disclosure Act, as often as the Secretary deems necessary and
13 proper. The Secretary may adopt rules with respect to the
14 frequency and manner of examination, including the imposition
15 of examination fees. The Secretary shall appoint a suitable
16 person to perform such examination. The Secretary and his or
17 her appointees may examine the entire books, records,
18 documents, and operations of each covered financial
19 institution, its parent company, and its subsidiaries,
20 affiliates, or agents, and may examine any of the covered
21 financial institution's, its parent company's or its
22 subsidiaries', affiliates', or agents' officers, directors,
23 employees, and agents under oath. Any document or record
24 prepared or obtained in connection with or relating to any
25 such examination, and any record prepared or obtained by the

1 Secretary to the extent that the record summarizes or contains
2 information derived from any document or record described in
3 this subsection (a), shall not be disclosed to the public
4 unless otherwise provided by this Act.

5 (b) Upon the completion of the examination of a covered
6 financial institution under this Section, the Secretary shall
7 prepare a written evaluation of the covered financial
8 institution's record of performance relative to this Act. Each
9 written evaluation required under this subsection (b) shall
10 have a public section, which shall include no less information
11 than would be disclosed in a written evaluation under the
12 federal Community Reinvestment Act, and a confidential
13 section. The Secretary shall give the covered financial
14 institution an opportunity to comment on the evaluation, and
15 then shall make the public section of the written evaluation
16 open to public inspection upon request. The written evaluation
17 shall include, but is not limited to:

18 (1) the assessment factors utilized to determine the
19 covered financial institution's descriptive rating;

20 (2) the Secretary's conclusions with respect to each
21 such assessment factor;

22 (3) a discussion of the facts supporting such
23 conclusions;

24 (4) the covered financial institution's descriptive
25 rating and the basis therefor; and

26 (5) a summary of public comments.

1 (c) Based upon the examination, the covered financial
2 institution shall be assigned one of the following ratings:

3 (1) outstanding record of performance in meeting its
4 community financial services needs;

5 (2) satisfactory record of performance in meeting its
6 community financial services needs;

7 (3) needs to improve record of performance in meeting
8 its community services needs; or

9 (4) substantial noncompliance in meeting its community
10 financial services needs.

11 (d) Notwithstanding the foregoing provisions of this
12 Section, the Secretary may establish an alternative
13 examination procedure for any covered financial institution,
14 which, as of the most recent examination, has been assigned a
15 rating of outstanding or satisfactory for its record of
16 performance in meeting its community financial services needs.

17 (e) The Commission shall conduct studies to:

18 (1) identify and delineate geographies in Illinois
19 exhibiting significant disparities by protected classes as
20 identified by the Illinois Human Rights Act with respect
21 to:

22 (A) access to financial products or services,
23 including, but not limited to, physical branches of
24 covered financial institutions; and

25 (B) lending and investments by covered financial
26 institutions;

1 (2) identify policies, procedures, patterns, or
2 practices that have or may have a disparate impact or
3 discriminatory effect; and

4 (3) identify opportunities for establishing and
5 growing Banking Development Districts in geographic
6 locations where there are the greatest underbanked and
7 unbanked populations and opportunities for partnerships
8 between depository institutions and local communities.

9 (f) The Secretary may implement the findings and other
10 results from such studies into the examination process through
11 rules adopted in accordance with the Illinois Administrative
12 Procedure Act.

13 (g) Any costs incurred by the Commission in conducting
14 such studies shall be subject to appropriation and not funded
15 by the examination fees paid by covered financial institutions
16 under subsection (a).

17 (h) The Commission shall provide reports of its findings
18 and shall furnish copies of the reports to the General
19 Assembly and the Secretary.

20 (i) The results of every study performed under this Act
21 shall be publicly available on the websites of the Commission
22 and the Department.

23 (j) The Commission may contract with a qualified person or
24 entity to design and conduct the studies authorized under
25 subsection (e).

26 (Source: P.A. 103-959, eff. 1-1-25; revised 6-24-25.)

1 Section 485. The Collection Agency Act is amended by
2 changing Section 2 as follows:

3 (205 ILCS 740/2)

4 Sec. 2. Definitions. In this Act:

5 "Address of record" means the designated address recorded
6 by the Department in the applicant's or licensee's application
7 file or license file as maintained by the Department.

8 "Charge-off balance" means an account principal and other
9 legally collectible costs, expenses, and interest accrued
10 prior to the charge-off date, less any payments or settlement.

11 "Charge-off date" means the date on which a receivable is
12 treated as a loss or expense.

13 "Coerced debt" means any debt as defined by this Act or a
14 portion of the debt, except for debt secured by real property,
15 that was incurred by the debtor because of fraud, duress,
16 intimidation, threat, force, coercion, undue influence, or the
17 non-consensual use of the debtor's personal identifying
18 information between family or household members as defined in
19 Section 103 of the Illinois Domestic Violence Act of 1986, as a
20 result of abuse or exploitation as defined in Section 103 of
21 the Illinois Domestic Violence Act of 1986, or due to human
22 trafficking as defined in subsections (b), (c), and (d) of
23 Section 10-9 of the Criminal Code of 2012.

24 "Collection agency" means any person who, in the ordinary

1 course of business, regularly: (1) engages in the business of
2 collection of any debt for others; (2) engages in the business
3 of receiving, by assignment or otherwise, debt from any person
4 who owns or controls 20% or more of the business receiving the
5 assignment with the purpose of collecting moneys due on such
6 debt; (3) sells or attempts to sell, or gives away or attempts
7 to give away to any other person, other than a person licensed
8 under this Act, any system of collection, letters, demand
9 forms, or other printed matter where the name of any person,
10 other than that of the creditor, appears in such a manner as to
11 indicate, directly or indirectly, that a request or demand is
12 being made by any person other than the creditor for the
13 payment of the sum or sums due or asserted to be due; (4)
14 engages in the business of buying debt; (5) engages in the
15 business of using a fictitious name in collecting its own
16 accounts, bills, or debts with the intention of conveying to
17 the debtor that a third party has been employed to make such
18 collection; or (6) engages in the business of collection of a
19 check or other payment that is returned unpaid by the
20 financial institution upon which it is drawn.

21 "Consumer debt" or "consumer credit" means money or
22 property, or their equivalent, due or owing or alleged to be
23 due or owing from a natural person by reason of a consumer
24 credit transaction.

25 "Credit transaction" means a transaction between a natural
26 person and another person in which property, service, or money

1 is acquired on credit by that natural person from such other
2 person primarily for personal, family, or household purposes.

3 "Creditor" means a person who extends credit to a debtor.

4 "Current balance" means the charge-off balance plus any
5 legally collectible costs, expenses, and interest, less any
6 credits or payments.

7 "Debt" means money, property, or their equivalent which is
8 due or owing or alleged to be due or owing from a person to
9 another person.

10 "Debt buyer" means a person that is engaged in the
11 business of purchasing delinquent or charged-off consumer
12 loans or consumer credit accounts or other delinquent consumer
13 debt for collection purposes, whether it collects the debt
14 itself or hires a third party to collect or hires an
15 attorney-at-law for litigation to collect such debt.

16 "Debtor" means a person from whom a collection agency
17 seeks to collect a consumer or commercial debt that is due and
18 owing or alleged to be due and owing from such person.

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

21 "Email address of record" means the designated email
22 address recorded by the Department in the applicant's
23 application file or the licensee's license file, as maintained
24 by the Department.

25 ~~"Perpetrator of coerced debt" or "perpetrator" means an~~
26 ~~individual who caused coerced debt to be incurred by another.~~

1 "Licensed collection agency" means a person who is
2 licensed under this Act to act as a collection agency in
3 Illinois.

4 "Multi-state licensing system" means a web-based platform
5 that allows licensure applicants to submit their applications
6 and renewals to the Department online.

7 "Perpetrator of coerced debt" or "perpetrator" means an
8 individual who caused coerced debt to be incurred by another.

9 "Person" means a natural person, partnership, corporation,
10 limited liability company, trust, estate, cooperative,
11 association, or other similar entity.

12 "Secretary" means the Secretary of Financial and
13 Professional Regulation or the Secretary's designee.

14 (Source: P.A. 104-149, eff. 1-1-26; 104-297, eff. 1-1-26;
15 revised 11-20-25.)

16 Section 490. The Nursing Home Care Act is amended by
17 changing Sections 1-113 and 2-204 as follows:

18 (210 ILCS 45/1-113) (from Ch. 111 1/2, par. 4151-113)

19 Sec. 1-113. "Facility" or "long-term care facility" means
20 a private home, institution, building, residence, or any other
21 place, whether operated for profit or not, or a county home for
22 the infirm and chronically ill operated pursuant to Division
23 5-21 or 5-22 of the Counties Code, or any similar institution
24 operated by a political subdivision of the State of Illinois,

1 which provides, through its ownership or management, personal
2 care, sheltered care or nursing for 3 or more persons, not
3 related to the applicant or owner by blood or marriage. It
4 includes skilled nursing facilities and intermediate care
5 facilities as those terms are defined in Title XVIII and Title
6 XIX of the federal Social Security Act. It also includes
7 homes, institutions, or other places operated by or under the
8 authority of the Illinois Department of Veterans Affairs.

9 "Facility" does not include the following:

10 (1) A home, institution, or other place operated by
11 the federal government or agency thereof, or by the State
12 of Illinois, other than homes, institutions, or other
13 places operated by or under the authority of the Illinois
14 Department of Veterans Affairs;

15 (2) A hospital, sanitarium, or other institution whose
16 principal activity or business is the diagnosis, care, and
17 treatment of human illness through the maintenance and
18 operation as organized facilities therefor, which is
19 required to be licensed under the Hospital Licensing Act;

20 (3) Any "facility for child care" as defined in the
21 Child Care Act of 1969;

22 (4) Any "Community Living Facility" as defined in the
23 Community Living Facilities Licensing Act;

24 (5) Any "community residential alternative" as defined
25 in the Community Residential Alternatives Licensing Act;

26 (6) Any nursing home or sanatorium operated solely by

1 and for persons who rely exclusively upon treatment by
2 spiritual means through prayer, in accordance with the
3 creed or tenets of any well-recognized church or religious
4 denomination. However, such nursing home or sanatorium
5 shall comply with all local laws and rules relating to
6 sanitation and safety;

7 (7) Any facility licensed by the Department of Human
8 Services as a community-integrated living arrangement as
9 defined in the Community-Integrated Living Arrangements
10 Licensure and Certification Act;

11 (8) Any "Supportive Residence" licensed under the
12 Supportive Residences Licensing Act;

13 (9) Any "supportive living facility" in good standing
14 with the program established under Section 5-5.01a of the
15 Illinois Public Aid Code, except only for purposes of the
16 employment of persons in accordance with Section 3-206.01;

17 (10) Any assisted living or shared housing
18 establishment licensed under the Assisted Living and
19 Shared Housing Act, except only for purposes of the
20 employment of persons in accordance with Section 3-206.01;

21 (11) An Alzheimer's disease management center
22 alternative health care model licensed under the
23 Alternative Health Care Delivery Act;

24 (12) A facility licensed under the ID/DD Community
25 Care Act;

26 (13) A facility licensed under the Specialized Mental

1 Health Rehabilitation Act of 2013;

2 (14) A facility licensed under the MC/DD Act;

3 (15) A medical foster home, as defined in 38 CFR
4 17.73, that is under the oversight of the United States
5 Department of Veterans Affairs; or

6 (16) A psychiatric residential treatment facility
7 certified under the Psychiatric Residential Treatment
8 Facilities (PRTF) Act.

9 (Source: P.A. 104-147, eff. 8-1-15; 104-234, eff. 8-15-25;
10 revised 9-12-25.)

11 (210 ILCS 45/2-204) (from Ch. 111 1/2, par. 4152-204)

12 Sec. 2-204. The Director shall appoint a Long-Term Care
13 Facility Advisory Board to consult with the Department and the
14 residents' advisory councils created under Section 2-203.

15 (a) The Board shall be comprised of the following persons:

16 (1) The Director who shall serve as chairman, ex
17 officio and nonvoting; ~~and~~

18 (2) One representative each of the Department of
19 Healthcare and Family Services, the Department of Human
20 Services, the Department on Aging, and the Office of the
21 State Fire Marshal, all nonvoting members;

22 (2.5) One member who represents local health
23 departments who is a nonvoting member;

24 (3) One member who shall be a physician licensed to
25 practice medicine in all its branches;

1 (4) One member who shall be a registered nurse
2 selected from the recommendations of professional nursing
3 associations;

4 (5) Four members who shall be selected from the
5 recommendations by organizations whose membership consists
6 of facilities;

7 (6) Two members who shall represent the general public
8 who are not members of a residents' advisory council
9 established under Section 2-203 and who have no
10 responsibility for management or formation of policy or
11 financial interest in a facility;

12 (7) One member who is a member of a residents'
13 advisory council established under Section 2-203 and is
14 capable of actively participating on the Board; and

15 (8) One member who shall be selected from the
16 recommendations of consumer organizations that ~~which~~
17 engage solely in advocacy or legal representation on
18 behalf of residents and their immediate families.

19 (b) The terms of those members of the Board appointed
20 prior to September 1, 1988 (the effective date of Public Act
21 85-1378) ~~this amendatory Act of 1988~~ shall expire on December
22 31, 1988. Members of the Board created by Public Act 85-1378
23 ~~this amendatory Act of 1988~~ shall be appointed to serve for
24 terms as follows: 3 for 2 years, 3 for 3 years and 3 for 4
25 years. The member of the Board added by Public Act 86-130 ~~this~~
26 ~~amendatory Act of 1989~~ shall be appointed to serve for a term

1 of 4 years. Each successor member shall be appointed for a term
2 of 4 years. Any member appointed to fill a vacancy occurring
3 prior to the expiration of the term for which his predecessor
4 was appointed shall be appointed for the remainder of such
5 term. The Board shall meet as frequently as the chairman deems
6 necessary, but not less than 4 times each year. Upon request by
7 4 or more members, the chairman shall call a meeting of the
8 Board. The affirmative vote of a simple majority of a quorum of
9 the Board shall be necessary for Board action. A quorum shall
10 be a majority of appointed voting members. A member of the
11 Board can designate a replacement to serve at the Board
12 meeting and vote in place of the member by submitting a letter
13 of designation to the chairman prior to or at the Board
14 meeting. The Board members shall be reimbursed for their
15 actual expenses incurred in the performance of their duties.

16 (c) The Advisory Board shall advise the Department of
17 Public Health on all aspects of its responsibilities under
18 this Act and the Specialized Mental Health Rehabilitation Act
19 of 2013, including the format and content of any rules
20 promulgated by the Department of Public Health. All draft
21 rules and documents shall be provided at least 7 days prior to
22 a meeting for all board members to review. Any such rules,
23 except emergency rules promulgated pursuant to Section 5-45 of
24 the Illinois Administrative Procedure Act, promulgated without
25 obtaining the advice of the Advisory Board are null and void.
26 In the event that the Department fails to follow the advice of

1 the Board, the Department shall, prior to the promulgation of
2 such rules, transmit a written explanation of the reason
3 thereof to the Board. During its review of rules, the Board
4 shall analyze the economic and regulatory impact of those
5 rules. If the Advisory Board, having been asked for its
6 advice, fails to advise the Department within 90 days, the
7 rules shall be considered acted upon. In order to provide
8 appropriate feedback, Board meetings shall be conducted within
9 the 90-day window. If the Board does not meet within the 90
10 days, the 90-day window shall be extended for not more than 45
11 days to ensure the Board has had an opportunity to act upon the
12 proposed rules.

13 (Source: P.A. 102-432, eff. 8-20-21; 103-938, eff. 1-1-25;
14 revised 6-24-25.)

15 Section 495. The ID/DD Community Care Act is amended by
16 changing Section 1-113 as follows:

17 (210 ILCS 47/1-113)

18 Sec. 1-113. Facility. "ID/DD facility" or "facility" means
19 an intermediate care facility for persons with developmental
20 disabilities, whether operated for profit or not, which
21 provides, through its ownership or management, personal care
22 or nursing for 3 or more persons not related to the applicant
23 or owner by blood or marriage. It includes intermediate care
24 facilities for the intellectually disabled as the term is

1 defined in Title XVIII and Title XIX of the federal Social
2 Security Act.

3 "Facility" does not include the following:

4 (1) A home, institution, or other place operated by
5 the federal government or agency thereof, or by the State
6 of Illinois, other than homes, institutions, or other
7 places operated by or under the authority of the Illinois
8 Department of Veterans Affairs;

9 (2) A hospital, sanitarium, or other institution whose
10 principal activity or business is the diagnosis, care, and
11 treatment of human illness through the maintenance and
12 operation as organized facilities therefore, which is
13 required to be licensed under the Hospital Licensing Act;

14 (3) Any "facility for child care" as defined in the
15 Child Care Act of 1969;

16 (4) Any "community living facility" as defined in the
17 Community Living Facilities Licensing Act;

18 (5) Any "community residential alternative" as defined
19 in the Community Residential Alternatives Licensing Act;

20 (6) Any nursing home or sanatorium operated solely by
21 and for persons who rely exclusively upon treatment by
22 spiritual means through prayer, in accordance with the
23 creed or tenets of any well recognized church or religious
24 denomination. However, such nursing home or sanatorium
25 shall comply with all local laws and rules relating to
26 sanitation and safety;

1 (7) Any facility licensed by the Department of Human
2 Services as a community-integrated living arrangement as
3 defined in the Community-Integrated Living Arrangements
4 Licensure and Certification Act;

5 (8) Any "supportive residence" licensed under the
6 Supportive Residences Licensing Act;

7 (9) Any "supportive living facility" in good standing
8 with the program established under Section 5-5.01a of the
9 Illinois Public Aid Code, except only for purposes of the
10 employment of persons in accordance with Section 3-206.01;

11 (10) Any assisted living or shared housing
12 establishment licensed under the Assisted Living and
13 Shared Housing Act, except only for purposes of the
14 employment of persons in accordance with Section 3-206.01;

15 (11) An Alzheimer's disease management center
16 alternative health care model licensed under the
17 Alternative Health Care Delivery Act;

18 (12) A home, institution, or other place operated by
19 or under the authority of the Illinois Department of
20 Veterans Affairs;

21 (13) Any MC/DD facility licensed under the MC/DD Act;
22 or

23 (14) A psychiatric residential treatment facility
24 certified under the Psychiatric Residential Treatment
25 Facilities (PRTF) Act.

26 (Source: P.A. 104-147, eff. 8-1-25; 104-234, eff. 8-15-25;

revised 9-12-25.)

Section 500. The Specialized Mental Health Rehabilitation Act of 2013 is amended by changing Section 1-102 as follows:

(210 ILCS 49/1-102)

Sec. 1-102. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Abuse" means any physical or mental injury or sexual assault inflicted on a consumer other than by accidental means in a facility.

"Accreditation" means any of the following:

(1) the Joint Commission;

(2) the Commission on Accreditation of Rehabilitation Facilities;

(3) the Healthcare Facilities Accreditation Program;

or

(4) any other national standards of care as approved by the Department.

"APRN" means an advanced practice registered nurse, nationally certified as a mental health or psychiatric nurse practitioner and licensed under the Nurse Practice Act.

"Applicant" means any person making application for a license or a provisional license under this Act.

"Consumer" means a person, 18 years of age or older, admitted to a mental health rehabilitation facility for

1 evaluation, observation, diagnosis, treatment, stabilization,
2 recovery, and rehabilitation.

3 "Consumer" does not mean any of the following:

4 (i) an individual requiring a locked setting;

5 (ii) an individual requiring psychiatric
6 hospitalization because of an acute psychiatric crisis;

7 (iii) an individual under 18 years of age;

8 (iv) an individual who is actively suicidal or violent
9 toward others;

10 (v) an individual who has been found unfit to stand
11 trial and is currently subject to a court order requiring
12 placement in secure inpatient care in the custody of the
13 Department of Human Services pursuant to Section 104-17 of
14 the Code of Criminal Procedure of 1963;

15 (vi) an individual who has been found not guilty by
16 reason of insanity and is currently subject to a court
17 order requiring placement in secure inpatient care in the
18 custody of the Department of Human Services pursuant to
19 Section 5-2-4 of the Unified Code of Corrections;

20 (vii) an individual subject to temporary detention and
21 examination under Section 3-607 of the Mental Health and
22 Developmental Disabilities Code;

23 (viii) an individual deemed clinically appropriate for
24 inpatient admission in a State psychiatric hospital; and

25 (ix) an individual transferred by the Department of
26 Corrections pursuant to Section 3-8-5 of the Unified Code

1 of Corrections.

2 "Consumer record" means a record that organizes all
3 information on the care, treatment, and rehabilitation
4 services rendered to a consumer in a specialized mental health
5 rehabilitation facility.

6 "Controlled drugs" means those drugs covered under the
7 federal Comprehensive Drug Abuse Prevention Control Act of
8 1970, as amended, or the Illinois Controlled Substances Act.

9 "Department" means the Department of Public Health.

10 "Discharge" means the full release of any consumer from a
11 facility.

12 "Drug administration" means the act in which a single dose
13 of a prescribed drug or biological is given to a consumer. The
14 complete act of administration entails removing an individual
15 dose from a container, verifying the dose with the
16 prescriber's orders, giving the individual dose to the
17 consumer, and promptly recording the time and dose given.

18 "Drug dispensing" means the act entailing the following of
19 a prescription order for a drug or biological and proper
20 selection, measuring, packaging, labeling, and issuance of the
21 drug or biological to a consumer.

22 "Emergency" means a situation, physical condition, or one
23 or more practices, methods, or operations which present
24 imminent danger of death or serious physical or mental harm to
25 consumers of a facility.

26 "Facility" means a specialized mental health

1 rehabilitation facility that provides at least one of the
2 following services: (1) triage center; (2) crisis
3 stabilization; (3) recovery and rehabilitation supports; or
4 (4) transitional living units for 3 or more persons. The
5 facility shall provide a 24-hour program that provides
6 intensive support and recovery services designed to assist
7 persons, 18 years or older, with mental disorders to develop
8 the skills to become self-sufficient and capable of increasing
9 levels of independent functioning. It includes facilities that
10 meet the following criteria:

11 (1) 100% of the consumer population of the facility
12 has a diagnosis of serious mental illness;

13 (2) no more than 15% of the consumer population of the
14 facility is 65 years of age or older;

15 (3) none of the consumers are non-ambulatory;

16 (4) none of the consumers have a primary diagnosis of
17 moderate, severe, or profound intellectual disability; and

18 (5) the facility must have been licensed under the
19 Specialized Mental Health Rehabilitation Act or the
20 Nursing Home Care Act immediately preceding July 22, 2013
21 (the effective date of this Act) and qualifies as an
22 institute for mental disease under the federal definition
23 of the term.

24 "Facility" does not include the following:

25 (1) a home, institution, or place operated by the
26 federal government or agency thereof, or by the State of

1 Illinois;

2 (2) a hospital, sanitarium, or other institution whose
3 principal activity or business is the diagnosis, care, and
4 treatment of human illness through the maintenance and
5 operation as organized facilities therefor which is
6 required to be licensed under the Hospital Licensing Act;

7 (3) a facility for child care as defined in the Child
8 Care Act of 1969;

9 (4) a community living facility as defined in the
10 Community Living Facilities Licensing Act;

11 (5) a nursing home or sanitarium operated solely by
12 and for persons who rely exclusively upon treatment by
13 spiritual means through prayer, in accordance with the
14 creed or tenets of any well-recognized church or religious
15 denomination; however, such nursing home or sanitarium
16 shall comply with all local laws and rules relating to
17 sanitation and safety;

18 (6) a facility licensed by the Department of Human
19 Services as a community-integrated living arrangement as
20 defined in the Community-Integrated Living Arrangements
21 Licensure and Certification Act;

22 (7) a supportive residence licensed under the
23 Supportive Residences Licensing Act;

24 (8) a supportive living facility in good standing with
25 the program established under Section 5-5.01a of the
26 Illinois Public Aid Code, except only for purposes of the

1 employment of persons in accordance with Section 3-206.01
2 of the Nursing Home Care Act;

3 (9) an assisted living or shared housing establishment
4 licensed under the Assisted Living and Shared Housing Act,
5 except only for purposes of the employment of persons in
6 accordance with Section 3-206.01 of the Nursing Home Care
7 Act;

8 (10) an Alzheimer's disease management center
9 alternative health care model licensed under the
10 Alternative Health Care Delivery Act;

11 (11) a home, institution, or other place operated by
12 or under the authority of the Illinois Department of
13 Veterans Affairs;

14 (12) a facility licensed under the ID/DD Community
15 Care Act;

16 (13) a facility licensed under the Nursing Home Care
17 Act after July 22, 2013 (the effective date of this Act);

18 (14) a facility licensed under the MC/DD Act; or

19 (15) a psychiatric residential treatment facility
20 certified under the Psychiatric Residential Treatment
21 Facilities (PRTF) Act.

22 "Executive director" means a person who is charged with
23 the general administration and supervision of a facility
24 licensed under this Act and who is a licensed nursing home
25 administrator, licensed practitioner of the healing arts, or
26 qualified mental health professional.

1 "Guardian" means a person appointed as a guardian of the
2 person or guardian of the estate, or both, of a consumer under
3 the Probate Act of 1975.

4 "Identified offender" means a person who meets any of the
5 following criteria:

6 (1) Has been convicted of, found guilty of,
7 adjudicated delinquent for, found not guilty by reason of
8 insanity for, or found unfit to stand trial for, any
9 felony offense listed in Section 25 of the Health Care
10 Worker Background Check Act, except for the following:

11 (i) a felony offense described in Section 10-5 of
12 the Nurse Practice Act;

13 (ii) a felony offense described in Section 4, 5,
14 6, 8, or 17.02 of the Illinois Credit Card and Debit
15 Card Act;

16 (iii) a felony offense described in Section 5,
17 5.1, 5.2, 7, or 9 of the Cannabis Control Act;

18 (iv) a felony offense described in Section 401,
19 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois
20 Controlled Substances Act; and

21 (v) a felony offense described in the
22 Methamphetamine Control and Community Protection Act.

23 (2) Has been convicted of, adjudicated delinquent for,
24 found not guilty by reason of insanity for, or found unfit
25 to stand trial for any sex offense as defined in
26 subsection (c) of Section 10 of the Sex Offender

1 Management Board Act.

2 "Transitional living units" are residential units within a
3 facility that have the purpose of assisting the consumer in
4 developing and reinforcing the necessary skills to live
5 independently outside of the facility. The duration of stay in
6 such a setting shall not exceed 120 days for each consumer.
7 Nothing in this definition shall be construed to be a
8 prerequisite for transitioning out of a facility.

9 "Licensee" means the person, persons, firm, partnership,
10 association, organization, company, corporation, or business
11 trust to which a license has been issued.

12 "Misappropriation of a consumer's property" means the
13 deliberate misplacement, exploitation, or wrongful temporary
14 or permanent use of a consumer's belongings or money without
15 the consent of a consumer or his or her guardian.

16 "Neglect" means a facility's failure to provide, or
17 willful withholding of, adequate medical care, mental health
18 treatment, psychiatric rehabilitation, personal care, or
19 assistance that is necessary to avoid physical harm and mental
20 anguish of a consumer.

21 "Personal care" means assistance with meals, dressing,
22 movement, bathing, or other personal needs, maintenance, or
23 general supervision and oversight of the physical and mental
24 well-being of an individual who is incapable of maintaining a
25 private, independent residence or who is incapable of managing
26 his or her person, whether or not a guardian has been appointed

1 for such individual. "Personal care" shall not be construed to
2 confine or otherwise constrain a facility's pursuit to develop
3 the skills and abilities of a consumer to become
4 self-sufficient and capable of increasing levels of
5 independent functioning.

6 "Recovery and rehabilitation supports" means a program
7 that facilitates a consumer's longer-term symptom management
8 and stabilization while preparing the consumer for
9 transitional living units by improving living skills and
10 community socialization. The duration of stay in such a
11 setting shall be established by the Department by rule.

12 "Restraint" means:

13 (i) a physical restraint that is any manual method or
14 physical or mechanical device, material, or equipment
15 attached or adjacent to a consumer's body that the
16 consumer cannot remove easily and restricts freedom of
17 movement or normal access to one's body; devices used for
18 positioning, including, but not limited to, bed rails,
19 gait belts, and cushions, shall not be considered to be
20 restraints for purposes of this Section; or

21 (ii) a chemical restraint that is any drug used for
22 discipline or convenience and not required to treat
23 medical symptoms; the Department shall, by rule, designate
24 certain devices as restraints, including at least all
25 those devices that have been determined to be restraints
26 by the United States Department of Health and Human

1 Services in interpretive guidelines issued for the
2 purposes of administering Titles XVIII and XIX of the
3 federal Social Security Act. For the purposes of this Act,
4 restraint shall be administered only after utilizing a
5 coercive free environment and culture.

6 "Self-administration of medication" means consumers shall
7 be responsible for the control, management, and use of their
8 own medication.

9 "Crisis stabilization" means a secure and separate unit
10 that provides short-term behavioral, emotional, or psychiatric
11 crisis stabilization as an alternative to hospitalization or
12 re-hospitalization for consumers from residential or community
13 placement. The duration of stay in such a setting shall not
14 exceed 21 days for each consumer.

15 "Therapeutic separation" means the removal of a consumer
16 from the milieu to a room or area which is designed to aid in
17 the emotional or psychiatric stabilization of that consumer.

18 "Triage center" means a non-residential 23-hour center
19 that serves as an alternative to emergency room care,
20 hospitalization, or re-hospitalization for consumers in need
21 of short-term crisis stabilization. Consumers may access a
22 triage center from a number of referral sources, including
23 family, emergency rooms, hospitals, community behavioral
24 health providers, federally qualified health providers, or
25 schools, including colleges or universities. A triage center
26 may be located in a building separate from the licensed

1 location of a facility, but shall not be more than 1,000 feet
2 from the licensed location of the facility and must meet all of
3 the facility standards applicable to the licensed location. If
4 the triage center does operate in a separate building, safety
5 personnel shall be provided, on site, 24 hours per day and the
6 triage center shall meet all other staffing requirements
7 without counting any staff employed in the main facility
8 building.

9 (Source: P.A. 104-147, eff. 8-1-25; 104-234, eff. 8-15-25;
10 revised 9-12-25.)

11 Section 505. The Emergency Medical Services (EMS) Systems
12 Act is amended by changing Section 3.90 as follows:

13 (210 ILCS 50/3.90)

14 Sec. 3.90. Trauma center designations.

15 (a) "Trauma Center" means a hospital which: (1) within
16 designated capabilities provides optimal care to trauma
17 patients; (2) participates in an approved EMS System; and (3)
18 is duly designated pursuant to the provisions of this Act.
19 Level I Trauma Centers shall provide all essential services
20 in-house, 24 hours per day, in accordance with rules adopted
21 by the Department pursuant to this Act. Level II and Level III
22 Trauma Centers shall have some essential services available
23 in-house, 24 hours per day, and other essential services
24 readily available, 24 hours per day, in accordance with rules

1 adopted by the Department pursuant to this Act.

2 (a-5) An Acute Injury Stabilization Center shall have a
3 basic or comprehensive emergency department capable of initial
4 management and transfer of the acutely injured in accordance
5 with rules adopted by the Department pursuant to this Act.

6 (b) The Department shall have the authority and
7 responsibility to:

8 (1) Establish and enforce minimum standards for
9 designation and re-designation of 3 levels of trauma
10 centers that meet trauma center national standards, as
11 modified by the Department in administrative rules;

12 (2) Require hospitals applying for trauma center
13 designation to submit a plan for designation in a manner
14 and form prescribed by the Department through rules
15 adopted pursuant to this Act;

16 (3) Upon receipt of a completed plan for designation,
17 conduct a site visit to inspect the hospital for
18 compliance with the Department's minimum standards. Such
19 visit shall be conducted by specially qualified personnel
20 with experience in the delivery of emergency medical
21 and/or trauma care. A report of the inspection shall be
22 provided to the Director within 30 days of the completion
23 of the site visit. The report shall note compliance or
24 lack of compliance with the individual standards for
25 designation;

26 (4) Designate applicant hospitals as Level I, Level

1 II, or Level III Trauma Centers which meet the minimum
2 standards established by this Act and the Department. The
3 Department shall designate a new trauma center only when a
4 local or regional need for such trauma center has been
5 identified. The Department shall request an assessment of
6 local or regional need from the applicable EMS Region's
7 Trauma Center Medical Directors Committee, with advice
8 from the Regional Trauma Advisory Committee. This shall
9 not be construed as a needs assessment for health planning
10 or other purposes outside of this Act;

11 (5) Attempt to designate trauma centers in all areas
12 of the State. There shall be at least one Level I Trauma
13 Center serving each EMS Region, unless waived by the
14 Department. This subsection shall not be construed to
15 require a Level I Trauma Center to be located in each EMS
16 Region. Level I Trauma Centers shall serve as resources
17 for the Level II and Level III Trauma Centers and Acute
18 Injury Stabilization Centers in the EMS Regions. The
19 extent of such relationships shall be defined in the EMS
20 Region Plan;

21 (6) Inspect designated trauma centers to assure
22 compliance with the provisions of this Act and the rules
23 adopted pursuant to this Act. Information received by the
24 Department through filed reports, inspection, or as
25 otherwise authorized under this Act shall not be disclosed
26 publicly in such a manner as to identify individuals or

1 hospitals, except in proceedings involving the denial,
2 suspension, or revocation of a trauma center designation
3 or imposition of a fine on a trauma center;

4 (7) Renew trauma center designations every 2 years,
5 after an on-site inspection, based on compliance with
6 renewal requirements and standards for continuing
7 operation, as prescribed by the Department through rules
8 adopted pursuant to this Act;

9 (8) Refuse to issue or renew a trauma center
10 designation, after providing an opportunity for a hearing,
11 when findings show that it does not meet the standards and
12 criteria prescribed by the Department;

13 (9) Review and determine whether a trauma center's
14 annual morbidity and mortality rates for trauma patients
15 significantly exceed the State average for such rates,
16 using a uniform recording methodology based on nationally
17 recognized standards. Such determination shall be
18 considered as a factor in any decision by the Department
19 to renew or refuse to renew a trauma center designation
20 under this Act, but shall not constitute the sole basis
21 for refusing to renew a trauma center designation;

22 (10) Take the following action, as appropriate, after
23 determining that a trauma center is in violation of this
24 Act or any rule adopted pursuant to this Act:

25 (A) If the Director determines that the violation
26 presents a substantial probability that death or

1 serious physical harm will result and if the trauma
2 center fails to eliminate the violation immediately or
3 within a fixed period of time, not exceeding 10 days,
4 as determined by the Director, the Director may
5 immediately revoke the trauma center designation. The
6 trauma center may appeal the revocation within 15 days
7 after receiving the Director's revocation order⁷ by
8 requesting a hearing as provided by Section 29 of this
9 Act. The Director shall notify the chair of the
10 Region's Trauma Center Medical Directors Committee and
11 EMS Medical Directors for the appropriate EMS Systems
12 of such trauma center designation revocation;

13 (B) If the Director determines that the violation
14 does not present a substantial probability that death
15 or serious physical harm will result, the Director
16 shall issue a notice of violation and request a plan of
17 correction which shall be subject to the Department's
18 approval. The trauma center shall have 10 days after
19 receipt of the notice of violation in which to submit a
20 plan of correction. The Department may extend this
21 period for up to 30 days. The plan shall include a
22 fixed time period not in excess of 90 days within which
23 violations are to be corrected. The plan of correction
24 and the status of its implementation by the trauma
25 center shall be provided, as appropriate, to the EMS
26 Medical Directors for appropriate EMS Systems. If the

1 Department rejects a plan of correction, it shall send
2 notice of the rejection and the reason for the
3 rejection to the trauma center. The trauma center
4 shall have 10 days after receipt of the notice of
5 rejection in which to submit a modified plan. If the
6 modified plan is not timely submitted, or if the
7 modified plan is rejected, the trauma center shall
8 follow an approved plan of correction imposed by the
9 Department. If, after notice and opportunity for
10 hearing, the Director determines that a trauma center
11 has failed to comply with an approved plan of
12 correction, the Director may suspend or revoke the
13 trauma center designation. The trauma center shall
14 have 15 days after receiving the Director's notice in
15 which to request a hearing. Such hearing shall conform
16 to the provisions of Section 3.135 of this Act;

17 (11) The Department may delegate authority to local
18 health departments in jurisdictions which include a
19 substantial number of trauma centers. The delegated
20 authority to those local health departments shall include,
21 but is not limited to, the authority to designate trauma
22 centers with final approval by the Department, maintain a
23 regional database ~~data-base~~ with concomitant reporting of
24 trauma registry data, and monitor, inspect, and
25 investigate trauma centers within their jurisdiction, in
26 accordance with the requirements of this Act and the rules

1 promulgated by the Department;

2 (A) The Department shall monitor the performance
3 of local health departments with authority delegated
4 pursuant to this Section, based upon performance
5 criteria established in rules promulgated by the
6 Department;

7 (B) Delegated authority may be revoked for
8 non-compliance with this ~~the~~ Act or the Department's
9 rules. Notice of an intent to revoke shall be served
10 upon the local health department by certified mail,
11 stating the reasons for revocation and offering an
12 opportunity for an administrative hearing to contest
13 the proposed revocation. The request for a hearing
14 must be in writing and received by the Department
15 within 10 working days of the local health
16 department's receipt of notification;

17 (C) The director of a local health department may
18 relinquish its delegated authority upon 60 days
19 written notification to the Director of Public Health.

20 (Source: P.A. 103-1013, eff. 8-9-24; revised 6-25-25.)

21 Section 510. The Hospital Licensing Act is amended by
22 changing Section 7 as follows:

23 (210 ILCS 85/7) (from Ch. 111 1/2, par. 148)

24 Sec. 7. (a) The Director after notice and opportunity for

1 hearing to the applicant or licensee may deny, suspend, or
2 revoke a permit to establish a hospital or deny, suspend, or
3 revoke a license to open, conduct, operate, and maintain a
4 hospital in any case in which he finds that there has been a
5 substantial failure to comply with the provisions of this Act,
6 the Hospital Report Card Act, or the Illinois Adverse Health
7 Care Events Reporting Law of 2005 or the standards, rules, and
8 regulations established by virtue of any of those Acts. The
9 Department may impose fines on hospitals, not to exceed \$500
10 per occurrence, for failing to (1) initiate a criminal
11 background check on a patient that meets the criteria for
12 hospital-initiated background checks or (2) report the death
13 of a person known to be a resident of a facility licensed under
14 the ID/DD Community Care Act or the MC/DD Act to the coroner or
15 medical examiner within 24 hours as required by Section 6.09a
16 of this Act. In assessing whether to impose such a fine for
17 failure to initiate a criminal background check, the
18 Department shall consider various factors, including, but not
19 limited to, whether the hospital has engaged in a pattern or
20 practice of failing to initiate criminal background checks.
21 Money from fines shall be deposited into the Long-Term ~~Long~~
22 ~~Term~~ Care Provider Fund.

23 (a-5) If a hospital demonstrates a pattern or practice of
24 failing to substantially comply with the requirements of
25 Section 10.10 or the hospital's written staffing plan, the
26 hospital shall provide a plan of correction to the Department

1 within 60 days. The Department may impose fines as follows:

2 (i) if a hospital fails to implement a written staffing plan
3 for nursing services, a fine not to exceed \$500 per occurrence
4 may be imposed; (ii) if a hospital demonstrates a pattern or
5 practice of failing to substantially comply with a plan of
6 correction within 60 days after the plan takes effect, a fine
7 not to exceed \$500 per occurrence may be imposed; and (iii) if
8 a hospital demonstrates for a second or subsequent time a
9 pattern or practice of failing to substantially comply with a
10 plan of correction within 60 days after the plan takes effect,
11 a fine not to exceed \$1,000 per occurrence may be imposed.

12 Reports of violations of Section 10.10 shall be subject to
13 public disclosure under Section 6.14a. Money from fines
14 imposed under ~~within~~ this subsection (a-5) shall be deposited
15 into the Hospital Licensure Fund, and money from fines for
16 violations of Section 10.10 shall be used for scholarships
17 under the Nursing Education Scholarship Law.

18 (b) Such notice shall be effected by registered mail or by
19 personal service setting forth the particular reasons for the
20 proposed action and fixing a date, not less than 15 days from
21 the date of such mailing or service, at which time the
22 applicant or licensee shall be given an opportunity for a
23 hearing. Such hearing shall be conducted by the Director or by
24 an employee of the Department designated in writing by the
25 Director as Hearing Officer to conduct the hearing. On the
26 basis of any such hearing, or upon default of the applicant or

1 licensee, the Director shall make a determination specifying
2 his findings and conclusions. In case of a denial to an
3 applicant of a permit to establish a hospital, such
4 determination shall specify the subsection of Section 6 under
5 which the permit was denied and shall contain findings of fact
6 forming the basis of such denial. A copy of such determination
7 shall be sent by registered mail or served personally upon the
8 applicant or licensee. The decision denying, suspending, or
9 revoking a permit or a license shall become final 35 days after
10 it is so mailed or served, unless the applicant or licensee,
11 within such 35-day ~~35-day~~ period, petitions for review
12 pursuant to Section 13.

13 (c) The procedure governing hearings authorized by this
14 Section shall be in accordance with rules promulgated by the
15 Department and approved by the Hospital Licensing Board. A
16 full and complete record shall be kept of all proceedings,
17 including the notice of hearing, complaint, and all other
18 documents in the nature of pleadings, written motions filed in
19 the proceedings, and the report and orders of the Director and
20 Hearing Officer. All testimony shall be reported but need not
21 be transcribed unless the decision is appealed pursuant to
22 Section 13. A copy or copies of the transcript may be obtained
23 by any interested party on payment of the cost of preparing
24 such copy or copies.

25 (d) The Director or Hearing Officer shall upon his own
26 motion, or on the written request of any party to the

1 proceeding, issue subpoenas requiring the attendance and the
2 giving of testimony by witnesses, and subpoenas duces tecum
3 requiring the production of books, papers, records, or
4 memoranda. All subpoenas and subpoenas duces tecum issued
5 under the terms of this Act may be served by any person of full
6 age. The fees of witnesses for attendance and travel shall be
7 the same as the fees of witnesses before the Circuit Court of
8 this State, such fees to be paid when the witness is excused
9 from further attendance. When the witness is subpoenaed at the
10 instance of the Director, or Hearing Officer, such fees shall
11 be paid in the same manner as other expenses of the Department,
12 and when the witness is subpoenaed at the instance of any other
13 party to any such proceeding, the Department may require that
14 the cost of service of the subpoena or subpoena duces tecum and
15 the fee of the witness be borne by the party at whose instance
16 the witness is summoned. In such case, the Department, in its
17 discretion, may require a deposit to cover the cost of such
18 service and witness fees. A subpoena or subpoena duces tecum
19 issued as aforesaid shall be served in the same manner as a
20 subpoena issued out of a court.

21 (e) Any Circuit Court of this State upon the application
22 of the Director, or upon the application of any other party to
23 the proceeding, may, in its discretion, compel the attendance
24 of witnesses, the production of books, papers, records, or
25 memoranda and the giving of testimony before the Director or
26 Hearing Officer conducting an investigation or holding a

1 hearing authorized by this Act, by an attachment for contempt,
2 or otherwise, in the same manner as production of evidence may
3 be compelled before the court.

4 (f) The Director or Hearing Officer, or any party in an
5 investigation or hearing before the Department, may cause the
6 depositions of witnesses within the State to be taken in the
7 manner prescribed by law for like depositions in civil actions
8 in courts of this State, and to that end compel the attendance
9 of witnesses and the production of books, papers, records, or
10 memoranda.

11 (Source: P.A. 102-641, eff. 8-27-21; revised 6-25-25.)

12 Section 515. The Community-Integrated Living Arrangements
13 Licensure and Certification Act is amended by changing Section
14 3 as follows:

15 (210 ILCS 135/3) (from Ch. 91 1/2, par. 1703)

16 Sec. 3. As used in this Act, unless the context requires
17 otherwise:

18 (a) "Applicant" means a person, group of persons,
19 association, partnership, or corporation that applies for a
20 license as a community developmental services agency under
21 this Act.

22 (b) "Community developmental services agency" or "agency"
23 means a public or private agency, association, partnership,
24 corporation, or organization which, pursuant to this Act,

1 certifies community-integrated living arrangements for persons
2 with a developmental disability.

3 (c) "Department" means the Department of Human Services
4 (as successor to the Department of Mental Health and
5 Developmental Disabilities).

6 (d) "Community-integrated living arrangement" means a
7 living arrangement certified by a community developmental
8 services agency under this Act where 8 or fewer recipients
9 with a developmental disability ~~who~~ reside under the
10 supervision of the agency. Examples of community-integrated
11 living arrangements include, but are not limited to, the
12 following:

13 (1) "Adult foster care", a living arrangement for
14 recipients in residences of families unrelated to them,
15 for the purpose of providing family care for the
16 recipients on a full-time basis;

17 (2) "Assisted residential care", an independent living
18 arrangement where recipients are intermittently supervised
19 by off-site staff;

20 (3) "Crisis residential care", a non-medical living
21 arrangement where recipients in need of non-medical,
22 crisis services are supervised by on-site staff 24 hours a
23 day;

24 (4) "Home individual programs", living arrangements
25 for 2 unrelated adults outside the family home;

26 (5) "Supported residential care", a living arrangement

1 where recipients are supervised by on-site staff and such
2 supervision is provided less than 24 hours a day;

3 (6) "Community residential alternatives", as defined
4 in the Community Residential Alternatives Licensing Act;
5 and

6 (7) "Special needs trust-supported residential care",
7 a living arrangement where recipients are supervised by
8 on-site staff and that supervision is provided 24 hours
9 per day or less, as dictated by the needs of the
10 recipients, and determined by service providers. As used
11 in this item (7), "special needs trust" means a trust for
12 the benefit of a beneficiary with a disability as
13 described in Section 1213 of the Illinois Trust Code.

14 (e) "Recipient" means a person who has received, is
15 receiving, or is in need of treatment or habilitation as those
16 terms are defined in the Mental Health and Developmental
17 Disabilities Code.

18 (f) "Unrelated" means that persons residing together in
19 programs or placements certified by a community developmental
20 services agency under this Act do not have any of the following
21 relationships by blood, marriage, or adoption: parent, son,
22 daughter, brother, sister, grandparent, uncle, aunt, nephew,
23 niece, great grandparent, great uncle, great aunt,
24 stepbrother, stepsister, stepson, stepdaughter, stepparent, or
25 first cousin.

26 (Source: P.A. 104-270, eff. 8-15-25; revised 12-12-25.)

1 Section 520. The Essential Support Person Act is amended
2 by changing Sections 5 and 20 as follows:

3 (210 ILCS 175/5)

4 Sec. 5. Definitions. In this Act:

5 "Department" means the Department of Public Health or,
6 with respect to community-integrated living arrangements, as
7 defined in the Community-Integrated Living Arrangements
8 Licensure and Certification Act, the Department of Human
9 Services.

10 "Essential support" means support that includes, but is
11 not limited to:

12 (1) assistance with activities of daily living; and

13 (2) physical, emotional, psychological, and
14 socialization support for the resident.

15 "Facility" means any of the following: a facility as
16 defined in Section 10 of the Alzheimer's Disease and Related
17 Dementias Special Care Disclosure Act; an assisted living
18 establishment or shared housing establishment as defined in
19 Section 10 of the Assisted Living and Shared Housing Act; a
20 Community Living Facility as defined in Section 3 of the
21 Community Living Facilities Licensing Act; a facility as
22 defined in Section 2 of the Life Care Facilities Act; a
23 continuum of care facility as defined in Section 10 of the
24 Continuum of Care Services for the Developmentally Disabled

1 Act; a facility as defined in Section 1-113 of the Nursing Home
2 Care Act; a MC/DD facility as defined in Section 1-113 of the
3 MC/DD Act; an ID/DD facility as defined in Section 1-113 of the
4 ID/DD Community Care Act; a hospice program as defined in
5 Section 3 of the Hospice Program Licensing Act; a Supportive
6 Residence as defined in Section 10 of the Supportive
7 Residences Licensing Act; a facility as defined in Section
8 1-102 of the Specialized Mental Health Rehabilitation Act of
9 2013; a home, institution, or other place operated by or under
10 the authority of the Department of Veterans Affairs; an
11 Alzheimer's disease management center alternative health care
12 model under the Alternative Health Care Delivery Act; and a
13 home, institution, or other place that is a State-operated
14 mental health or developmental disability center or facility.
15 "Facility" does not include a hospital as defined in the
16 Hospital Licensing Act or any hospital authorized under the
17 University of Illinois Hospital Act. "Facility" does not
18 include any facility that the Department of Public Health or
19 the Department of Veterans Affairs does not regulate.

20 "Home" means a community-integrated living arrangement as
21 defined in the Community-Integrated Living Arrangements
22 Licensure and Certification Act.

23 "Office" means the Office of State Long Term Care
24 Ombudsman.

25 "Person-centered care plan" means a care plan for a
26 resident developed by the resident or resident's

1 representative in consultation with health professionals that
2 focuses on the resident's physical, emotional, psychological,
3 and socialization needs and describes the resident's right to
4 designate a primary essential support person or secondary
5 essential support person.

6 "Primary essential support person" means a person
7 designated by a resident, or the resident's representative,
8 who has access to the resident in accordance with rules set by
9 the Department to provide essential support according to the
10 resident's person-centered care plan.

11 "Resident" means a person who is living in a facility or
12 home or is seeking admission to a facility or home. "Resident"
13 includes a guardian of the person or an agent for the person
14 under a power of attorney.

15 "Secondary essential support person" means a person
16 designated by the resident, or the resident's representative,
17 to serve as a backup to a primary essential support person.

18 (Source: P.A. 103-261, eff. 6-30-23; 104-37, eff. 1-1-26;
19 104-234, eff. 8-15-25; revised 11-21-25.)

20 (210 ILCS 175/20)

21 Sec. 20. Office of State Long Term Care Ombudsman
22 requirements. ~~(a)~~ The Office of State Long Term Care Ombudsman
23 shall:

24 (1) identify, investigate, and resolve complaints that
25 relate to an action, inaction, or decision that may

1 adversely affect the health, safety, welfare, or rights of
2 residents, including the welfare and rights of residents
3 with respect to primary essential support persons and
4 secondary essential support persons;~~;~~

5 (2) provide services to protect the health, safety,
6 welfare, and rights of residents, including, but not
7 limited to, services designed to address the impact of
8 socialization, visitation, and the role of primary
9 essential support persons or secondary essential support
10 persons in the health, safety, and well-being of
11 residents;

12 (3) inform residents of available means of obtaining
13 the services described in paragraph (2);

14 (4) recommend any changes in the laws, rules, or
15 policies of this Act or actions required under this Act
16 that the Office determines to be appropriate; and

17 (5) facilitate public comment on the laws, rules, or
18 policies of this Act or actions required under this Act.

19 (Source: P.A. 103-261, eff. 6-30-23; revised 6-25-25.)

20 Section 525. The Illinois Insurance Code is amended by
21 changing Sections 179E-65, 231.1, 236, 356z.3a, 356z.73, and
22 370c.4 and the heading of Article XX.5 and by setting forth and
23 renumbering multiple versions of Section 356z.80 as follows:

24 (215 ILCS 5/179E-65)

1 Sec. 179E-65. Fees and taxes. The Director may charge fees
2 to reimburse the Director for expenses and costs incurred by
3 the Department incident to the examination of financial
4 statements and review of the plan of operation and to
5 reimburse other such activities of the Director related to the
6 formation and ongoing operation of an SPRV. An SPRV is not ~~be~~
7 subject to State premium or other State taxes incidental to
8 the operation of its business as long as the business remains
9 within the limitations of this Article.

10 (Source: P.A. 92-124, eff. 7-20-01; revised 6-25-25.)

11 (215 ILCS 5/231.1) (from Ch. 73, par. 843.1)

12 Sec. 231.1. Group Life Insurance Standard Provision. No
13 policy of group life insurance shall be delivered in this
14 State unless it contains in substance the following
15 provisions, or provisions which in the opinion of the Director
16 are more favorable to the persons insured, or at least as
17 favorable to the persons insured and more favorable to the
18 policyholder, provided, however, (a) that provisions (F) to
19 (K) inclusive shall not apply to policies insuring the lives
20 of debtors; (b) that the standard provisions required for
21 individual life insurance policies shall not apply to group
22 life insurance policies; and (c) that if the group life
23 insurance policy is on a plan of insurance other than the term
24 plan, it shall contain a nonforfeiture provision which in the
25 opinion of the Director is equitable to the insured persons

1 and to the policyholder, but nothing herein shall be construed
2 to require that group life insurance policies contain the same
3 nonforfeiture provisions as are required for individual life
4 insurance policies:

5 (A) A provision that the policyholder is entitled to a
6 grace period of 31 days for the payment of any premium due
7 except the first, during which grace period the death benefit
8 coverage shall continue in force, unless the policyholder
9 shall have given the insurer written notice of discontinuance
10 in advance of the date of discontinuance and in accordance
11 with the terms of the policy. The policy may provide that the
12 policyholder shall be liable to the insurer for the payment of
13 a pro rata premium for the time the policy was in force during
14 such grace period.

15 (B) A provision that validity of the policy shall not be
16 contested, except for nonpayment of premiums, after it has
17 been in force for 2 ~~two~~ years from its date of issue; and that
18 no statement made by any person insured under the policy
19 relating to his insurability shall be used in contesting the
20 validity of the insurance with respect to which such statement
21 was made after such insurance has been in force prior to the
22 contest for a period of 2 ~~two~~ years during such person's
23 lifetime nor unless it is contained in a written instrument
24 signed by him; provided, however, that no such provision shall
25 preclude the assertion at any time of defenses based upon
26 provisions in the policy which relate to eligibility for

1 coverage.

2 (C) A provision that a copy of the application, if any, of
3 the policyholder shall be attached to the policy when issued,
4 and that all statements made by the policyholder shall be
5 deemed representations and not warranties, and that no
6 statement made by any person insured shall be used in any
7 contest unless a copy of the instrument containing the
8 statement is or has been furnished to such person or, in the
9 event of death or incapacity of the insured person, to his
10 beneficiary or personal representative.

11 (D) A provision setting forth the conditions, if any,
12 under which the insurer reserves the right to require a person
13 eligible for insurance to furnish evidence of individual
14 insurability satisfactory to the insurer as a condition to
15 part or all of his coverage.

16 (E) A provision specifying an equitable adjustment of
17 premiums or of benefits or of both to be made in the event the
18 age of a person insured has been misstated, such provision to
19 contain a clear statement of the method of adjustment to be
20 made.

21 (F) A provision that any sum becoming due by reason of the
22 death of the person insured shall be payable to the
23 beneficiary designated by the person insured, except that
24 where the policy contains conditions pertaining to family
25 status the beneficiary may be the family member specified by
26 the policy terms, subject to the provisions of the policy in

1 the event there is no designated beneficiary, as to all or any
2 part of such sum, living at the death of the person insured,
3 and subject to any right reserved by the insurer in the policy
4 and set forth in the certificate to pay at its option a part of
5 such sum not exceeding \$2,000 to any person appearing to the
6 insurer to be equitably entitled thereto by reason of having
7 incurred funeral or other expenses incident to the last
8 illness or death of the person insured.

9 (G) A provision that the insurer will issue to the
10 policyholder for delivery to each person insured a certificate
11 setting forth a statement as to the insurance protection to
12 which he is entitled, to whom the insurance benefits are
13 payable, a statement as to any dependent's coverage included
14 in such certificate, and the rights and conditions set forth
15 in provisions (H), (I), (J), L and (K) following.

16 (H) A provision that if the insurance, or any portion of
17 it, on a person covered under the policy or on the dependent of
18 a person covered~~7~~ ceases because of termination of employment
19 or of membership in the class or classes eligible for coverage
20 under the policy, such person shall be entitled to have issued
21 to him by the insurer, without evidence of insurability, an
22 individual policy of life insurance without disability or
23 other supplementary benefits, unless such right to convert
24 such coverage was provided for in the group policy and is
25 applied for in the application for conversion, provided that
26 an application for the individual policy shall be made, and

1 the first premium paid to the insurer, within 31 days after
2 such termination, and provided further that:

3 (1) the individual policy may, at the option of such
4 person, be on any one of the forms then customarily issued
5 by the insurer at the age and for the amount applied for,
6 except that the group policy may exclude the option to
7 elect term insurance;

8 (2) the individual policy shall be in an amount equal
9 to, unless such person chooses to elect a lesser amount,
10 the amount of life insurance which ceases because of such
11 termination, less the amount of any life insurance for
12 which such person becomes eligible under the same or any
13 other group policy within 31 days after such termination,
14 provided that any amount of insurance which shall have
15 matured on or before the date of such termination as an
16 endowment payable to the person insured, whether in one
17 sum or in installments or in the form of an annuity, shall
18 not, for the purposes of this provision, be included in
19 the amount which is considered to cease because of such
20 termination; ~~and~~

21 (3) the premium on the individual policy shall be at
22 the insurer's then customary rate applicable to the form
23 and amount of the individual policy, to the class of risk
24 to which such person then belongs, and to such person's
25 age attained on the effective date of the individual
26 policy; and.

1 (4) if ~~if~~ any individual insured under a group life
2 insurance policy becomes entitled under the terms of such
3 policy to have an individual policy of life insurance
4 issued and if such individual is not given notice of the
5 existence of such right at least 15 days prior to the
6 expiration date of such period, then in such event the
7 individual shall have an additional period within which to
8 exercise such right, but nothing herein contained shall be
9 construed to continue any insurance beyond the period
10 provided in such policy. This additional period shall
11 expire 15 days next after the individual is given such
12 notice but in no event shall such additional period extend
13 beyond 60 days next after the expiration date of the
14 period provided in such policy. Written notice presented
15 to the individual or mailed by the policyholder to the
16 last known address of the individual or mailed by the
17 insurer to the last known address of the individual as
18 furnished by the policyholder shall constitute notice for
19 the purpose of this Section.

20 Subject to the same conditions set forth above, the
21 conversion privilege shall be available (i) to a surviving
22 dependent, if any, at the death of the employee or member, with
23 respect to the coverage under the group policy which
24 terminates by reason of such death and (ii) to the dependent of
25 the employee or member upon termination of coverage of the
26 dependent, while the employee or member remains under the

1 group policy, by reason of the dependent ceasing to be a
2 qualified family member under the group policy.

3 (I) A provision, except in the case of a policy described
4 in paragraph (B) of Section 230.1, that the termination of the
5 employment of an employee or the membership of a member shall
6 not terminate the insurance of such employee or member under
7 the group policy until the expiration of such period for which
8 the premium for such employee or member has been paid, not
9 exceeding 31 days.

10 (J) A provision that from time to time all new employees or
11 members eligible for insurance and desiring the same shall be
12 added to the group or class thereof originally insured.

13 (K) A provision that if the group policy terminates or is
14 amended so as to terminate the insurance of any class of
15 insured persons, every person insured thereunder at the date
16 of such termination whose insurance terminates, including the
17 insured dependent of a covered person, and who has been so
18 insured for at least 5 ~~five~~ years prior to such termination
19 date shall be entitled to have issued by the insurer an
20 individual policy of life insurance, subject to the same
21 conditions and limitations as are provided by provision (H)
22 above, except that the group policy may provide that the
23 amount of such individual policy shall not exceed the smaller
24 of (a) the amount of the person's life insurance protection
25 ceasing because of the termination or amendment of the group
26 policy, less the amount of any life insurance for which he is

1 or becomes eligible under a group policy issued or reinstated
2 by the same or another insurer within 31 days after such
3 termination, or (b) \$10,000.

4 (L) A provision that if a person insured under the group
5 policy, or the insured dependent of a covered person, dies
6 during the period within which the individual would have been
7 entitled to have an individual policy issued in accordance
8 with provisions (H) or (I) above and before such an individual
9 policy shall have become effective, the amount of life
10 insurance which he would have been entitled to have issued
11 under such individual policy shall be payable as a claim under
12 the group policy, whether or not application for the
13 individual policy or the payment of the first premium therefor
14 has been made.

15 (M) If active employment is a condition of insurance, a
16 provision that an insured may continue coverage during the
17 insured's total disability by timely payment to the
18 policyholder of that portion, if any, of the premium that
19 would have been required from the insured had total disability
20 not occurred. The continuation shall be on a premium paying
21 basis for a period of 6 ~~six~~ months from the date on which the
22 total disability started, but not beyond the earlier of (a)
23 approval by the insurer of continuation of the coverage under
24 any disability provision which the group insurance policy may
25 contain or (b) the discontinuance of the group insurance
26 policy.

1 (N) If active employment is a condition of insurance, in
2 the case of a policy of group life insurance replacing another
3 policy of group life insurance in force with another insurance
4 carrier immediately prior to the effective date of the new
5 policy, a provision preventing loss of coverage, subject to
6 premium payments, for those active employees who are not
7 actively at work on the effective date of the new policy if the
8 following conditions are met:

9 (1) the active employee was insured under the prior
10 carrier's group life insurance policy immediately prior to
11 the effective date of the policy;

12 (2) the active employee is not actively at work on the
13 effective date of the new policy;

14 (3) the active employee is a member of an eligible
15 class under the policy; and

16 (4) the active employee is not receiving or eligible
17 to receive benefits under the prior carrier's group life
18 insurance policy.

19 (O) If active employment is a condition of insurance, a
20 provision that for active employees receiving or eligible to
21 receive benefits under provision (N) the continued coverage
22 will remain in effect until the earliest of the following:

23 (1) the date the employee returns to active work;

24 (2) the date that coverage under the prior carrier's
25 group life insurance policy would have ended for any
26 reason other than the termination of the policy;

1 (3) the date that coverage would otherwise end under
2 the replacing carrier's policy;

3 (4) a date no less than 6 months after the replacement
4 coverage begins; or

5 (5) the date the employee is covered or is eligible
6 for coverage under the prior carrier's group policy.

7 (P) If active employment is a condition of insurance, a
8 provision that the replacing carrier's obligations under
9 provisions (N) and (O) may be limited to the amount for which
10 the employee was covered under the prior carrier's group life
11 insurance policy and may be reduced by any amounts payable
12 under the prior carrier's group life insurance policy.

13 (Q) In the case of a policy insuring the lives of debtors,
14 a provision that the insurer will furnish to the policyholder
15 for delivery to each debtor insured under the policy a
16 certificate of insurance describing the coverage and
17 specifying that the death benefit shall first be applied to
18 reduce or extinguish the indebtedness. Whenever the amount of
19 insurance payable exceeds the amount of outstanding
20 indebtedness, the excess benefit shall be payable to the
21 person otherwise contractually or legally entitled thereto; if
22 there be no person determined to be so entitled, such excess
23 shall be paid to the estate of the insured person.

24 (Source: P.A. 102-367, eff. 1-1-22; 102-743, eff. 5-6-22;
25 revised 7-1-25.)

1 (215 ILCS 5/236) (from Ch. 73, par. 848)

2 Sec. 236. Discrimination prohibited.

3 (a) No life company doing business in this State shall
4 make or permit any distinction or discrimination in favor of
5 individuals among insured persons of the same class and equal
6 expectation of life in the issuance of its policies, in the
7 amount of payment of premiums or rates charged for policies of
8 insurance, in the amount of any dividends or other benefits
9 payable thereon, or in any other of the terms and conditions of
10 the contracts it makes.

11 (b) No life company shall make or permit any distinction
12 or discrimination against individuals with disabilities in the
13 amount of payment of premiums or rates charged for policies of
14 life insurance, in the amount of any dividends or death
15 benefits payable thereon, or in any other terms and conditions
16 of the contract it makes unless the rate differential is based
17 on sound actuarial principles and a reasonable system of
18 classification and is related to actual or reasonably
19 anticipated experience directly associated with the
20 disability.

21 (c) No life company shall refuse to insure, or refuse to
22 continue to insure, or limit the amount or extent or kind of
23 coverage available to an individual, or charge an individual a
24 different rate for the same coverage solely because of
25 blindness or partial blindness. With respect to all other
26 conditions, including the underlying cause of the blindness or

1 partial blindness, persons who are blind or partially blind
2 shall be subject to the same standards of sound actuarial
3 principles or actual or reasonably anticipated experience as
4 are sighted persons. Refusal to insure includes denial by an
5 insurer of disability insurance coverage on the grounds that
6 the policy defines "disability" as being presumed in the event
7 that the insured loses his or her eyesight. However, an
8 insurer may exclude from coverage disabilities consisting
9 solely of blindness or partial blindness when such condition
10 existed at the time the policy was issued.

11 (d) No life company shall refuse to insure or to continue
12 to insure an individual solely because of the individual's
13 status as a member of the United States Air Force, Army, Coast
14 Guard, Marines, or Navy or solely because of the individual's
15 status as a member of the National Guard or Armed Forces
16 Reserve.

17 (e) An insurer or producer authorized to issue policies of
18 insurance in this State may not make a distinction or
19 otherwise discriminate between persons, reject an applicant,
20 cancel a policy, or demand or require a higher rate of premium
21 for reasons based solely upon an applicant's or insured's past
22 lawful travel experiences or future lawful travel plans. This
23 subsection (e) does not prohibit an insurer or producer from
24 excluding or limiting coverage under a policy or refusing to
25 offer the policy based upon past lawful travel or future
26 lawful travel plans or from charging a different rate for that

1 coverage when that action is based upon sound actuarial
2 principles or is related to actual or reasonably expected
3 experience and is not based solely on the destination's
4 inclusion on the United States Department of State's travel
5 warning list.

6 (f) With respect to life insurance final expense policies,
7 no life company authorized to issue these policies in this
8 State shall refuse to insure an individual; refuse to continue
9 to insure an individual ~~individual~~; limit the amount, extent,
10 or kind of coverage available to an individual; or charge an
11 individual a different rate for the same coverage solely on
12 the basis that an insured or applicant has been convicted of a
13 felony. Nothing in this subsection shall be construed to
14 require a life company to issue or otherwise provide coverage
15 for a life insurance policy to a person who is actively
16 incarcerated pursuant to a felony conviction. As used in this
17 subsection, "final expense policy" means a policy marketed and
18 sold exclusively to cover costs associated with funeral and
19 burial expenses.

20 (Source: P.A. 104-224, eff. 1-1-26; revised 12-12-25.)

21 (215 ILCS 5/356z.3a)

22 Sec. 356z.3a. Billing; emergency services;
23 nonparticipating providers.

24 (a) As used in this Section:

25 "Ancillary services" means:

1 (1) items and services related to emergency medicine,
2 anesthesiology, pathology, radiology, and neonatology that
3 are provided by any health care provider;

4 (2) items and services provided by assistant surgeons,
5 hospitalists, and intensivists;

6 (3) diagnostic services, including radiology and
7 laboratory services, except for advanced diagnostic
8 laboratory tests identified on the most current list
9 published by the United States Secretary of Health and
10 Human Services under 42 U.S.C. 300gg-132(b) (3);

11 (4) items and services provided by other specialty
12 practitioners as the United States Secretary of Health and
13 Human Services specifies through rulemaking under 42
14 U.S.C. 300gg-132(b) (3);

15 (5) items and services provided by a nonparticipating
16 provider if there is no participating provider who can
17 furnish the item or service at the facility; and

18 (6) items and services provided by a nonparticipating
19 provider if there is no participating provider who will
20 furnish the item or service because a participating
21 provider has asserted the participating provider's rights
22 under the Health Care Right of Conscience Act.

23 "Average gross charge rate" means, with respect to
24 nonparticipating ground ambulance service providers, the
25 average of the provider's gross charge rates in place for each
26 individual charge described in subsection (b-15) of this

1 Section for dates of service that fall within the 12-month
2 period ending on June 30 immediately preceding the date on
3 which the reporting of average gross charge rates is required.

4 "Cost sharing" means the amount an insured, beneficiary,
5 or enrollee is responsible for paying for a covered item or
6 service under the terms of the policy or certificate. "Cost
7 sharing" includes copayments, coinsurance, and amounts paid
8 toward deductibles, but does not include amounts paid towards
9 premiums, balance billing by out-of-network providers, or the
10 cost of items or services that are not covered under the policy
11 or certificate.

12 "Emergency department of a hospital" means any hospital
13 department that provides emergency services, including a
14 hospital outpatient department.

15 "Emergency medical condition" has the meaning ascribed to
16 that term in Section 10 of the Managed Care Reform and Patient
17 Rights Act.

18 "Emergency medical screening examination" has the meaning
19 ascribed to that term in Section 10 of the Managed Care Reform
20 and Patient Rights Act.

21 "Emergency services" means, with respect to an emergency
22 medical condition:

23 (1) in general, an emergency medical screening
24 examination, including ancillary services routinely
25 available to the emergency department to evaluate such
26 emergency medical condition, and such further medical

1 examination and treatment as would be required to
2 stabilize the patient regardless of the department of the
3 hospital or other facility in which such further
4 examination or treatment is furnished; or

5 (2) additional items and services for which benefits
6 are provided or covered under the coverage and that are
7 furnished by a nonparticipating provider or
8 nonparticipating emergency facility regardless of the
9 department of the hospital or other facility in which such
10 items are furnished after the insured, beneficiary, or
11 enrollee is stabilized and as part of outpatient
12 observation or an inpatient or outpatient stay with
13 respect to the visit in which the services described in
14 paragraph (1) are furnished. Services after stabilization
15 cease to be emergency services only when all the
16 conditions of 42 U.S.C. 300gg-111(a)(3)(C)(ii)(II) and
17 regulations thereunder are met.

18 "Emergency ground ambulance service" means ground
19 ambulance service provided by ground ambulance service
20 providers, regardless of whether the patient was transported,
21 if the service was provided pursuant to a request to 9-1-1 or
22 an equivalent telephone number, texting system, or other
23 method of summoning emergency service or if the service
24 provided was provided when a patient's condition, at the time
25 of service, was considered to be an emergency medical
26 condition as determined by a physician licensed under the

1 Medical Practice Act of 1987.

2 "Evaluation" means, with respect to emergency ground
3 ambulance service, the provision of a medical screening
4 examination to determine whether an emergency medical
5 condition exists.

6 "Freestanding Emergency Center" means a facility licensed
7 under Section 32.5 of the Emergency Medical Services (EMS)
8 Systems Act.

9 "Ground ambulance service" means both medical
10 transportation service that is described as ground ambulance
11 service by the Centers for Medicare and Medicaid Services and
12 medical nontransportation service, such as evaluation without
13 transport, treatment without transport, or paramedic
14 intercept, and that is, in either case, provided in a vehicle
15 that is licensed as an ambulance under the Emergency Medical
16 Services (EMS) Systems Act or by EMS Personnel assigned to a
17 vehicle that is licensed as an ambulance under the Emergency
18 Medical Services (EMS) Systems Act. "Ground ambulance service"
19 may include any combination of the following: emergency ground
20 ambulance service in a ground ambulance, urgent ground
21 ambulance service, evaluation without treatment, treatment
22 without transport, and paramedic intercept.

23 "Ground ambulance service provider" means a vehicle
24 service provider under the Emergency Medical Services (EMS)
25 Systems Act that operates licensed ground ambulances for the
26 purpose of providing emergency ground ambulance services,

1 urgent ground ambulances services, or both. "Ground ambulance
2 service provider" includes both ambulance providers and
3 ambulance suppliers as described by the Centers for Medicare
4 and Medicaid Services.

5 "Health care facility" means, in the context of
6 non-emergency services, any of the following:

- 7 (1) a hospital as defined in 42 U.S.C. 1395x(e);
8 (2) a hospital outpatient department;
9 (3) a critical access hospital certified under 42
10 U.S.C. 1395i-4(e);
11 (4) an ambulatory surgical treatment center as defined
12 in the Ambulatory Surgical Treatment Center Act; or
13 (5) any recipient of a license under the Hospital
14 Licensing Act that is not otherwise described in this
15 definition.

16 "Health care provider" means a provider as defined in
17 subsection (d) of Section 370g. "Health care provider" does
18 not include a provider of air ambulance or ground ambulance
19 services.

20 "Health care services" has the meaning ascribed to that
21 term in subsection (a) of Section 370g.

22 "Health insurance issuer" has the meaning ascribed to that
23 term in Section 5 of the Illinois Health Insurance Portability
24 and Accountability Act.

25 "Nonparticipating emergency facility" means, with respect
26 to the furnishing of an item or service under a policy of group

1 or individual health insurance coverage, any of the following
2 facilities that does not have a contractual relationship
3 directly or indirectly with a health insurance issuer in
4 relation to the coverage:

5 (1) an emergency department of a hospital;

6 (2) a Freestanding Emergency Center;

7 (3) an ambulatory surgical treatment center as defined
8 in the Ambulatory Surgical Treatment Center Act; or

9 (4) with respect to emergency services described in
10 paragraph (2) of the definition of "emergency services", a
11 hospital.

12 "Nonparticipating ground ambulance service provider"
13 means, with respect to the furnishing of an item or services
14 under a policy of group or individual health insurance
15 coverage, any ground ambulance service provider that does not
16 have a contractual relationship directly or indirectly with a
17 health insurance issuer in relation to the coverage.

18 "Nonparticipating provider" means, with respect to the
19 furnishing of an item or service under a policy of group or
20 individual health insurance coverage, any health care provider
21 who does not have a contractual relationship directly or
22 indirectly with a health insurance issuer in relation to the
23 coverage.

24 "Paramedic intercept" means a service in which a ground
25 ambulance staffed by licensed paramedics rendezvouses with a
26 ground ambulance staffed with nonparamedics to provide

1 advanced life support care. As used in this definition,
2 "advanced life support care" means life support care that is
3 warranted when a patient's condition and need for treatment
4 exceed the basic life support or intermediate life support
5 level of care.

6 "Participating emergency facility" means any of the
7 following facilities that has a contractual relationship
8 directly or indirectly with a health insurance issuer offering
9 group or individual health insurance coverage setting forth
10 the terms and conditions on which a relevant health care
11 service is provided to an insured, beneficiary, or enrollee
12 under the coverage:

- 13 (1) an emergency department of a hospital;
14 (2) a Freestanding Emergency Center;
15 (3) an ambulatory surgical treatment center as defined
16 in the Ambulatory Surgical Treatment Center Act; or
17 (4) with respect to emergency services described in
18 paragraph (2) of the definition of "emergency services", a
19 hospital.

20 For purposes of this definition, a single case agreement
21 between an emergency facility and an issuer that is used to
22 address unique situations in which an insured, beneficiary, or
23 enrollee requires services that typically occur out-of-network
24 constitutes a contractual relationship and is limited to the
25 parties to the agreement.

26 "Participating ground ambulance service provider" means

1 any ground ambulance service provider that has a contractual
2 relationship directly or indirectly with a health insurance
3 issuer offering group or individual health insurance coverage
4 setting forth the terms and conditions on which a relevant
5 health care service is provided to an insured, beneficiary, or
6 enrollee under the coverage. As used in this definition, a
7 single case agreement between a ground ambulance service
8 provider and a health insurance issuer that is used to address
9 unique situations in which an insured, beneficiary, or
10 enrollee requires services that typically occur out-of-network
11 constitutes a contractual relationship and is limited to the
12 parties of the agreement.

13 "Participating health care facility" means any health care
14 facility that has a contractual relationship directly or
15 indirectly with a health insurance issuer offering group or
16 individual health insurance coverage setting forth the terms
17 and conditions on which a relevant health care service is
18 provided to an insured, beneficiary, or enrollee under the
19 coverage. A single case agreement between an emergency
20 facility and an issuer that is used to address unique
21 situations in which an insured, beneficiary, or enrollee
22 requires services that typically occur out-of-network
23 constitutes a contractual relationship for purposes of this
24 definition and is limited to the parties to the agreement.

25 "Participating provider" means any health care provider
26 that has a contractual relationship directly or indirectly

1 with a health insurance issuer offering group or individual
2 health insurance coverage setting forth the terms and
3 conditions on which a relevant health care service is provided
4 to an insured, beneficiary, or enrollee under the coverage.

5 "Qualifying payment amount" has the meaning given to that
6 term in 42 U.S.C. 300gg-111(a)(3)(E) and the regulations
7 promulgated thereunder.

8 "Recognized amount" means, except as otherwise provided in
9 this Section, the lesser of the amount initially billed by the
10 provider or the qualifying payment amount.

11 "Stabilize" means "stabilization" as defined in Section 10
12 of the Managed Care Reform and Patient Rights Act.

13 "Treating provider" means a health care provider who has
14 evaluated the individual.

15 "Treatment" means, with respect to the provision of
16 emergency ground ambulance service, the provision of an
17 evaluation and either (i) a therapy or therapeutic agent used
18 to treat an emergency medical condition or (ii) a procedure
19 used to treat an emergency medical condition.

20 "Urgent ground ambulance service" means ground ambulance
21 service that is deemed medically necessary by a health care
22 professional and is required within 12 hours after the
23 certification of the need for the service.

24 "Visit" means, with respect to health care services
25 furnished to an individual at a health care facility, health
26 care services furnished by a provider at the facility, as well

1 as equipment, devices, telehealth services, imaging services,
2 laboratory services, and preoperative and postoperative
3 services regardless of whether the provider furnishing such
4 services is at the facility.

5 (b) Emergency services. When a beneficiary, insured, or
6 enrollee receives emergency services from a nonparticipating
7 provider or a nonparticipating emergency facility, the health
8 insurance issuer shall ensure that the beneficiary, insured,
9 or enrollee shall incur no greater out-of-pocket costs than
10 the beneficiary, insured, or enrollee would have incurred with
11 a participating provider or a participating emergency
12 facility. Any cost-sharing requirements shall be applied as
13 though the emergency services had been received from a
14 participating provider or a participating facility. Cost
15 sharing shall be calculated based on the recognized amount for
16 the emergency services. If the cost sharing for the same item
17 or service furnished by a participating provider would have
18 been a flat-dollar copayment, that amount shall be the
19 cost-sharing amount unless the provider has billed a lesser
20 total amount. In no event shall the beneficiary, insured,
21 enrollee, or any group policyholder or plan sponsor be liable
22 to or billed by the health insurance issuer, the
23 nonparticipating provider, or the nonparticipating emergency
24 facility for any amount beyond the cost sharing calculated in
25 accordance with this subsection with respect to the emergency
26 services delivered. Administrative requirements or limitations

1 shall be no greater than those applicable to emergency
2 services received from a participating provider or a
3 participating emergency facility.

4 (b-5) Non-emergency services at participating health care
5 facilities.

6 (1) When a beneficiary, insured, or enrollee utilizes
7 a participating health care facility and, due to any
8 reason, covered ancillary services are provided by a
9 nonparticipating provider during or resulting from the
10 visit, the health insurance issuer shall ensure that the
11 beneficiary, insured, or enrollee shall incur no greater
12 out-of-pocket costs than the beneficiary, insured, or
13 enrollee would have incurred with a participating provider
14 for the ancillary services. Any cost-sharing requirements
15 shall be applied as though the ancillary services had been
16 received from a participating provider. Cost sharing shall
17 be calculated based on the recognized amount for the
18 ancillary services. If the cost sharing for the same item
19 or service furnished by a participating provider would
20 have been a flat-dollar copayment, that amount shall be
21 the cost-sharing amount unless the provider has billed a
22 lesser total amount. In no event shall the beneficiary,
23 insured, enrollee, or any group policyholder or plan
24 sponsor be liable to or billed by the health insurance
25 issuer, the nonparticipating provider, or the
26 participating health care facility for any amount beyond

1 the cost sharing calculated in accordance with this
2 subsection with respect to the ancillary services
3 delivered. In addition to ancillary services, the
4 requirements of this paragraph shall also apply with
5 respect to covered items or services furnished as a result
6 of unforeseen, urgent medical needs that arise at the time
7 an item or service is furnished, regardless of whether the
8 nonparticipating provider satisfied the notice and consent
9 criteria under paragraph (2) of this subsection.

10 (2) When a beneficiary, insured, or enrollee utilizes
11 a participating health care facility and receives
12 non-emergency covered health care services other than
13 those described in paragraph (1) of this subsection from a
14 nonparticipating provider during or resulting from the
15 visit, the health insurance issuer shall ensure that the
16 beneficiary, insured, or enrollee incurs no greater
17 out-of-pocket costs than the beneficiary, insured, or
18 enrollee would have incurred with a participating provider
19 unless the nonparticipating provider or the participating
20 health care facility on behalf of the nonparticipating
21 provider satisfies the notice and consent criteria
22 provided in 42 U.S.C. 300gg-132 and regulations
23 promulgated thereunder. If the notice and consent criteria
24 are not satisfied, then:

25 (A) any cost-sharing requirements shall be applied
26 as though the health care services had been received

1 from a participating provider;

2 (B) cost sharing shall be calculated based on the
3 recognized amount for the health care services; and

4 (C) in no event shall the beneficiary, insured,
5 enrollee, or any group policyholder or plan sponsor be
6 liable to or billed by the health insurance issuer,
7 the nonparticipating provider, or the participating
8 health care facility for any amount beyond the cost
9 sharing calculated in accordance with this subsection
10 with respect to the health care services delivered.

11 (b-10) Coverage for ground ambulance services provided by
12 nonparticipating ground ambulance service providers.

13 (1) Any group or individual policy of accident and
14 health insurance amended, delivered, issued, or renewed on
15 or after January 1, 2027 shall provide coverage for both
16 emergency ground ambulance service and urgent ground
17 ambulance service.

18 (2) Beginning on January 1, 2027, when a beneficiary,
19 insured, or enrollee receives emergency ground ambulance
20 services or urgent ambulance services from a
21 nonparticipating ground ambulance service provider, the
22 health insurance issuer shall ensure that the beneficiary,
23 insured, or enrollee shall incur no greater out-of-pocket
24 costs than the beneficiary, insured, or enrollee would
25 have incurred with a participating ground ambulance
26 provider. Any cost-sharing requirements shall be applied

1 as though the emergency ground ambulance services or
2 urgent ground ambulance services had been received from a
3 participating ground ambulance service provider. Except as
4 otherwise provided in State or federal law, cost sharing
5 shall be calculated based on the lesser of the policy's
6 copayment or coinsurance for an emergency room visit or
7 10% of the recognized amount. For purposes of this
8 subsection, the recognized amount shall be calculated as
9 provided for in paragraph (3) of this subsection. Except
10 as otherwise provided for in State or federal law, if the
11 cost sharing for the same item or service furnished by a
12 participating ground ambulance provider would have been a
13 flat-dollar copayment, that amount shall be the
14 cost-sharing amount unless the nonparticipating ground
15 ambulance provider has billed a lesser total amount.

16 (3) Upon reasonable demand by a nonparticipating
17 ground ambulance service provider and after subtracting
18 the beneficiary's, insured's, or enrollee's cost sharing
19 amount, a health insurance issuer shall pay the
20 nonparticipating ground ambulance service provider as
21 follows:

22 (A) for nonparticipating ground ambulance service
23 providers subject to a unit of local government that
24 has jurisdiction over where the service was provided,
25 a rate that is equal to the rate established or
26 approved by the governing body of the local government

1 having jurisdiction for that area or subarea; or

2 (B) for nonparticipating ground ambulance service
3 providers that are not subject to the jurisdiction of
4 a unit of local government, a rate that is equal to the
5 lesser of (i) the negotiated rate between the
6 nonparticipating ground ambulance service provider and
7 the health insurance issuer; (ii) 85% of the
8 nonparticipating ground ambulance service provider's
9 billed charges; or (iii) the average gross charge rate
10 in effect for the date of service in question for a
11 base charge and, if applicable, a loaded mileage
12 charge, the nonparticipating ground ambulance service
13 provider has filed with the Department of Public
14 Health in accordance with subsection (b-15).

15 By accepting the payment from the health insurance
16 issuer, the nonparticipating ground ambulance service
17 provider shall not seek any payment from the
18 beneficiary, insured, or enrollee for any amount that
19 exceeds the deductible, coinsurance, or copay for
20 services provided to the beneficiary, insured, or
21 enrollee.

22 (b-15) Beginning on October 1, 2026, and each October 1
23 thereafter, each nonparticipating ground ambulance service
24 provider shall file annually with the Department of Public
25 Health, in the form and manner prescribed by the Department of
26 Public Health, its average gross charge rates and any other

1 information required by the Department of Public Health, by
2 rule, for each of the following ground ambulance charge
3 descriptions, as applicable: (1) basic life support, urgent
4 base; (2) basic life support, emergency base; (3) advanced
5 life support, urgent, level 1 base; (4) advanced life support,
6 emergency, level 1 base; (5) advanced life support, emergency,
7 level 2 base; (6) specialty care transport base; (7) emergency
8 response, evaluation without transport base; (8) emergency
9 response, treatment without transport base; (9) emergency
10 response, paramedic intercept base; and (10) loaded mileage,
11 per loaded mile charge for each of the applicable base charge
12 descriptions services. The Department of Public Health shall
13 publish the submitted rate information by January 1, 2027 and
14 every January 1 thereafter. The Department of Public Health
15 may request information from ground ambulance service
16 providers and health insurance issuers regarding factors
17 contributing to the network status of the ground ambulance
18 service providers. The Department of Public Health may, upon
19 the submission of rate information, assess a fee to each
20 ground ambulance service provider that shall not exceed the
21 administrative costs to complete the Department of Public
22 Health's obligations in this subsection. The Department of
23 Public Health may also request information from nationally
24 recognized organizations that provide data on health care
25 costs. The Department of Insurance shall direct the health
26 insurance issuer to the location in which the information

1 reported to the Department of Public Health is stored.

2 (c) Notwithstanding any other provision of this Code,
3 except when the notice and consent criteria are satisfied for
4 the situation in paragraph (2) of subsection (b-5), any
5 benefits a beneficiary, insured, or enrollee receives for
6 services under the situations in subsection (b), (b-5),
7 (b-10), or (b-15) are assigned to the nonparticipating
8 providers, nonparticipating ground ambulance service provider,
9 or the facility acting on their behalf. Upon receipt of the
10 provider's bill or facility's bill, the health insurance
11 issuer shall provide the nonparticipating provider,
12 nonparticipating ground ambulance service provider, or the
13 facility with a written explanation of benefits that specifies
14 the proposed reimbursement and the applicable deductible,
15 copayment, or coinsurance amounts owed by the insured,
16 beneficiary, or enrollee. The health insurance issuer shall
17 pay any reimbursement subject to this Section directly to the
18 nonparticipating provider, nonparticipating ground ambulance
19 service provider, or the facility.

20 (d) For bills assigned under subsection (c), the
21 nonparticipating provider or the facility may bill the health
22 insurance issuer for the services rendered, and the health
23 insurance issuer may pay the billed amount or attempt to
24 negotiate reimbursement with the nonparticipating provider or
25 the facility. Within 30 calendar days after the provider or
26 facility transmits the bill to the health insurance issuer,

1 the issuer shall send an initial payment or notice of denial of
2 payment with the written explanation of benefits to the
3 provider or facility. If attempts to negotiate reimbursement
4 for services provided by a nonparticipating provider do not
5 result in a resolution of the payment dispute within 30 days
6 after receipt of written explanation of benefits by the health
7 insurance issuer, then the health insurance issuer or
8 nonparticipating provider or the facility may initiate binding
9 arbitration to determine payment for services provided on a
10 per-bill or batched-bill basis, in accordance with Section
11 300gg-111 of the Public Health Service Act and the regulations
12 promulgated thereunder. The party requesting arbitration shall
13 notify the other party arbitration has been initiated and
14 state its final offer before arbitration. In response to this
15 notice, the nonrequesting party shall inform the requesting
16 party of its final offer before the arbitration occurs.
17 Arbitration shall be initiated by filing a request with the
18 Department of Insurance.

19 (e) The Department of Insurance shall publish a list of
20 approved arbitrators or entities that shall provide binding
21 arbitration. These arbitrators shall be American Arbitration
22 Association or American Health Lawyers Association trained
23 arbitrators. Both parties must agree on an arbitrator from the
24 Department of Insurance's or its approved entity's list of
25 arbitrators. If no agreement can be reached, then a list of 5
26 arbitrators shall be provided by the Department of Insurance

1 or the approved entity. From the list of 5 arbitrators, the
2 health insurance issuer can veto 2 arbitrators and the
3 provider or facility can veto 2 arbitrators. The remaining
4 arbitrator shall be the chosen arbitrator. This arbitration
5 shall consist of a review of the written submissions by both
6 parties. The arbitrator shall not establish a rebuttable
7 presumption that the qualifying payment amount should be the
8 total amount owed to the provider or facility by the
9 combination of the issuer and the insured, beneficiary, or
10 enrollee. Binding arbitration shall provide for a written
11 decision within 45 days after the request is filed with the
12 Department of Insurance. Both parties shall be bound by the
13 arbitrator's decision. The arbitrator's expenses and fees,
14 together with other expenses, not including attorney's fees,
15 incurred in the conduct of the arbitration, shall be paid as
16 provided in the decision.

17 (f) (Blank).

18 (g) Section 368a of this Code Act shall not apply during
19 the pendency of a decision under subsection (d). Upon the
20 issuance of the arbitrator's decision, Section 368a applies
21 with respect to the amount, if any, by which the arbitrator's
22 determination exceeds the issuer's initial payment under
23 subsection (c), or the entire amount of the arbitrator's
24 determination if initial payment was denied. Any interest
25 required to be paid to a provider under Section 368a shall not
26 accrue until after 30 days of an arbitrator's decision as

1 provided in subsection (d), but in no circumstances longer
2 than 150 days from the date the nonparticipating
3 facility-based provider billed for services rendered.

4 (h) Nothing in this Section shall be interpreted to change
5 the prudent layperson provisions with respect to emergency
6 services under the Managed Care Reform and Patient Rights Act.

7 (i) Nothing in this Section shall preclude a health care
8 provider from billing a beneficiary, insured, or enrollee for
9 reasonable administrative fees, such as service fees for
10 checks returned for nonsufficient funds and missed
11 appointments.

12 (j) Nothing in this Section shall preclude a beneficiary,
13 insured, or enrollee from assigning benefits to a
14 nonparticipating provider when the notice and consent criteria
15 are satisfied under paragraph (2) of subsection (b-5) or in
16 any other situation not described in subsection (b) or (b-5).

17 (k) Except when the notice and consent criteria are
18 satisfied under paragraph (2) of subsection (b-5), if an
19 individual receives health care services under the situations
20 described in subsection (b) or (b-5), no referral requirement
21 or any other provision contained in the policy or certificate
22 of coverage shall deny coverage, reduce benefits, or otherwise
23 defeat the requirements of this Section for services that
24 would have been covered with a participating provider.
25 However, this subsection shall not be construed to preclude a
26 provider contract with a health insurance issuer, or with an

1 administrator or similar entity acting on the issuer's behalf,
2 from imposing requirements on the participating provider,
3 participating emergency facility, or participating health care
4 facility relating to the referral of covered individuals to
5 nonparticipating providers.

6 (l) Except if the notice and consent criteria are
7 satisfied under paragraph (2) of subsection (b-5),
8 cost-sharing amounts calculated in conformity with this
9 Section shall count toward any deductible or out-of-pocket
10 maximum applicable to in-network coverage.

11 (m) The Department has the authority to enforce the
12 requirements of this Section in the situations described in
13 subsections (b) and (b-5), and in any other situation for
14 which 42 U.S.C. Chapter 6A, Subchapter XXV, Parts D or E and
15 regulations promulgated thereunder would prohibit an
16 individual from being billed or liable for emergency services
17 furnished by a nonparticipating provider or nonparticipating
18 emergency facility or for non-emergency health care services
19 furnished by a nonparticipating provider at a participating
20 health care facility.

21 (n) This Section does not apply with respect to air
22 ambulance services. This Section does not apply to any policy
23 of excepted benefits or to short-term, limited-duration health
24 insurance coverage.

25 (o) A home rule unit may not regulate payments for ground
26 ambulance service in a manner inconsistent with this Section.

1 This subsection is a limitation under subsection (i) of
2 Section 6 of Article VII of the Illinois Constitution on the
3 concurrent exercise by home rule units of powers and functions
4 exercised by the State.

5 (p) ~~(e)~~ Notwithstanding any other provision of law to the
6 contrary, if a beneficiary, insured, or enrollee receives
7 neonatal intensive care from a nonparticipating provider or
8 nonparticipating facility, a health insurance issuer shall
9 ensure that the beneficiary, insured, or enrollee shall incur
10 no greater out-of-pocket costs than he or she would have
11 incurred with a participating provider or a participating
12 facility, as long as the nonparticipating provider or
13 nonparticipating facility bills the neonatal intensive care as
14 emergency services.

15 (Source: P.A. 103-440, eff. 1-1-24; 104-60, eff. 1-1-26;
16 104-248, eff. 8-15-25; revised 11-21-25.)

17 (215 ILCS 5/356z.73)

18 Sec. 356z.73. Insurance coverage for dependent parents.

19 (a) A group or individual policy of accident and health
20 insurance issued, amended, delivered, or renewed on or after
21 January 1, 2026 that provides dependent coverage shall make
22 that dependent coverage available to the parent or stepparent
23 of the insured if the parent or stepparent meets the
24 definition of a qualifying relative under 26 U.S.C. 152(d) and
25 lives or resides within the accident and health insurance

1 policy's service area.

2 (b) This Section does not apply to specialized health care
3 service plans, including student health insurance coverage;
4 Medicare supplement insurance; hospital-only policies;
5 accident-only policies; or specified disease insurance
6 policies that reimburse for hospital, medical, or surgical
7 expenses.

8 (Source: P.A. 103-700, eff. 1-1-25; 104-189, eff. 8-15-25;
9 104-334, eff. 8-15-25; 104-417, eff. 8-15-25; revised
10 9-12-25.)

11 (215 ILCS 5/356z.79)

12 Sec. 356z.79 ~~356z.80~~. Coverage for treatments to slow the
13 progression of Alzheimer's disease and related dementias.

14 (a) A group or individual policy of accident and health
15 insurance or a managed care plan that is amended, delivered,
16 issued, or renewed on or after January 1, 2027 shall provide
17 coverage for all medically necessary diagnostic testing and
18 U.S. Food and Drug Administration-approved treatments or
19 medications prescribed to slow the progression of Alzheimer's
20 disease or another related dementia, in accordance with the
21 U.S. Food and Drug Administration label, as determined by a
22 physician licensed to practice medicine in all its branches.
23 Coverage of U.S. Food and Drug Administration-approved
24 treatments or medications prescribed to slow the progression
25 of Alzheimer's disease or another related dementia pursuant to

1 this Section shall not be subject to step therapy.

2 (b) Nothing in this Section prohibits a group or
3 individual policy of accident and health insurance or managed
4 care plan, by contract, written policy, procedure, or any
5 other agreement or course of conduct, from requiring a
6 pharmacist to effect substitutions of prescription drugs
7 consistent with Section 19.5 of the Pharmacy Practice Act,
8 under which a pharmacist may substitute an interchangeable
9 biologic for a prescribed biologic product, and Section 25 of
10 the Pharmacy Practice Act, under which a pharmacist may select
11 a generic drug determined to be therapeutically equivalent by
12 the United States Food and Drug Administration and in
13 accordance with the Illinois Food, Drug and Cosmetic Act.

14 (c) The coverage required under this Section shall not
15 apply to managed care plans that are under contract with the
16 Department of Healthcare and Family Services.

17 (Source: P.A. 104-1, eff. 6-9-25; revised 10-3-25.)

18 (215 ILCS 5/356z.80)

19 Sec. 356z.80. Coverage for testing for Klinefelter
20 syndrome. A group or individual policy of accident and health
21 insurance or a managed care plan that is amended, delivered,
22 issued, or renewed on or after January 1, 2027 shall provide
23 coverage for a karyotype test or related hormone testing to
24 diagnose Klinefelter syndrome.

25 (Source: P.A. 104-73, eff. 1-1-26; revised 1-5-26.)

(215 ILCS 5/356z.81)

Sec. 356z.81 ~~356z.80~~. Coverage for anesthesia services.

(a) A group or individual policy of accident and health insurance or a managed care plan that is amended, delivered, issued, or renewed on or after January 1, 2026 shall provide coverage for medically necessary anesthesia services, regardless of the duration, for any procedure covered by the policy.

(b) An individual or group policy of accident and health insurance is prohibited from denying payment or reimbursement for anesthesia services solely because the duration of care exceeded a preset time limit.

(Source: P.A. 104-42, eff. 8-1-25; revised 10-3-25.)

(215 ILCS 5/356z.82)

Sec. 356z.82 ~~356z.80~~. Coverage for hippotherapy and therapeutic riding.

(a) As used in this Section, "hippotherapy" means the use by a licensed occupational therapist, physical therapist, or speech-language pathologist, in conjunction with a professional horse handler and a therapy horse, of equine movement to engage sensory, neuromotor, and cognitive systems to promote functional outcomes.

(b) A group or individual policy of accident and health insurance that is amended, delivered, issued, or renewed after

1 January 1, 2027 shall provide coverage for medically necessary
2 services, including hippotherapy, that incorporate equine
3 movement as part of a therapeutic intervention.

4 (Source: P.A. 104-68, eff. 1-1-26; revised 1-5-26.)

5 (215 ILCS 5/356z.83)

6 Sec. 356z.83 ~~356z.80~~. Laser hair removal. Any group or
7 individual policy of accident or health insurance or a managed
8 care plan that is amended, delivered, issued, or renewed after
9 January 1, 2027 shall provide coverage for medically necessary
10 laser hair removal if the procedure is a prescribed medical
11 treatment in accordance with generally accepted standards of
12 medical care.

13 (Source: P.A. 104-289, eff. 1-1-26; revised 1-5-26.)

14 (215 ILCS 5/356z.84)

15 Sec. 356z.84 ~~356z.80~~. Coverage for complex wheelchair
16 service and repair.

17 (a) As used in this Section:

18 "Complex rehabilitation technology" means a medically
19 necessary complex wheelchair and associated accessories that
20 is individually configured for an individual to meet specific
21 and unique medical, physical, and functional needs and
22 capacities for basic activities of daily living and
23 instrumental activities of daily living.

24 "Complex wheelchair" has the meaning given in the Complex

1 Rehabilitation Technology Act.

2 "Qualified complex rehabilitation technology supplier"
3 means a person who meets the requirements of Section 10 of the
4 Complex Rehabilitation Technology Act.

5 "Repair" means the repair or replacement of a deficient,
6 broken, or otherwise malfunctioning part, component, hardware,
7 or software, when the deficient, broken, or otherwise
8 malfunctioning state of such part, component, hardware, or
9 software results in the incapacity of or otherwise diminished
10 capacity for use of a complex rehabilitation technology.

11 (b) A group or individual policy of accident and health
12 insurance or a managed care plan that is amended, delivered,
13 issued, or renewed on or after January 1, 2027 and that
14 provides coverage for complex rehabilitation technology shall
15 not require prior authorization, medical documentation, or
16 proof of continued need to complete medically necessary
17 repairs for consumer-owned complex rehabilitation technology
18 unless:

19 (1) the repairs are covered under a manufacturer's
20 warranty;

21 (2) the cumulative cost of the repairs exceeds 75% of
22 the cost to replace the complex rehabilitation technology;
23 or

24 (3) the complex rehabilitation technology in need of
25 repair is subject to replacement because the age of the
26 complex rehabilitation technology exceeds or is within one

1 year of the expiration of the 5-year reasonable useful
2 life of the complex rehabilitation technology.

3 (c) Notwithstanding subsection (b), a Medicaid managed
4 care plan amended, delivered, issued, or renewed on or after
5 January 1, 2027 and that provides coverage for complex
6 rehabilitation technology shall not require prior
7 authorization, medical documentation, or proof of continued
8 need to complete medically necessary repairs for
9 consumer-owned complex rehabilitation technology under the
10 total value of \$1,500. Acceptance or denial of repairs of
11 \$1,500 or more must be made within 7 days of request of
12 preauthorization.

13 Documentation of any repairs completed for consumer-owned
14 complex rehabilitation technology shall be maintained by the
15 qualified complex rehabilitation technology supplier
16 conducting the repairs and must be made available to the
17 insurer upon request.

18 (d) A group or individual policy of accident and health
19 insurance or a managed care plan that is amended, delivered,
20 issued, or renewed on or after January 1, 2027 and that
21 provides coverage for a complex rehabilitation technology
22 shall provide coverage for rented complex rehabilitation
23 technology during the time the primary complex rehabilitation
24 technology is under repair consistent with the provisions for
25 consumer-owned complex rehabilitation technology in subsection
26 (b).

1 (e) If, after a post-service review for medical necessity,
2 an insurer finds that any repair of an item not covered at
3 initial issue of the complex wheelchair was not medically
4 necessary, the insurer and owner shall be held harmless for
5 the cost of the repair and the qualified complex
6 rehabilitation technology supplier that conducted the repair
7 shall be liable for the cost of repair.

8 (Source: P.A. 104-324, eff. 1-1-26; revised 10-3-25.)

9 (215 ILCS 5/356z.85)

10 Sec. 356z.85 ~~356z.80~~. Coverage for peripheral artery
11 disease screening test. A group or individual plan of accident
12 and health insurance or managed care plan amended, delivered,
13 issued, or renewed on or after January 1, 2027 shall provide
14 medically necessary coverage for a peripheral artery disease
15 screening test for any at-risk individual, as defined by the
16 American College of Cardiology and the American Heart
17 Association's Joint Committee on Clinical Practice Guidelines.

18 (Source: P.A. 104-379, eff. 1-1-26; revised 10-3-25.)

19 (215 ILCS 5/370c.4)

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

22 Sec. 370c.4. Mental health and substance use parity.

23 (a) In this Section:

24 "Application" means a person's or facility's application

1 to become a participating provider with an insurer in at least
2 one of the insurer's provider networks.

3 "Applying provider" means a provider or facility that has
4 submitted a completed application to become a participating
5 provider or facility with an insurer.

6 "Behavioral health trainee" means any person: (1) engaged
7 in the provision of mental health or substance use disorder
8 clinical services as part of that person's supervised course
9 of study while enrolled in a master's or doctoral psychology,
10 social work, counseling, or marriage or family therapy program
11 or as a postdoctoral graduate working toward licensure; and
12 (2) who is working toward clinical State licensure under the
13 clinical supervision of a fully licensed mental health or
14 substance use disorder treatment provider.

15 "Completed application" means a person's or facility's
16 application to become a participating provider that has been
17 submitted to the insurer and includes all the required
18 information for the application to be considered by the
19 insurer according to the insurer's policies and procedures for
20 verifying a provider's or facility's credentials.

21 "Contracting process" means the process by which a mental
22 health or substance use disorder treatment provider or
23 facility makes a completed application with an insurer to
24 become a participating provider with the insurer until the
25 effective date of a final contract between the provider or
26 facility and the insurer. "Contracting process" includes the

1 process of verifying a provider's credentials.

2 "Participating provider" means any mental health or
3 substance use disorder treatment provider that has a contract
4 to provide mental health or substance use disorder services
5 with an insurer.

6 (b) Consistent with the principles of the federal Mental
7 Health Parity and Addiction Equity Act of 2008, and for the
8 purposes of strengthening network adequacy for mental health
9 and substance use disorder services and lowering
10 out-of-network utilization, provider reimbursement rates
11 subject to this Section shall comply with the reimbursement
12 rate floors for all in-network mental health and substance use
13 disorder services, including inpatient services, outpatient
14 services, office visits, and residential care, delivered by
15 Illinois providers and facilities using the Illinois data in
16 the Research Triangle Institute International's study,
17 Behavioral Health Parity - Pervasive Disparities in Access to
18 In-Network Care Continue, Mark, T.L., & Parish, W. (April
19 2024). The reimbursement rate floors for in-network mental
20 health and substance use disorder services requires that
21 reimbursement for each service, classified by Healthcare
22 Common Procedure Coding System (HCPCS) codes, Current
23 Procedural Terminology (CPT) codes, Ambulatory Payment
24 Classifications (APC), Enhanced Ambulatory Patient Groups
25 (EAPG), Medicare Severity Diagnosis Related Groups (MS-DRG),
26 All Patient Refined Diagnosis Related Groups (APR-DRG), and

1 base payment rates with adjusters and applicable outliers must
2 be equal to or greater than the dollar amounts applicable
3 under this subsection on the date of service for the
4 geographic location. The reimbursement rate floor for each
5 Healthcare Common Procedure Coding System (HCPCS) code,
6 Current Procedural Terminology (CPT) code, Ambulatory Payment
7 Classification (APC), Enhanced Ambulatory Patient Group
8 (EAPG), Medicare Severity Diagnosis Related Group (MS-DRG),
9 All Patient Refined Diagnosis Related Group (APR-DRG), and
10 base payment rate with adjusters and applicable outliers shall
11 apply to all group or individual policies of accident and
12 health insurance or managed care plans that are amended,
13 delivered, issued, or renewed on or after January 1, 2027, or
14 any contracted third party administering the behavioral health
15 benefits for the insurer.

16 (1) Except as otherwise provided in this subsection,
17 the reimbursement rate floor for each Healthcare Common
18 Procedure Coding System (HCPCS) code, Current Procedural
19 Terminology (CPT) code, Ambulatory Payment Classification
20 (APC), Enhanced Ambulatory Patient Group (EAPG), Medicare
21 Severity Diagnosis Related Group (MS-DRG), All Patient
22 Refined Diagnosis Related Group (APR-DRG), and base
23 payment rate with adjusters and applicable outliers for a
24 mental health or substance use disorder service shall be
25 equal to the following dollar amount:

26 (A) (i) the average reimbursement percentage for

1 Illinois All Medical/Surgical Clinicians, as listed on
2 the first line of Appendix C-13, page C-52 of the
3 Research Triangle Institute International study, plus;

4 (ii) half of the difference between the average
5 reimbursement percentage and the percentage at the
6 75th percentile for Illinois All Medical/Surgical
7 Clinicians, as listed in the first line in Appendix
8 C-13, page C-52, multiplied by;

9 (B) the same source of the benchmark rate that was
10 used to calculate the percentages in items (i) and
11 (ii) of subparagraph (A), using the updated benchmark
12 rate for medical/surgical clinicians for the same
13 Healthcare Common Procedure Coding System (HCPCS) or
14 Current Procedural Terminology (CPT) code in effect on
15 the date of service for the geographic location,
16 except that:

17 (i) the source of the benchmark rate for a
18 hospital inpatient service shall follow the
19 formula set out by the same federal health care
20 program for the acute inpatient operating
21 prospective payment system in effect on the date
22 of service for the geographic location using all
23 applicable adjusters and outliers; and

24 (ii) the source of the benchmark rate for a
25 hospital outpatient service shall follow the
26 formula set out by the same federal health care

1 program for the hospital outpatient services
2 prospective payment system in effect on the date
3 of service for the geographic location using all
4 applicable adjusters and outliers.

5 Calculation of the benchmark rate shall adhere to the
6 methodologies used in the Research Triangle Institute
7 ~~Institution~~ International study using comparable benefits
8 within the same classification.

9 (2) If the rate benchmark set by this subsection is
10 tied to a federal health care program, a rate floor dollar
11 amount shall take effect on the date the federal health
12 care program's benchmark rate takes effect. However, for
13 any year that the benchmark rate decreases for any
14 Healthcare Common Procedure Coding System (HCPCS) code,
15 Current Procedural Terminology (CPT) code, Ambulatory
16 Payment Classification (APC), Enhanced Ambulatory Patient
17 Group (EAPG), Medicare Severity Diagnosis Related Group
18 (MS-DRG), All Patient Refined Diagnosis Related Group
19 (APR-DRG), and base payment rate with adjusters and
20 applicable outliers, the reimbursement rate floor for the
21 purposes of this Section shall remain at the level it was
22 the previous year. Notwithstanding any other provision of
23 this Section, all rate floor dollar amounts in effect on
24 January 1, 2027 shall be equal to the amount described in
25 paragraph (1). The Department has the authority to enforce
26 and monitor the reimbursement rate floor set pursuant to

1 this Section.

2 (c) A group or individual policy of accident and health
3 insurance or managed care plan that is amended, delivered,
4 issued, or renewed on or after January 1, 2027, or any
5 contracted third party administering the behavioral health
6 benefits for the insurer, shall cover all medically necessary
7 mental health or substance use disorder services received by
8 the same insured on the same day from the same or different
9 mental health or substance use provider or facility for both
10 outpatient and inpatient care.

11 (d) A group or individual policy of accident and health
12 insurance or managed care plan that is amended, delivered,
13 issued, or renewed on or after January 1, 2027, or any
14 contracted third party administering the behavioral health
15 benefits for the insurer, shall cover any medically necessary
16 mental health or substance use disorder service provided by a
17 behavioral health trainee when the trainee is working toward
18 clinical State licensure and is under the supervision of a
19 fully licensed mental health or substance use disorder
20 treatment provider who is a physician licensed to practice
21 medicine in all its branches, licensed clinical psychologist,
22 licensed clinical social worker, licensed clinical
23 professional counselor, licensed marriage and family
24 therapist, licensed speech-language pathologist, or other
25 licensed or certified professional at a program licensed
26 pursuant to the Substance Use Disorder Act who is engaged in

1 treating mental, emotional, nervous, or substance use
2 disorders or conditions. Services provided by the trainee must
3 be billed under the supervising clinician's rendering National
4 Provider Identifier.

5 (e) A group or individual policy of accident and health
6 insurance or managed care plan that is amended, delivered,
7 issued, or renewed on or after January 1, 2027, or any
8 contracted third party administering the behavioral health
9 benefits for the insurer, shall:

10 (1) cover medically necessary 60-minute psychotherapy
11 billed using the Current Procedural Terminology Code 90837
12 for Individual Therapy;

13 (2) not impose more onerous documentation requirements
14 on the provider than is required for other psychotherapy
15 Current Procedural Terminology (CPT) codes; and

16 (3) not audit the use of Current Procedural
17 Terminology Code 90837 any more frequently than audits for
18 the use of other psychotherapy Current Procedural
19 Terminology (CPT) codes.

20 (f)(1) Any group or individual policy of accident and
21 health insurance or managed care plan that is amended,
22 delivered, issued, or renewed on or after January 1, 2027, or
23 any contracted third party administering the behavioral health
24 benefits for the insurer, shall complete the contracting
25 process with a mental health or substance use disorder
26 treatment provider or facility for becoming a participating

1 provider in the insurer's network, including the verification
2 of the provider's credentials, within 60 days from the date of
3 a completed application to the insurer to become a
4 participating provider. Nothing in this paragraph (1),
5 however, presumes or establishes a contract between an insurer
6 and a provider.

7 (2) Any group or individual policy of accident and health
8 insurance or managed care plan that is amended, delivered,
9 issued, or renewed on or after January 1, 2027, or any
10 contracted third party administering the behavioral health
11 benefits for the insurer, shall reimburse a participating
12 mental health or substance use disorder treatment provider or
13 facility at the contracted reimbursement rate for any
14 medically necessary services provided to an insured from the
15 date of submission of the provider's or facility's completed
16 application to become a participating provider with the
17 insurer up to the effective date of the provider's contract.
18 The provider's claims for such services shall be reimbursed
19 only when submitted after the effective date of the provider's
20 contract with the insurer. This paragraph (2) does not apply
21 to a provider that does not have a completed contract with an
22 insurer. If a provider opts to submit claims for medically
23 necessary mental health or substance use disorder services
24 pursuant to this paragraph (2), the provider must notify the
25 insured following submission of the claims to the insurer that
26 the services provided to the insured may be treated as

1 in-network services.

2 (3) Any group or individual policy of accident and health
3 insurance or managed care plan that is amended, delivered,
4 issued, or renewed on or after January 1, 2027, or any
5 contracted third party administering the behavioral health
6 benefits for the insurer, shall cover any medically necessary
7 mental health or substance use disorder service provided by a
8 fully licensed mental health or substance use disorder
9 treatment provider affiliated with a mental health or
10 substance use disorder treatment group practice who has
11 submitted a completed application to become a participating
12 provider with an insurer who is delivering services under the
13 supervision of another fully licensed participating mental
14 health or substance use disorder treatment provider within the
15 same group practice up to the effective date of the applying
16 provider's contract with the insurer as a participating
17 provider. Services provided by the applying provider must be
18 billed under the supervising licensed provider's rendering
19 National Provider Identifier.

20 (4) Upon request, an insurer, or any contracted third
21 party administering the behavioral health benefits for the
22 insurer, shall provide an applying provider with the insurer's
23 credentialing policies and procedures. An insurer, or any
24 contracted third party administering the behavioral health
25 benefits for the insurer, shall post the following
26 nonproprietary information on its website and make that

1 information available to all applicants:

2 (A) a list of the information required to be included
3 in an application;

4 (B) a checklist of the materials that must be
5 submitted in the credentialing process; and

6 (C) designated contact information of a network
7 representative, including a designated point of contact,
8 an email address, and a telephone number, to which an
9 applicant may address any credentialing inquiries.

10 (g) The Department has the same authority to enforce this
11 Section as it has to enforce compliance with Sections 370c and
12 370c.1. Additionally, if the Department determines that an
13 insurer or any contracted third party administering the
14 behavioral health benefits for the insurer has violated this
15 Section, the Department shall, after appropriate notice and
16 opportunity for hearing in accordance with Section 402, by
17 order assess a civil penalty of \$1,000 for each violation. The
18 Department shall establish any processes or procedures
19 necessary to monitor compliance with this Section.

20 (h) At the end of 2 years, 7 years, and 12 years following
21 the implementation of subsection (b) of this Section, the
22 Department shall review the impact of this Section on network
23 adequacy for mental health and substance use disorder
24 treatment and access to affordable mental health and substance
25 use care. By no later than December 31, 2030, December 31,
26 2035, and December 31, 2040, the Department shall submit a

1 report in each of those years to the General Assembly that
2 includes its analyses and findings. For the purpose of
3 evaluating trends in network adequacy, the Department is
4 granted the authority to examine out-of-network utilization
5 and out-of-pocket costs for insureds for mental health and
6 substance use disorder treatment and services for all plans to
7 compare with in-network utilization for purposes of evaluating
8 access to care. The Department shall conduct an analysis of
9 the impact, if any, of the reimbursement rate floor for mental
10 health and substance use disorder services on health insurance
11 premiums across the State-regulated health insurance markets,
12 taking into consideration the need to expand network adequacy
13 to improve access to care.

14 (i) The Department of Insurance shall adopt any rules
15 necessary to implement this Section by no later than September
16 1, 2026.

17 (j) This Section does not apply to a health care plan
18 serving Medicaid populations that provides, arranges for, pays
19 for, or reimburses the cost of any health care service for
20 persons who are enrolled under the Illinois Public Aid Code or
21 under the Children's Health Insurance Program Act.

22 (Source: P.A. 104-446, eff. 6-1-26; revised 1-8-26.)

23 (215 ILCS 5/Art. XX.5 heading)

24 ARTICLE XX 1/2. ~~XX-1/2~~ HEALTH CARE REIMBURSEMENT

1 Section 530. The Reinsurance Intermediary Act is amended
2 by changing Section 5 as follows:

3 (215 ILCS 100/5) (from Ch. 73, par. 1605)

4 Sec. 5. Definitions. In this Act:

5 "Actuary" means a person who is a member in good standing
6 of the American Academy of Actuaries.

7 "Controlling person" means any person, firm, association,
8 or corporation that directly or indirectly has the power to
9 direct or cause to be directed the management, control, or
10 activities of the reinsurance intermediary.

11 "Director" means the Director of the Department of
12 Insurance.

13 "Insurer" means any person, firm, association, or
14 corporation duly licensed in this State under the applicable
15 provisions of law as an insurer.

16 "Licensed producer" means an agent, broker, or reinsurance
17 intermediary licensed under the applicable provision of the
18 insurance law.

19 "Reinsurance intermediary" means an intermediary broker or
20 a manager.

21 "Intermediary broker" means any person, other than an
22 officer or employee of the ceding insurer, firm, association,
23 or corporation, who solicits, negotiates, or places
24 reinsurance cessions or retrocessions on behalf of a ceding
25 insurer without the authority or power to bind reinsurance on

1 behalf of the insurer.

2 "Intermediary manager" means any person, firm,
3 association, or corporation that has authority to bind or
4 manages all or part of the assumed reinsurance business of a
5 reinsurer (including the management of a separate division,
6 department, or underwriting office) and acts as an agent for
7 the reinsurer. However, the following persons shall not be
8 considered an intermediary manager, with respect to the
9 reinsurer, for the purposes of this Act:

10 (1) An employee of the reinsurer.

11 (2) A U.S. Manager of the United States branch of an
12 alien reinsurer.

13 (3) An underwriting manager that, under a contract,
14 manages all the reinsurance operations of the reinsurer,
15 is under common control with the reinsurer, subject to
16 Article VIII 1/2 of the Illinois Insurance Code, and whose
17 compensation is not based on the volume of premiums
18 written.

19 (4) The manager of a group, association, pool, or
20 organization of insurers that engage in joint underwriting
21 or joint reinsurance and who are subject to examinations
22 by the insurance regulatory authority of the state in
23 which the manager's principal business office is located.

24 "Reinsurer" means any person, firm, association, or
25 corporation duly licensed in this State under the applicable
26 provisions of law as an insurer with the authority to assume

1 reinsurance.

2 "To be in violation" means that the reinsurance
3 intermediary, insurer, or reinsurer for whom the reinsurance
4 intermediary was acting failed to substantially comply with
5 the provisions of this Act.

6 "Qualified United States financial institution" means an
7 institution that:

8 (1) is organized or (in the case of a U.S. office of a
9 foreign banking organization) licensed under the laws of
10 the United States or any state thereof;

11 (2) is regulated, supervised, and examined by federal
12 or state authorities having regulatory authority over
13 banks and trust companies; and

14 (3) has been determined by either the Director or the
15 Securities Valuation Office of the National Association of
16 Insurance Commissioners to meet the standards of financial
17 condition and standing as are considered necessary and
18 appropriate to regulate the quality of financial
19 institutions whose letters of credit will be acceptable to
20 the Director.

21 (Source: P.A. 87-108; revised 6-26-25.)

22 Section 535. The Network Adequacy and Transparency Act is
23 amended by changing Section 10 as follows:

24 (215 ILCS 124/10)

1 Sec. 10. Network adequacy.

2 (a) Before issuing, delivering, or renewing a network
3 plan, an issuer providing a network plan shall file a
4 description of all of the following with the Director:

5 (1) The written policies and procedures for adding
6 providers to meet patient needs based on increases in the
7 number of beneficiaries, changes in the
8 patient-to-provider ratio, changes in medical and health
9 care capabilities, and increased demand for services.

10 (2) The written policies and procedures for making
11 referrals within and outside the network.

12 (3) The written policies and procedures on how the
13 network plan will provide 24-hour, 7-day per week access
14 to network-affiliated primary care, emergency services,
15 and obstetrical and gynecological health care
16 professionals.

17 An issuer shall not prohibit a preferred provider from
18 discussing any specific or all treatment options with
19 beneficiaries irrespective of the issuer's position on those
20 treatment options or from advocating on behalf of
21 beneficiaries within the utilization review, grievance, or
22 appeals processes established by the issuer in accordance with
23 any rights or remedies available under applicable State or
24 federal law.

25 (b) Before issuing, delivering, or renewing a network
26 plan, an issuer must file for review a description of the

1 services to be offered through a network plan. The description
2 shall include all of the following:

3 (1) A geographic map of the area proposed to be served
4 by the plan by county service area and zip code, including
5 marked locations for preferred providers.

6 (2) As deemed necessary by the Department, the names,
7 addresses, phone numbers, and specialties of the providers
8 who have entered into preferred provider agreements under
9 the network plan.

10 (3) The number of beneficiaries anticipated to be
11 covered by the network plan.

12 (4) An Internet website and toll-free telephone number
13 for beneficiaries and prospective beneficiaries to access
14 current and accurate lists of preferred providers in each
15 plan, additional information about the plan, as well as
16 any other information required by Department rule.

17 (5) A description of how health care services to be
18 rendered under the network plan are reasonably accessible
19 and available to beneficiaries. The description shall
20 address all of the following:

21 (A) the type of health care services to be
22 provided by the network plan;

23 (B) the ratio of physicians and other providers to
24 beneficiaries, by specialty and including primary care
25 physicians and facility-based physicians when
26 applicable under the contract, necessary to meet the

1 health care needs and service demands of the currently
2 enrolled population;

3 (C) the travel and distance standards for plan
4 beneficiaries in county service areas; and

5 (D) a description of how the use of telemedicine,
6 telehealth, or mobile care services may be used to
7 partially meet the network adequacy standards, if
8 applicable.

9 (6) A provision ensuring that whenever a beneficiary
10 has made a good faith effort, as evidenced by accessing
11 the provider directory, calling the network plan, and
12 calling the provider, to utilize preferred providers for a
13 covered service and it is determined the issuer does not
14 have the appropriate preferred providers due to
15 insufficient number, type, unreasonable travel distance or
16 delay, or preferred providers refusing to provide a
17 covered service because it is contrary to the conscience
18 of the preferred providers, as protected by the Health
19 Care Right of Conscience Act, the issuer shall give the
20 beneficiary a network exception and shall ensure, directly
21 or indirectly, by terms contained in the payer contract,
22 that the beneficiary will be provided the covered service
23 at no greater cost to the beneficiary than if the service
24 had been provided by a preferred provider. This paragraph
25 (6) does not apply to: (A) a beneficiary who willfully
26 chooses to access a non-preferred provider for health care

1 services available through the panel of preferred
2 providers, or (B) a beneficiary enrolled in a health
3 maintenance organization, except that the health
4 maintenance organization must notify the beneficiary when
5 a referral has been granted as a network exception based
6 on any preferred provider access deficiency described in
7 this paragraph or under the circumstances applicable in
8 paragraph (3) of subsection (d-5). In these circumstances,
9 the contractual requirements for non-preferred provider
10 reimbursements shall apply unless Section 356z.3a of the
11 Illinois Insurance Code requires otherwise. In no event
12 shall a beneficiary who receives care at a participating
13 health care facility be required to search for
14 participating providers under the circumstances described
15 in subsection (b) or (b-5) of Section 356z.3a of the
16 Illinois Insurance Code except under the circumstances
17 described in paragraph (2) of subsection (b-5).

18 (7) A provision that the beneficiary shall receive
19 emergency care coverage such that payment for this
20 coverage is not dependent upon whether the emergency
21 services are performed by a preferred or non-preferred
22 provider and the coverage shall be at the same benefit
23 level as if the service or treatment had been rendered by a
24 preferred provider. For purposes of this paragraph (7),
25 "the same benefit level" means that the beneficiary is
26 provided the covered service at no greater cost to the

1 beneficiary than if the service had been provided by a
2 preferred provider. This provision shall be consistent
3 with Section 356z.3a of the Illinois Insurance Code.

4 (8) A limitation that complies with subsections (d)
5 and (e) of Section 55 of the Prior Authorization Reform
6 Act.

7 (9) For a network plan to be offered through the
8 Exchange in the individual or small group market, as well
9 as any off-Exchange mirror of such a network plan,
10 evidence that the network plan includes essential
11 community providers in accordance with rules established
12 by the Exchange that will operate in this State for the
13 applicable plan year.

14 (c) The issuer shall demonstrate to the Director a minimum
15 ratio of providers to plan beneficiaries as required by the
16 Department for each network plan.

17 (1) The minimum ratio of physicians or other providers
18 to plan beneficiaries shall be established by the
19 Department in consultation with the Department of Public
20 Health based upon the guidance from the federal Centers
21 for Medicare and Medicaid Services. The Department shall
22 not establish ratios for vision or dental providers who
23 provide services under dental-specific or vision-specific
24 benefits, except to the extent provided under federal law
25 for stand-alone dental plans. The Department shall
26 consider establishing ratios for the following physicians

1 or other providers:

2 (A) Primary Care;

3 (B) Pediatrics;

4 (C) Cardiology;

5 (D) Gastroenterology;

6 (E) General Surgery;

7 (F) Neurology;

8 (G) OB/GYN;

9 (H) Oncology/Radiation;

10 (I) Ophthalmology;

11 (J) Urology;

12 (K) Behavioral Health;

13 (L) Allergy/Immunology;

14 (M) Chiropractic;

15 (N) Dermatology;

16 (O) Endocrinology;

17 (P) Ears, Nose, and Throat (ENT)/Otolaryngology;

18 (Q) Infectious Disease;

19 (R) Nephrology;

20 (S) Neurosurgery;

21 (T) Orthopedic Surgery;

22 (U) Physiatry/Rehabilitative;

23 (V) Plastic Surgery;

24 (W) Pulmonary;

25 (X) Rheumatology;

26 (Y) Anesthesiology;

1 (Z) Pain Medicine;
2 (AA) Pediatric Specialty Services;
3 (BB) Outpatient Dialysis;
4 (CC) HIV; and
5 (DD) Genetic Medicine and Genetic Counseling.

6 (1.5) Beginning January 1, 2026, every issuer shall
7 demonstrate to the Director that each in-network hospital
8 has at least one radiologist, pathologist,
9 anesthesiologist, and emergency room physician as a
10 preferred provider in a network plan. The Department may,
11 by rule, require additional types of hospital-based
12 medical specialists to be included as preferred providers
13 in each in-network hospital in a network plan.

14 (2) The Director shall establish a process for the
15 review of the adequacy of these standards, along with an
16 assessment of additional specialties to be included in the
17 list under this subsection (c).

18 (3) Notwithstanding any other law or rule, the minimum
19 ratio for each provider type shall be no less than any such
20 ratio established for qualified health plans in
21 Federally-Facilitated Exchanges by federal law or by the
22 federal Centers for Medicare and Medicaid Services, even
23 if the network plan is issued in the large group market or
24 is otherwise not issued through an exchange. Federal
25 standards for stand-alone dental plans shall only apply to
26 such network plans. In the absence of an applicable

1 Department rule, the federal standards shall apply for the
2 time period specified in the federal law, regulation, or
3 guidance. If the Centers for Medicare and Medicaid
4 Services establish standards that are more stringent than
5 the standards in effect under any Department rule, the
6 Department may amend its rules to conform to the more
7 stringent federal standards.

8 (4) If the federal Centers for Medicare and Medicaid
9 Services establishes minimum provider ratios for
10 stand-alone dental plans in the type of exchange in use in
11 this State for a given plan year, the Department shall
12 enforce those standards for stand-alone dental plans for
13 that plan year.

14 (d) The network plan shall demonstrate to the Director
15 maximum travel and distance standards and appointment
16 wait-time standards for plan beneficiaries, which shall be
17 established by the Department in consultation with the
18 Department of Public Health based upon the guidance from the
19 federal Centers for Medicare and Medicaid Services. These
20 standards shall consist of the maximum minutes or miles to be
21 traveled by a plan beneficiary for each county type, such as
22 large counties, metro counties, or rural counties as defined
23 by Department rule.

24 The maximum travel time and distance standards must
25 include standards for each physician and other provider
26 category listed for which ratios have been established.

1 The Director shall establish a process for the review of
2 the adequacy of these standards along with an assessment of
3 additional specialties to be included in the list under this
4 subsection (d).

5 Notwithstanding any other law or Department rule, the
6 maximum travel time and distance standards and appointment
7 wait-time standards shall be no greater than any such
8 standards established for qualified health plans in
9 Federally-Facilitated Exchanges by federal law or by the
10 federal Centers for Medicare and Medicaid Services, even if
11 the network plan is issued in the large group market or is
12 otherwise not issued through an exchange. Federal standards
13 for stand-alone dental plans shall only apply to such network
14 plans. In the absence of an applicable Department rule, the
15 federal standards shall apply for the time period specified in
16 the federal law, regulation, or guidance. If the Centers for
17 Medicare and Medicaid Services establish standards that are
18 more stringent than the standards in effect under any
19 Department rule, the Department may amend its rules to conform
20 to the more stringent federal standards.

21 If the federal area designations for the maximum time or
22 distance or appointment wait-time standards required are
23 changed by the most recent Letter to Issuers in the
24 Federally-facilitated Marketplaces, the Department shall post
25 on its website notice of such changes and may amend its rules
26 to conform to those designations if the Director deems

1 appropriate.

2 If the federal Centers for Medicare and Medicaid Services
3 establishes appointment wait-time standards for qualified
4 health plans, including stand-alone dental plans, in the type
5 of exchange in use in this State for a given plan year, the
6 Department shall enforce those standards for the same types of
7 qualified health plans for that plan year. If the federal
8 Centers for Medicare and Medicaid Services establishes time
9 and distance standards for stand-alone dental plans in the
10 type of exchange in use in this State for a given plan year,
11 the Department shall enforce those standards for stand-alone
12 dental plans for that plan year.

13 (d-5) (1) Every issuer shall ensure that beneficiaries have
14 timely and proximate access to treatment for mental,
15 emotional, nervous, or substance use disorders or conditions
16 in accordance with the provisions of paragraph (4) of
17 subsection (a) of Section 370c of the Illinois Insurance Code.
18 Issuers shall use a comparable process, strategy, evidentiary
19 standard, and other factors in the development and application
20 of the network adequacy standards for timely and proximate
21 access to treatment for mental, emotional, nervous, or
22 substance use disorders or conditions and those for the access
23 to treatment for medical and surgical conditions. As such, the
24 network adequacy standards for timely and proximate access
25 shall equally be applied to treatment facilities and providers
26 for mental, emotional, nervous, or substance use disorders or

1 conditions and specialists providing medical or surgical
2 benefits pursuant to the parity requirements of Section 370c.1
3 of the Illinois Insurance Code and the federal Paul Wellstone
4 and Pete Domenici Mental Health Parity and Addiction Equity
5 Act of 2008. Notwithstanding the foregoing, the network
6 adequacy standards for timely and proximate access to
7 treatment for mental, emotional, nervous, or substance use
8 disorders or conditions shall, at a minimum, satisfy the
9 following requirements:

10 (A) For beneficiaries residing in the metropolitan
11 counties of Cook, DuPage, Kane, Lake, McHenry, and Will,
12 network adequacy standards for timely and proximate access
13 to treatment for mental, emotional, nervous, or substance
14 use disorders or conditions means a beneficiary shall not
15 have to travel longer than 30 minutes or 30 miles from the
16 beneficiary's residence to receive outpatient treatment
17 for mental, emotional, nervous, or substance use disorders
18 or conditions. Beneficiaries shall not be required to wait
19 longer than 10 business days between requesting an initial
20 appointment and being seen by the facility or provider of
21 mental, emotional, nervous, or substance use disorders or
22 conditions for outpatient treatment or to wait longer than
23 20 business days between requesting a repeat or follow-up
24 appointment and being seen by the facility or provider of
25 mental, emotional, nervous, or substance use disorders or
26 conditions for outpatient treatment; however, subject to

1 the protections of paragraph (3) of this subsection, a
2 network plan shall not be held responsible if the
3 beneficiary or provider voluntarily chooses to schedule an
4 appointment outside of these required time frames.

5 (B) For beneficiaries residing in Illinois counties
6 other than those counties listed in subparagraph (A) of
7 this paragraph, network adequacy standards for timely and
8 proximate access to treatment for mental, emotional,
9 nervous, or substance use disorders or conditions means a
10 beneficiary shall not have to travel longer than 60
11 minutes or 60 miles from the beneficiary's residence to
12 receive outpatient treatment for mental, emotional,
13 nervous, or substance use disorders or conditions.
14 Beneficiaries shall not be required to wait longer than 10
15 business days between requesting an initial appointment
16 and being seen by the facility or provider of mental,
17 emotional, nervous, or substance use disorders or
18 conditions for outpatient treatment or to wait longer than
19 20 business days between requesting a repeat or follow-up
20 appointment and being seen by the facility or provider of
21 mental, emotional, nervous, or substance use disorders or
22 conditions for outpatient treatment; however, subject to
23 the protections of paragraph (3) of this subsection, a
24 network plan shall not be held responsible if the
25 beneficiary or provider voluntarily chooses to schedule an
26 appointment outside of these required time frames.

1 (2) For beneficiaries residing in all Illinois counties,
2 network adequacy standards for timely and proximate access to
3 treatment for mental, emotional, nervous, or substance use
4 disorders or conditions means a beneficiary shall not have to
5 travel longer than 60 minutes or 60 miles from the
6 beneficiary's residence to receive inpatient or residential
7 treatment for mental, emotional, nervous, or substance use
8 disorders or conditions.

9 (3) If there is no in-network facility or provider
10 available for a beneficiary to receive timely and proximate
11 access to treatment for mental, emotional, nervous, or
12 substance use disorders or conditions in accordance with the
13 network adequacy standards outlined in this subsection, the
14 issuer shall provide necessary exceptions to its network to
15 ensure admission and treatment with a provider or at a
16 treatment facility in accordance with the network adequacy
17 standards in this subsection at the in-network benefit level.

18 (A) For plan or policy years beginning on or after
19 January 1, 2026, the issuer also shall provide reasonable
20 reimbursement to a beneficiary who has received an
21 exception as outlined in this paragraph (3) for costs
22 including food, lodging, and travel.

23 (i) Reimbursement for food and lodging shall be at
24 the prevailing federal per diem rates then in effect,
25 as set by the United States General Services
26 Administration. Reimbursement for travel by vehicle

1 shall be reimbursed at the current Internal Revenue
2 Service mileage standard for miles driven for
3 transportation or travel expenses.

4 (ii) At the time an issuer grants an exception
5 under this paragraph (3), the issuer shall give
6 written notification to the beneficiary of potential
7 eligibility for reimbursement under this subparagraph
8 (A) and instructions on how to file a claim for such
9 reimbursement, including a link to the claim form on
10 the issuer's public website and a phone number for a
11 beneficiary to request that the issuer send a hard
12 copy of the claim form by postal mail. The Department
13 shall create the template for the reimbursement
14 notification form, which issuers shall fill in and
15 post on their public website.

16 (iii) An issuer may require a beneficiary to
17 submit a claim for food, travel, or lodging
18 reimbursement within 60 days of the last date of the
19 health care service for which travel was undertaken,
20 and the beneficiary may appeal any denial of
21 reimbursement claims.

22 (iv) An issuer may deny reimbursement for food,
23 lodging, and travel if the provider's site of care is
24 neither within this State nor within 100 miles of the
25 beneficiary's residence unless, after a good faith
26 effort, no provider can be found who is available

1 within those parameters to provide the medically
2 necessary health care service within 10 business days
3 of a request for appointment.

4 (B) Notwithstanding any other provision of this
5 Section to the contrary, subparagraph (A) of this
6 paragraph (3) does not apply to policies issued or
7 delivered in this State that provide medical assistance
8 under the Illinois Public Aid Code or the Children's
9 Health Insurance Program Act.

10 (4) If the federal Centers for Medicare and Medicaid
11 Services establishes or law requires more stringent standards
12 for qualified health plans in the Federally-Facilitated
13 Exchanges, the federal standards shall control for all network
14 plans for the time period specified in the federal law,
15 regulation, or guidance, even if the network plan is issued in
16 the large group market, is issued through a different type of
17 Exchange, or is otherwise not issued through an Exchange.

18 (5) If the federal Centers for Medicare and Medicaid
19 Services establishes a more stringent standard in any county
20 than specified in paragraph (1) or (2) of this subsection
21 (d-5) for qualified health plans in the type of exchange in use
22 in this State for a given plan year, the federal standard shall
23 apply in lieu of the standard in paragraph (1) or (2) of this
24 subsection (d-5) for qualified health plans for that plan
25 year.

26 (e) Except for network plans solely offered as a group

1 health plan, these ratio and time and distance standards apply
2 to the lowest cost-sharing tier of any tiered network.

3 (f) The network plan may consider use of other health care
4 service delivery options, such as telemedicine or telehealth,
5 mobile clinics, and centers of excellence, or other ways of
6 delivering care to partially meet the requirements set under
7 this Section.

8 (g) Except for the requirements set forth in subsection
9 (d-5), issuers who are not able to comply with the provider
10 ratios, time and distance standards, and appointment wait-time
11 standards established under this Act or federal law may
12 request an exception to these requirements from the
13 Department. The Department may grant an exception in the
14 following circumstances:

15 (1) if no providers or facilities meet the specific
16 time and distance standard in a specific service area and
17 the issuer (i) discloses information on the distance and
18 travel time points that beneficiaries would have to travel
19 beyond the required criterion to reach the next closest
20 contracted provider outside of the service area and (ii)
21 provides contact information, including names, addresses,
22 and phone numbers for the next closest contracted provider
23 or facility;

24 (2) if patterns of care in the service area do not
25 support the need for the requested number of provider or
26 facility type and the issuer provides data on local

1 patterns of care, such as claims data, referral patterns,
2 or local provider interviews, indicating where the
3 beneficiaries currently seek this type of care or where
4 the physicians currently refer beneficiaries, or both; or

5 (3) other circumstances deemed appropriate by the
6 Department consistent with the requirements of this Act.

7 (h) Issuers are required to report to the Director any
8 material change to an approved network plan within 15 business
9 days after the change occurs and any change that would result
10 in failure to meet the requirements of this Act. The issuer
11 shall submit a revised version of the portions of the network
12 adequacy filing affected by the material change, as determined
13 by the Director by rule, and the issuer shall attach versions
14 with the changes indicated for each document that was revised
15 from the previous version of the filing. Upon notice from the
16 issuer, the Director shall reevaluate the network plan's
17 compliance with the network adequacy and transparency
18 standards of this Act. For every day past 15 business days that
19 the issuer fails to submit a revised network adequacy filing
20 to the Director, the Director may order a fine of \$5,000 per
21 day.

22 (i) If a network plan is inadequate under this Act with
23 respect to a provider type in a county, and if the network plan
24 does not have an approved exception for that provider type in
25 that county pursuant to subsection (g), an issuer shall cover
26 out-of-network claims for covered health care services

1 received from that provider type within that county at the
2 in-network benefit level and shall retroactively adjudicate
3 and reimburse beneficiaries to achieve that objective if their
4 claims were processed at the out-of-network level contrary to
5 this subsection. Nothing in this subsection shall be construed
6 to supersede Section 356z.3a of the Illinois Insurance Code.

7 (j) If the Director determines that a network is
8 inadequate in any county and no exception has been granted
9 under subsection (g) and the issuer does not have a process in
10 place to comply with subsection (d-5), the Director may
11 prohibit the network plan from being issued or renewed within
12 that county until the Director determines that the network is
13 adequate apart from processes and exceptions described in
14 subsections (d-5) and (g). Nothing in this subsection shall be
15 construed to terminate any beneficiary's health insurance
16 coverage under a network plan before the expiration of the
17 beneficiary's policy period if the Director makes a
18 determination under this subsection after the issuance or
19 renewal of the beneficiary's policy or certificate because of
20 a material change. Policies or certificates issued or renewed
21 in violation of this subsection may subject the issuer to a
22 civil penalty of \$5,000 per policy.

23 (k) For the Department to enforce any new or modified
24 federal standard before the Department adopts the standard by
25 rule, the Department must, no later than May 15 before the
26 start of the plan year, give public notice to the affected

1 health insurance issuers through a bulletin.

2 (Source: P.A. 103-650, eff. 1-1-25; 103-656, eff. 1-1-25;
3 103-718, eff. 7-19-24; 103-777, eff. 1-1-25; 103-906, eff.
4 1-1-25; 104-28, eff. 1-1-26; 104-175, eff. 1-1-26; 104-334,
5 eff. 8-15-25; revised 10-28-25.)

6 Section 540. The Health Maintenance Organization Act is
7 amended by changing Section 5-3 as follows:

8 (215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

9 Sec. 5-3. Illinois Insurance Code provisions.

10 (a) Health Maintenance Organizations shall be subject to
11 the provisions of Sections 133, 134, 136, 137, 139, 140,
12 141.1, 141.2, 141.3, 143, 143.31, 143c, 147, 148, 149, 151,
13 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a,
14 155.49, 352c, 355.2, 355.3, 355.6, 355.7, 355b, 355c, 356f,
15 356g, 356g.5-1, 356m, 356q, 356u.10, 356v, 356w, 356x, 356z.2,
16 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9,
17 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17,
18 356z.18, 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24,
19 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.31, 356z.32,
20 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39,
21 356z.40, 356z.40a, 356z.41, 356z.44, 356z.45, 356z.46,
22 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54,
23 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61,
24 356z.62, 356z.63, 356z.64, 356z.65, 356z.66, 356z.67, 356z.68,

1 356z.69, 356z.70, 356z.71, 356z.72, 356z.73, 356z.74, 356z.75,
2 356z.76, 356z.77, 356z.78, 356z.79, 356z.80, 356z.81, 356z.82,
3 356z.83, 356z.84, 356z.85, 364, 364.01, 364.3, 367.2, 367.2-5,
4 367i, 368a, 368b, 368c, 368d, 368e, 370a, 370c, 370c.1, 401,
5 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1,
6 paragraph (c) of subsection (2) of Section 367, and Articles
7 IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and
8 XXXIIB of the Illinois Insurance Code.

9 (b) For purposes of the Illinois Insurance Code, except
10 for Sections 444 and 444.1 and Articles XIII and XIII 1/2,
11 Health Maintenance Organizations in the following categories
12 are deemed to be "domestic companies":

13 (1) a corporation authorized under the Dental Service
14 Plan Act or the Voluntary Health Services Plans Act;

15 (2) a corporation organized under the laws of this
16 State; or

17 (3) a corporation organized under the laws of another
18 state, 30% or more of the enrollees of which are residents
19 of this State, except a corporation subject to
20 substantially the same requirements in its state of
21 organization as is a "domestic company" under Article VIII
22 1/2 of the Illinois Insurance Code.

23 (c) In considering the merger, consolidation, or other
24 acquisition of control of a Health Maintenance Organization
25 pursuant to Article VIII 1/2 of the Illinois Insurance Code,

26 (1) the Director shall give primary consideration to

1 the continuation of benefits to enrollees and the
2 financial conditions of the acquired Health Maintenance
3 Organization after the merger, consolidation, or other
4 acquisition of control takes effect;

5 (2) (i) the criteria specified in subsection (1) (b) of
6 Section 131.8 of the Illinois Insurance Code shall not
7 apply and (ii) the Director, in making his determination
8 with respect to the merger, consolidation, or other
9 acquisition of control, need not take into account the
10 effect on competition of the merger, consolidation, or
11 other acquisition of control;

12 (3) the Director shall have the power to require the
13 following information:

14 (A) certification by an independent actuary of the
15 adequacy of the reserves of the Health Maintenance
16 Organization sought to be acquired;

17 (B) pro forma financial statements reflecting the
18 combined balance sheets of the acquiring company and
19 the Health Maintenance Organization sought to be
20 acquired as of the end of the preceding year and as of
21 a date 90 days prior to the acquisition, as well as pro
22 forma financial statements reflecting projected
23 combined operation for a period of 2 years;

24 (C) a pro forma business plan detailing an
25 acquiring party's plans with respect to the operation
26 of the Health Maintenance Organization sought to be

1 acquired for a period of not less than 3 years; and

2 (D) such other information as the Director shall
3 require.

4 (d) The provisions of Article VIII 1/2 of the Illinois
5 Insurance Code and this Section 5-3 shall apply to the sale by
6 any health maintenance organization of greater than 10% of its
7 enrollee population (including, without limitation, the health
8 maintenance organization's right, title, and interest in and
9 to its health care certificates).

10 (e) In considering any management contract or service
11 agreement subject to Section 141.1 of the Illinois Insurance
12 Code, the Director (i) shall, in addition to the criteria
13 specified in Section 141.2 of the Illinois Insurance Code,
14 take into account the effect of the management contract or
15 service agreement on the continuation of benefits to enrollees
16 and the financial condition of the health maintenance
17 organization to be managed or serviced, and (ii) need not take
18 into account the effect of the management contract or service
19 agreement on competition.

20 (f) Except for small employer groups as defined in the
21 Small Employer Rating, Renewability and Portability Health
22 Insurance Act and except for medicare supplement policies as
23 defined in Section 363 of the Illinois Insurance Code, a
24 Health Maintenance Organization may by contract agree with a
25 group or other enrollment unit to effect refunds or charge
26 additional premiums under the following terms and conditions:

1 (i) the amount of, and other terms and conditions with
2 respect to, the refund or additional premium are set forth
3 in the group or enrollment unit contract agreed in advance
4 of the period for which a refund is to be paid or
5 additional premium is to be charged (which period shall
6 not be less than one year); and

7 (ii) the amount of the refund or additional premium
8 shall not exceed 20% of the Health Maintenance
9 Organization's profitable or unprofitable experience with
10 respect to the group or other enrollment unit for the
11 period (and, for purposes of a refund or additional
12 premium, the profitable or unprofitable experience shall
13 be calculated taking into account a pro rata share of the
14 Health Maintenance Organization's administrative and
15 marketing expenses, but shall not include any refund to be
16 made or additional premium to be paid pursuant to this
17 subsection (f)). The Health Maintenance Organization and
18 the group or enrollment unit may agree that the profitable
19 or unprofitable experience may be calculated taking into
20 account the refund period and the immediately preceding 2
21 plan years.

22 The Health Maintenance Organization shall include a
23 statement in the evidence of coverage issued to each enrollee
24 describing the possibility of a refund or additional premium,
25 and upon request of any group or enrollment unit, provide to
26 the group or enrollment unit a description of the method used

1 to calculate (1) the Health Maintenance Organization's
2 profitable experience with respect to the group or enrollment
3 unit and the resulting refund to the group or enrollment unit
4 or (2) the Health Maintenance Organization's unprofitable
5 experience with respect to the group or enrollment unit and
6 the resulting additional premium to be paid by the group or
7 enrollment unit.

8 In no event shall the Illinois Health Maintenance
9 Organization Guaranty Association be liable to pay any
10 contractual obligation of an insolvent organization to pay any
11 refund authorized under this Section.

12 (g) Rulemaking authority to implement Public Act 95-1045,
13 if any, is conditioned on the rules being adopted in
14 accordance with all provisions of the Illinois Administrative
15 Procedure Act and all rules and procedures of the Joint
16 Committee on Administrative Rules; any purported rule not so
17 adopted, for whatever reason, is unauthorized.

18 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
19 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff.
20 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551,
21 eff. 8-11-23; 103-605, eff. 7-1-24; 103-618, eff. 1-1-25;
22 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff.
23 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-753,
24 eff. 8-2-24; 103-758, eff. 1-1-25; 103-777, eff. 8-2-24;
25 103-808, eff. 1-1-26; 103-914, eff. 1-1-25; 103-918, eff.
26 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-28,

1 eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73,
2 eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26;
3 104-324, eff. 1-1-26; 104-334, eff. 8-15-25; 104-379, eff.
4 1-1-26; 104-417, eff. 8-15-25; revised 11-21-25.)

5 Section 545. The Limited Health Service Organization Act
6 is amended by changing Section 4003 as follows:

7 (215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

8 Sec. 4003. Illinois Insurance Code provisions. Limited
9 health service organizations shall be subject to the
10 provisions of Sections 133, 134, 136, 137, 139, 140, 141.1,
11 141.2, 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153,
12 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 155.49, 352c,
13 355.2, 355.3, 355b, 355d, 356m, 356q, 356v, 356z.4, 356z.4a,
14 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.32,
15 356z.33, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54,
16 356z.57, 356z.59, 356z.61, 356z.64, 356z.67, 356z.68, 356z.71,
17 356z.73, 356z.74, 356z.75, 356z.79, 356z.80, 356z.81, 356z.83,
18 356z.84, 356z.85, 364.3, 368a, 370a, 401, 401.1, 402, 403,
19 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA,
20 VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB
21 of the Illinois Insurance Code. Nothing in this Section shall
22 require a limited health care plan to cover any service that is
23 not a limited health service. For purposes of the Illinois
24 Insurance Code, except for Sections 444 and 444.1 and Articles

1 XIII and XIII 1/2, limited health service organizations in the
2 following categories are deemed to be domestic companies:

3 (1) a corporation under the laws of this State; or

4 (2) a corporation organized under the laws of another
5 state, 30% or more of the enrollees of which are residents
6 of this State, except a corporation subject to
7 substantially the same requirements in its state of
8 organization as is a domestic company under Article VIII
9 1/2 of the Illinois Insurance Code.

10 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
11 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff.
12 1-1-24; 103-605, eff. 7-1-24; 103-649, eff. 1-1-25; 103-656,
13 eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24;
14 103-751, eff. 8-2-24; 103-758, eff. 1-1-25; 103-832, eff.
15 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42,
16 eff. 8-1-25; 104-73, eff. 1-1-26; 104-98, eff. 1-1-26;
17 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-334, eff.
18 8-15-25; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25; revised
19 11-21-25.)

20 Section 550. The Service Contract Act is amended by
21 changing Section 5 as follows:

22 (215 ILCS 152/5)

23 Sec. 5. Definitions. In this Act:

24 "Department" means the Department of Insurance.

1 "Director" means the Director of Insurance.

2 "Road hazard" means a hazard that is encountered while
3 driving a motor vehicle, including, but not limited to,
4 potholes, rocks, wood debris, metal parts, glass, plastic,
5 curbs, and composite scraps.

6 "Service contract" means a contract or agreement whereby a
7 service contract provider undertakes for a specified period of
8 time, for separate and identifiable consideration, to perform
9 the repair, replacement, or maintenance, or indemnification
10 for such services, of any automobile, system, or consumer
11 product in connection with the operational or structural
12 failure due to a defect in materials or workmanship, or normal
13 wear and tear, with or without additional provision for
14 incidental payment or indemnity under limited circumstances,
15 for related expenses, including, but not limited to, towing,
16 rental, and emergency road service. Service contracts may
17 provide for:

18 (1) the repair, replacement, or maintenance of such
19 property for damage resulting from power surges and
20 accidental damage from handling;

21 (2) the repair or replacement of tires or wheels, or
22 both, on a motor vehicle damaged as the result of coming
23 into contact with road hazards;

24 (3) the removal of dents, dings, or creases on a motor
25 vehicle that can be repaired using the process of
26 paintless dent removal without affecting the existing

1 paint finish and without replacing vehicle body panels,
2 sanding, bonding, or painting;

3 (4) the repair of chips or cracks in or the
4 replacement of motor vehicle windshields as a result of
5 damage caused by road hazards;

6 (5) the replacement of a motor vehicle key or key-fob
7 in the event that the key or key-fob becomes inoperable or
8 is lost or stolen;

9 (6) the payment of specified incidental costs in the
10 event that a vehicle protection product fails to prevent
11 loss or damage as specified; the reimbursement of
12 incidental costs must be tied to the purchase of a
13 physical product that is formulated or designed to make
14 the specified loss or damage less likely to occur; or

15 (7) other services that may be approved by the
16 Director, if not inconsistent with other provisions of
17 this Act.

18 "Service contract" does ~~contracts shall~~ not include:

19 (i) contracts of limited duration that provide for
20 scheduled maintenance only;

21 (ii) fuel additives, oil additives, or other chemical
22 products applied to the engine, transmission, or fuel
23 system of a motor vehicle;

24 (iii) coverage for the repair or replacement, or both,
25 of damage to the interior surfaces of a vehicle, or for
26 repair or replacement, or both, of damage to the exterior

1 paint or finish of a vehicle; however, such coverage may
2 be offered in connection with the sale of a vehicle
3 protection product; and

4 (iv) a vehicle product protection warranty included,
5 for no separate and identifiable consideration, with the
6 purchase of a vehicle protection product.

7 "Service contract holder" means the person who purchases a
8 service contract or a permitted transferee.

9 "Service contract provider" means a person who is
10 contractually obligated to the service contract holder under
11 the terms of the service contract. A service contract provider
12 does not include an insurer.

13 "Service contract reimbursement insurance policy" means a
14 policy of insurance that is issued to the service contract
15 provider to provide reimbursement to the service contract
16 provider or to pay on behalf of the service contract provider
17 all covered contractual obligations incurred by the service
18 contract provider under the terms and conditions of the
19 insured service contracts issued or sold by the service
20 contract provider.

21 "System" means the heating, cooling, plumbing, electrical,
22 ventilation, or any other similar system of a home.

23 "Vehicle protection product" has the same meaning as that
24 term is defined in subsection (a) of Section 155.39 of the
25 Illinois Insurance Code.

26 "Vehicle protection product warranty" has the same meaning

1 as that term is defined in subsection (a) of Section 155.39 of
2 the Illinois Insurance Code.

3 (Source: P.A. 100-272, eff. 1-1-18; revised 6-26-25.)

4 Section 555. The Voluntary Health Services Plans Act is
5 amended by changing Section 10 as follows:

6 (215 ILCS 165/10) (from Ch. 32, par. 604)

7 Sec. 10. Application of Illinois Insurance Code
8 provisions. Health services plan corporations and all persons
9 interested therein or dealing therewith shall be subject to
10 the provisions of Articles IIA and XII 1/2 and Sections 3.1,
11 133, 136, 139, 140, 143, 143.31, 143c, 149, 155.22a, 155.37,
12 354, 355.2, 355.3, 355.7, 355b, 355d, 356g, 356g.5, 356g.5-1,
13 356m, 356q, 356r, 356t, 356u, 356u.10, 356v, 356w, 356x, 356y,
14 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6,
15 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14,
16 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26,
17 356z.29, 356z.30, 356z.32, 356z.32a, 356z.33, 356z.40,
18 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56,
19 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67,
20 356z.68, 356z.71, 356z.72, 356z.74, 356z.75, 356z.77, 356z.79,
21 356z.80, 356z.81, 356z.83, 356z.84, 356z.85, 364.01, 364.3,
22 367.2, 368a, 370a, 401, 401.1, 402, 403, 403A, 408, 408.2, and
23 412, and paragraphs (7) and (15) of Section 367 of the Illinois
24 Insurance Code.

1 Rulemaking authority to implement Public Act 95-1045, if
2 any, is conditioned on the rules being adopted in accordance
3 with all provisions of the Illinois Administrative Procedure
4 Act and all rules and procedures of the Joint Committee on
5 Administrative Rules; any purported rule not so adopted, for
6 whatever reason, is unauthorized.

7 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
8 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-551, eff.
9 8-11-23; 103-605, eff. 7-1-24; 103-656, eff. 1-1-25; 103-718,
10 eff. 7-19-24; 103-751, eff. 8-2-24; 103-753, eff. 8-2-24;
11 103-758, eff. 1-1-25; 103-832, eff. 1-1-25; 103-914, eff.
12 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1,
13 eff. 6-9-25; 104-28, eff. 1-1-26; 104-42, eff. 8-1-25; 104-73,
14 eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26;
15 104-324, eff. 1-1-26; 104-379, eff. 1-1-26; 104-417, eff.
16 8-15-25; revised 11-21-25.)

17 Section 560. The Public Utilities Act is amended by
18 changing Section 16-108.18 as follows:

19 (220 ILCS 5/16-108.18)

20 Sec. 16-108.18. Performance-based ratemaking.

21 (a) The General Assembly finds:

22 (1) That improving the alignment of utility customer
23 and company interests is critical to ensuring equity,
24 rapid growth of distributed energy resources, electric

1 vehicles, and other new technologies that substantially
2 change the makeup of the grid and protect Illinois
3 residents and businesses from potential economic and
4 environmental harm from the State's energy systems.

5 (2) There is urgency around addressing increasing
6 threats from climate change and assisting communities that
7 have borne disproportionate impacts from climate change,
8 including air pollution, greenhouse gas emissions, and
9 energy burdens. Addressing this problem requires changes
10 to the business model under which utilities in Illinois
11 have traditionally functioned.

12 (3) Providing targeted incentives to support change
13 through a new performance-based structure to enhance
14 ratemaking is intended to enable alignment of utility,
15 customer, community, and environmental goals.

16 (4) Though Illinois has taken some measures to move
17 utilities to performance-based ratemaking through the
18 establishment of performance incentives and a
19 performance-based formula rate under the Energy
20 Infrastructure Modernization Act, these measures have not
21 been sufficiently transformative in urgently moving
22 electric utilities toward the State's ambitious energy
23 policy goals: protecting a healthy environment and
24 climate, improving public health, and creating quality
25 jobs and economic opportunities, including wealth
26 building, especially in economically disadvantaged

1 communities and communities of color.

2 (5) These measures were not developed through a
3 process to understand first what performance measures and
4 penalties would help drive the sought-after behavior by
5 the utilities.

6 (6) While the General Assembly has not made a finding
7 that the spending related to the Energy Infrastructure and
8 Modernization Act and its performance metrics was not
9 reasonable, it is important to address concerns that these
10 measures may have resulted in excess utility spending and
11 guaranteed profits without meaningful improvements in
12 customer experience, rate affordability, or equity.

13 (7) Discussions of performance incentive mechanisms
14 must always take into account the affordability of
15 customer rates and bills for all customers, including
16 low-income customers.

17 (8) The General Assembly therefore directs the
18 Illinois Commerce Commission to complete a transition that
19 includes a comprehensive performance-based regulation
20 framework for electric utilities serving more than 500,000
21 customers. The breadth of this framework should revise
22 existing utility regulations to position Illinois electric
23 utilities to effectively and efficiently achieve current
24 and anticipated future energy needs of this State, while
25 ensuring affordability for consumers.

26 (b) As used in this Section:

1 "Commission" means the Illinois Commerce Commission.

2 "Demand response" means measures that decrease peak
3 electricity demand or shift demand from peak to off-peak
4 periods.

5 "Distributed energy resources" or "DER" means a wide range
6 of technologies that are connected to the grid including those
7 that are located on the customer side of the customer's
8 electric meter and can provide value to the distribution
9 system, including, but not limited to, distributed generation,
10 energy storage, electric vehicles, and demand response
11 technologies.

12 "Economically disadvantaged communities" means areas of
13 one or more census tracts where average household income does
14 not exceed 80% of area median income.

15 "Environmental justice communities" means the definition
16 of that term as used and as may be updated in the long-term
17 renewable resources procurement plan by the Illinois Power
18 Agency and its Program Administrator in the Illinois Solar for
19 All Program.

20 "Equity investment eligible community" means the
21 geographic areas throughout Illinois which would most benefit
22 from equitable investments by the State designed to combat
23 discrimination. Specifically, the equity investment eligible
24 communities shall be defined as the following areas:

25 (1) R3 Areas as established pursuant to Section 10-40
26 of the Cannabis Regulation and Tax Act, where residents

1 have historically been excluded from economic
2 opportunities, including opportunities in the energy
3 sector; and

4 (2) Environmental justice communities, as defined by
5 the Illinois Power Agency pursuant to the Illinois Power
6 Agency Act, where residents have historically been subject
7 to disproportionate burdens of pollution, including
8 pollution from the energy sector.

9 "Performance incentive mechanism" means an instrument by
10 which utility performance is incentivized, which could include
11 a monetary performance incentive.

12 "Performance metric" means a manner of measurement for a
13 particular utility activity.

14 (c) Through coordinated, comprehensive system planning,
15 ratemaking, and performance incentives, the performance-based
16 ratemaking framework should be designed to accomplish the
17 following objectives:

18 (1) maintain and improve service reliability and
19 safety, including and particularly in environmental
20 justice, low-income, and equity investment eligible
21 communities;

22 (2) decarbonize utility systems at a pace that meets
23 or exceeds State climate goals, while also ensuring the
24 affordability of rates for all customers, including
25 low-income customers;

26 (3) direct electric utilities to make cost-effective

1 investments that support achievement of Illinois' clean
2 energy policies, including, at a minimum, investments
3 designed to integrate distributed energy resources, comply
4 with critical infrastructure protection standards, plans,
5 and industry best practices, and support and take
6 advantage of potential benefits from the electric vehicle
7 charging and other electrification, while mitigating the
8 impacts;

9 (4) choose cost-effective assets and services, whether
10 utility-supplied or through third-party contracting,
11 considering both economic and environmental costs and the
12 effects on utility rates, to deliver high-quality service
13 to customers at least cost;

14 (5) maintain the affordability of electric delivery
15 services for all customers, including low-income
16 customers;

17 (6) maintain and grow a diverse workforce, diverse
18 supplier procurement base and, for relevant programs,
19 diverse approved-vendor pools, including increased
20 opportunities for minority-owned, female-owned,
21 veteran-owned, and disability-owned business enterprises;

22 (7) improve customer service performance and
23 engagement;

24 (8) address the particular burdens faced by consumers
25 in environmental justice and equity investment eligible
26 communities, including shareholder, consumer, and publicly

1 funded bill payment assistance and credit and collection
2 policies, and ensure equitable disconnections, late fees,
3 or arrearages as a result of utility credit and collection
4 practices, which may include consideration of impact by
5 zip code; and

6 (9) implement or otherwise enhance current supplier
7 diversity programs to increase diverse contractor
8 participation in professional services, subcontracting,
9 and prime contracting opportunities with programs that
10 address barriers to access. Supplier diversity programs
11 shall address specific barriers related to RFP and
12 contract access, access to capital, information technology
13 and cybersecurity ~~cyber—security~~ access and costs,
14 administrative burdens, and quality control with specific
15 metrics, outcomes, and demographic data reported.

16 (d) Multi-Year Rate Plan.

17 (1) If an electric utility had a performance-based
18 formula rate in effect under Section 16-108.5 as of
19 December 31, 2020, then the utility may file a petition
20 proposing tariffs implementing a 4-year Multi-Year Rate
21 Plan as provided in this Section no later than, January
22 20, 2023, for delivery service rates to be effective for
23 the billing periods January 1, 2024 through December 31,
24 2027. The Commission shall issue an order approving or
25 approving as modified the utility's plan no later than
26 December 20, 2023. The term "Multi-Year Rate Plan" refers

1 to a plan establishing the base rates the utility shall
2 charge for each delivery year of the 4-year period to be
3 covered by the plan, which shall be subject to
4 modification only as expressly allowed in this Section.

5 (2) A utility proposing a Multi-Year Rate Plan shall
6 provide a 4-year investment plan and a description of the
7 utility's major planned investments, including, at a
8 minimum, all investments of \$2,000,000 or greater over the
9 plan period for an electric utility that serves more than
10 3,000,000 retail customers in the State or \$500,000 for an
11 electric utility that serves less than 3,000,000 retail
12 customers in the State but more than 500,000 retail
13 customers in the State. The 4-year investment plan must be
14 consistent with the Multi-Year Integrated Grid Plan
15 described in Section 16-105.17 of this Act. The investment
16 plan shall provide sufficiently detailed information, as
17 required by the Commission, including, at a minimum, a
18 description of each investment, the location of the
19 investment, and an explanation of the need for and benefit
20 of such an investment to the extent known.

21 (3) The Multi-Year Rate Plan shall be implemented
22 through a tariff filed with the Commission consistent with
23 the provisions of this paragraph (3) that shall apply to
24 all delivery service customers. The Commission shall
25 initiate and conduct an investigation of the tariff in a
26 manner consistent with the provisions of this paragraph

1 (3) and the provisions of Article IX of this Act, to the
2 extent they do not conflict with this paragraph (3). The
3 Multi-Year Rate Plan approved by the Commission shall do
4 the following:

5 (A) Provide for the recovery of the utility's
6 forecasted rate base, based on the 4-year investment
7 plan and the utility's Integrated Grid Plan. The
8 forecasted rate base must include the utility's
9 planned capital investments, with rates based on
10 average annual plant investment, and
11 investment-related costs, including income tax
12 impacts, depreciation, and ratemaking adjustments and
13 costs that are prudently incurred and reasonable in
14 amount consistent with Commission practice and law.
15 The process used to develop the forecasts must be
16 iterative, rigorous, and lead to forecasts that
17 reasonably represent the utility's investments during
18 the forecasted period and ensure that the investments
19 are projected to be used and useful during the annual
20 investment period and least cost, consistent with the
21 provisions of Articles VIII and IX of this Act.

22 (B) The cost of equity shall be approved by the
23 Commission consistent with Commission practice and
24 law.

25 (C) The revenue requirement shall reflect the
26 utility's actual capital structure for the applicable

1 calendar year. A year-end capital structure that
2 includes a common equity ratio of up to and including
3 50% of the total capital structure shall be deemed
4 prudent and reasonable. A higher common equity ratio
5 must be specifically approved by the Commission.

6 (D) (Blank).

7 (E) Provide for recovery of prudent and reasonable
8 projected operating expenses, giving effect to
9 ratemaking adjustments, consistent with Commission
10 practice and law under Article IX of this Act.
11 Operating expenses for years after the first year of
12 the Multi-Year Rate Plan may be estimated by the use of
13 known and measurable changes, expense reductions
14 associated with planned capital investments as
15 appropriate, and reasonable and appropriate
16 escalators, indices, or other metrics.

17 (F) Amortize the amount of unprotected
18 property-related excess accumulated deferred income
19 taxes in rates as of January 1, 2023 over a period
20 ending December 31, 2027, unless otherwise required to
21 amortize the excess deferred income tax pursuant to
22 Section 16-108.21 of this Act.

23 (G) Allow recovery of incentive compensation
24 expense that is based on the achievement of
25 operational metrics, including metrics related to
26 budget controls, outage duration and frequency,

1 safety, customer service, efficiency and productivity,
2 environmental compliance and attainment of
3 affordability and environmental goals, and other goals
4 and metrics approved by the Commission. Incentive
5 compensation expense that is based on net income or an
6 affiliate's earnings per share shall not be
7 recoverable.

8 (H) To the maximum extent practicable, align the
9 4-year investment plan and annual capital budgets with
10 the electric utility's Multi-Year Integrated Grid
11 Plan.

12 (4) The Commission shall establish annual rates for
13 each year of the Multi-Year Rate Plan that accurately
14 reflect and are based only upon the utility's reasonable
15 and prudent costs of service over the term of the plan,
16 including the effect of all ratemaking adjustments
17 consistent with Commission practice and law as determined
18 by the Commission, provided that the costs are not being
19 recovered elsewhere in rates. Tariff riders authorized by
20 the Commission may continue outside of a plan authorized
21 under this Section to the extent such costs are not
22 recovered elsewhere in rates. For the first Multi-Year
23 Rate Plan, the burden of proof shall be on the electric
24 utility to establish the prudence of investments and
25 expenditures and to establish that such investments
26 consistent with and reasonably necessary to meet the

1 requirements of the utility's first approved Multi-Year
2 Integrated Grid Plan described in Section 16-105.17 of
3 this Act. For subsequent Multi-Year Rate Plans, the burden
4 of proof shall be on the electric utility to establish the
5 prudence of investments and expenditures and to establish
6 that such investments are consistent with and reasonably
7 necessary to meet the requirements of the utility's most
8 recently approved Multi-Year Integrated Grid Plan
9 described in Section 16-105.17 of this Act. The sole fact
10 that a cost differs from that incurred in a prior period or
11 that an investment is different from that described in the
12 Multi-Year Integrated Grid Plan shall not imply the
13 imprudence or unreasonableness of that cost or investment.
14 The sole fact that an investment is the same or similar to
15 that described in the Multi-Year Integrated Grid Plan
16 shall not imply prudence and reasonableness of that
17 investment.

18 (5) To facilitate public transparency, all materials,
19 data, testimony, and schedules shall be provided to the
20 Commission in an editable, machine-readable electronic
21 format including .doc, .docx, .xls, .xlsx, and similar
22 file formats, but not including .pdf or .exif. Should
23 utilities designate any materials confidential, they shall
24 have an affirmative duty to explain why the particular
25 information is marked confidential. In determining
26 prudence and reasonableness of rates, the Commission shall

1 make its determination based upon the record, including
2 each public comment filed or provided orally at open
3 meetings consistent with the Commission's rules and
4 practices.

5 (6) The Commission may, by order, establish terms,
6 conditions, and procedures for submitting and approving a
7 Multi-Year Rate Plan necessary to implement this Section
8 and ensure that rates remain just and reasonable during
9 the course of the plan, including terms and procedures for
10 rate adjustment.

11 (7) An electric utility that files a tariff pursuant
12 to paragraph (3) of this subsection (d) ~~(e)~~ must submit a
13 one-time \$300,000 filing fee at the time the Chief Clerk
14 of the Commission accepts the filing, which shall be a
15 recoverable expense.

16 (8) An electric utility operating under a Multi-Year
17 Rate Plan shall file a new Multi-Year Rate Plan at least
18 300 days prior to the end of the initial Multi-Year Rate
19 Plan unless it elects to file a general rate case pursuant
20 to paragraph (9), and every 4 years thereafter, with a
21 rate-effective date of the proposed tariffs such that,
22 after the Commission suspension period, the rates would
23 take effect immediately at the close of the final year of
24 the initial Multi-Year Rate Plan. In subsequent Multi-Year
25 Rate Plans, as in the initial plans, utilities and
26 stakeholders may propose additional metrics that achieve

1 the outcomes described in paragraph (2) of subsection (f)
2 of this Section.

3 (9) Election of Rate Case.

4 (A) On or before the date prescribed by
5 subparagraph (B) of this paragraph (9) ~~of this~~
6 ~~Section~~, electric utilities that serve more than
7 500,000 retail customers in the State shall file
8 either a general rate case under Section 9-201 of this
9 Act, or a Multi-Year Rate Plan, as set forth in
10 paragraph (1) of this subsection (d).

11 (B) Electric utilities described in subparagraph
12 (A) of this paragraph (9) ~~of this Section~~ shall file
13 their initial general rate case or Multi-Year Rate
14 Plan, as applicable, with the Commission no later than
15 January 20, 2023.

16 (C) Notwithstanding which rate filing option an
17 electric utility elects to file on the date prescribed
18 by subparagraph (B) of this paragraph (9) ~~of this~~
19 ~~Section~~, the electric utility shall be subject to the
20 Multi-year Integrated Plan filing requirements.

21 (D) Following its initial rate filing pursuant to
22 paragraph (2), an electric utility subject to the
23 requirements of this Section shall thereafter be
24 permitted to elect a different rate filing option
25 consistent with any filing intervals established for a
26 general rate case or Multi-Year Rate Plan, as follows:

1 (i) An electric utility that initially elected
2 to file a Multi-Year Rate Plan and thereafter
3 elects to transition to a general rate case may do
4 so upon completion of the 4-year Multi-Year Rate
5 Plan by filing a general rate case at the same time
6 that the utility would have filed its subsequent
7 Multi-Year Rate Plan, as specified in paragraph
8 (8) of this subsection (d). Notwithstanding this
9 election, the annual adjustment of the final year
10 of the Multi-Year Rate Plan shall proceed as
11 specified in paragraph (6) of subsection (f).

12 (ii) An electric utility that initially
13 elected to a file general rate case and thereafter
14 elects to transition to a Multi-Year Rate Plan may
15 do so only at the 4-year filing intervals
16 identified by paragraph (8) of this subsection
17 (d).

18 (10) The Commission shall approve tariffs establishing
19 rate design for all delivery service customers unless the
20 electric utility makes the election specified in Section
21 16-105.5, in which case the rate design shall be subject
22 to the provisions of that Section.

23 (11) The Commission shall establish requirements for
24 annual performance evaluation reports to be submitted
25 annually for performance metrics. Such reports shall
26 include, but not be limited to, a description of the

1 utility's performance under each metric and an
2 identification of any extraordinary events that adversely
3 affected the utility's performance.

4 (12) For the first Multi-Year Rate Plan, the
5 Commission shall consolidate its investigation with the
6 proceeding under Section 16-105.17 to establish the
7 Multi-Year Integrated Grid Plan no later than 45 days
8 after plan filing.

9 (13) Where a rate change under a Multi-Year Rate Plan
10 will result in a rate increase, an electric utility may
11 propose a rate phase-in plan that the Commission shall
12 approve with or without modification or deny in its final
13 order approving the new delivery services rates. A
14 proposed rate phase-in plan under this paragraph (13) must
15 allow the new delivery services rates to be implemented in
16 no more than 2 steps, as follows: in the first step, at
17 least 50% of the approved rate increase must be reflected
18 in rates, and, in the second step, 100% of the rate
19 increase must be reflected in rates. The second step's
20 rates must take effect no later than 12 months after the
21 first step's rates were placed into effect. The portion of
22 the approved rate increase not implemented in the first
23 step shall be recorded on the electric utility's books as
24 a regulatory asset, and shall accrue carrying costs to
25 ensure that the utility does not recover more or less than
26 it otherwise would because of the deferral. This portion

1 shall be recovered, with such carrying costs at the
2 weighted average cost of capital, through a surcharge
3 applied to retail customer bills that (i) begins no later
4 than 12 months after the date on which the second step's
5 rates went into effect and (ii) is applied over a period
6 not to exceed 24 months. Nothing in this paragraph is
7 intended to limit the Commission's authority to mitigate
8 the impact of rates caused by rate plans, or any other
9 instance on a revenue-neutral basis; nor shall it mitigate
10 a utility's ability to make proposals to mitigate the
11 impact of rates. When a deferral, or similar method, is
12 used to mitigate the impact of rates, the utility should
13 be allowed to recover carrying costs.

14 (14) Notwithstanding the provisions of paragraph (13),
15 the Commission may, on its own initiative, take
16 revenue-neutral measures to relieve the impact of rate
17 increases on customers. Such initiatives may be taken by
18 the Commission in the first Multi-Year Rate Plan,
19 subsequent multi-year plans, or in other instances
20 described in this Act.

21 (15) Whenever during the pendency of a Multi-Year Rate
22 Plan, an electric utility subject to this Section becomes
23 aware that, due to circumstances beyond its control,
24 prudent operating practices will require the utility to
25 make adjustments to the Multi-Year Rate Plan, the electric
26 utility may file a petition with the Commission requesting

1 modification of the approved annual revenue requirements
2 included in the Multi-Year Rate Plan. The electric utility
3 must support its request with evidence demonstrating why a
4 modification is necessary, due to circumstances beyond the
5 utility's control, to follow prudent operating practices
6 and must set forth the changes to each annual revenue
7 requirement to be approved, and the basis for any changes
8 in anticipated operating expenses or capital investment
9 levels. The utility shall affirmatively address the impact
10 of the changes on the Multi-Year Integrated Grid Plan and
11 Multi-Year Rate Plan originally submitted and approved by
12 the Commission. Any interested party may file an objection
13 to the changes proposed, or offer alternatives to the
14 utility's proposal, as supported by testimony and
15 evidence. After notice and hearing, the Commission shall
16 issue a final order regarding the electric utility's
17 request no later than 180 days after the filing of the
18 petition.

19 (e) Performance incentive mechanisms.

20 (1) The electric industry is undergoing rapid
21 transformation, including fundamental changes in how
22 electricity is generated, procured, and delivered and how
23 customers are choosing to participate in the supply and
24 delivery of electricity to and from the electric grid.
25 Building upon the State's goals to increase the
26 procurement of electricity from renewable energy

1 resources, including distributed generation and storage
2 devices, the General Assembly finds that electric
3 utilities should make cost-effective investments that
4 support moving forward on Illinois' clean energy policies.
5 It is therefore in the State's interest for the Commission
6 to establish performance incentive mechanisms in order to
7 better tie utility revenues to performance and customer
8 benefits, accelerate progress on Illinois energy and other
9 goals, ensure equity and affordability of rates for all
10 customers, including low-income customers, and hold
11 utilities publicly accountable.

12 (2) The Commission shall approve, based on the
13 substantial evidence proffered in the proceeding initiated
14 pursuant to this subsection performance metrics that, to
15 the extent practicable and achievable by the electric
16 utility, encourage cost-effective, equitable utility
17 achievement of the outcomes described in this subsection
18 (e) while ensuring no degradation in the significant
19 performance improvement achieved through previously
20 established performance metrics. For each electric
21 utility, the Commission shall approve metrics designed to
22 achieve incremental improvements over baseline performance
23 values and targets, over a performance period of up to 10
24 years, and no less than 4 years.

25 (A) The Commission shall approve no more than 8
26 metrics, with at least one metric from each of the

1 categories below, for each electric utility, from
2 items (i) through (vi) of this subparagraph (A). Upon
3 a utility request, the Commission may approve the use
4 of a specific, measurable, and achievable tracking
5 metric described in paragraph (3) of this subsection
6 (e) as a performance metric pursuant to paragraph (2)
7 of this subsection (e).

8 (i) Metrics designed to ensure the utility
9 maintains and improves the high standards of both
10 overall and locational reliability and resiliency,
11 and makes improvements in power quality, including
12 and particularly in environmental justice and
13 equity investment eligible communities.

14 (ii) Peak load reductions attributable to
15 demand response programs.

16 (iii) Supplier diversity expansion, including
17 diverse contractor participation in professional
18 services, subcontracting, and prime contracting
19 opportunities, development of programs that
20 address the barriers to access, aligning
21 demographics of contractors to the demographics in
22 the utility's service territory, establish
23 long-term mentoring relationships that develop and
24 remove barriers to access for diverse and
25 underserved contractors. The utilities shall
26 provide solutions, resources, and tools to address

1 complex barriers of entry related to costly and
2 time-intensive cybersecurity ~~cyber~~ security
3 requirements, increasingly complex information
4 technology requirements, insurance barriers,
5 service provider sign-up process barriers,
6 administrative process barriers, and other
7 barriers that inhibit access to RFPs and
8 contracts. For programs with contracts over
9 \$1,000,000, winning bidders must demonstrate a
10 subcontractor development or mentoring
11 relationship with at least one of their diverse
12 subcontracting partners for a core component of
13 the scope of the project. The mentoring time and
14 cost shall be taken into account in the creation
15 of RFP and shall include a structured and measured
16 plan by the prime contractor to increase the
17 capabilities of the subcontractor in their
18 proposed scope. The metric shall include reporting
19 on all supplier diversity programs by goals,
20 program results, demographics and geography, with
21 separate reporting by category of minority-owned,
22 female-owned, veteran-owned, and disability-owned
23 business enterprise metrics. The report shall
24 include resources and expenses committed to the
25 programs and conversion rates of new diverse
26 utility contractors.

1 (iv) Achieve affordable customer delivery
2 service costs, with particular emphasis on keeping
3 the bills of lower-income households, households
4 in equity investment eligible communities, and
5 household in environmental justice communities
6 within a manageable portion of their income and
7 adopting credit and collection policies that
8 reduce disconnections for these households
9 specifically and for customers overall to ensure
10 equitable disconnections, late fees, or arrearages
11 as a result of utility credit and collection
12 practices, which may include consideration of
13 impact by zip code.

14 (v) Metrics designed around the utility's
15 timeliness to customer requests for
16 interconnection in key milestone areas, such as:
17 initial response, supplemental review, and system
18 feasibility study; improved average service
19 reliability index for those customers that have
20 interconnected a distributed renewable energy
21 generation device to the utility's distribution
22 system and are lawfully taking service under an
23 applicable tariff; offering a variety of
24 affordable rate options, including demand
25 response, time of use rates for delivery and
26 supply, real-time pricing rates for supply;

1 comprehensive and predictable net metering, and
2 maximizing the benefits of grid modernization and
3 clean energy for ratepayers; and improving
4 customer access to utility system information
5 according to consumer demand and interest.

6 (vi) Metrics designed to measure the utility's
7 customer service performance, which may include
8 the average length of time to answer a customer's
9 call by a customer service representative, the
10 abandoned call rate and the relative ranking of
11 the electric utility, by a reputable third-party
12 organization, in customer service satisfaction
13 when compared to other similar electric utilities
14 in the Midwest region.

15 (B) Performance metrics shall include a
16 description of the metric, a calculation method, a
17 data collection method, annual performance targets,
18 and any incentives or penalties for the utility's
19 achievement of, or failure to achieve, their
20 performance targets, provided that the total amount of
21 potential incentives and penalties shall be
22 symmetrical. Incentives shall be rewards or penalties
23 or both, reflected as basis points added to, or
24 subtracted from, the utility's cost of equity. The
25 metrics and incentives shall apply for the entire time
26 period covered by a Multi-Year Rate Plan. The total

1 for all metrics shall be equal to 40 basis points,
2 however, the Commission may adjust the basis points
3 upward or downward by up to 20 basis points for any
4 given Multi-Year Rate Plan, as appropriate, but in no
5 event may the total exceed 60 basis points or fall
6 below 20 basis points.

7 (C) Metrics related to reliability shall be
8 implemented to ensure equitable benefits to
9 environmental justice and equity investment eligible
10 communities, as defined in this Act.

11 (D) The Commission shall approve performance
12 metrics that are reasonably within control of the
13 utility to achieve. The Commission also shall not
14 approve a metric that is solely expected to have the
15 effect of reducing the workforce. Performance metrics
16 should measure outcomes and actual, rather than
17 projected, results where possible. Nothing in this
18 subparagraph is intended to require that different
19 electric utilities must be subject to the same
20 metrics, goals, or incentives.

21 (E) Increases or enhancements to an existing
22 performance goal or target shall be considered in
23 light of other metrics, cost-effectiveness, and other
24 factors the Commission deems appropriate. Performance
25 metrics shall include one year of tracking data
26 collected in a consistent manner, verifiable by an

1 independent evaluator in order to establish a baseline
2 and measure outcomes and actual results against
3 projections where possible.

4 (F) For the purpose of determining reasonable
5 performance metrics and related incentives, the
6 Commission shall develop a methodology to calculate
7 net benefits that includes customer and societal costs
8 and benefits and quantifies the effect on delivery
9 rates. In determining the appropriate level of a
10 performance incentive, the Commission shall consider:
11 the extent to which the amount is likely to encourage
12 the utility to achieve the performance target in the
13 least cost manner; the value of benefits to customers,
14 the grid, public health and safety, and the
15 environment from achievement of the performance
16 target, including in particular benefits to equity
17 investment eligible community; the affordability of
18 customer's electric bills, including low-income
19 customers, the utility's revenue requirement, the
20 promotion of renewable and distributed energy, and
21 other such factors that the Commission deems
22 appropriate. The consideration of these factors shall
23 result in an incentive level that ensures benefits
24 exceed costs for customers.

25 (G) Achievement of performance metrics are based
26 on the assumptions that the utility will adopt or

1 implement the technology and equipment, and make the
2 investments to the extent reasonably necessary to
3 achieve the goal. If the electric utility is unable to
4 meet the performance metrics as a result of
5 extraordinary circumstances outside of its control,
6 including, but not limited to, government-declared
7 emergencies, then the utility shall be permitted to
8 file a petition with the Commission requesting that
9 the utility be excused from compliance with the
10 applicable performance goal or goals and the
11 associated financial incentives and penalties. The
12 burden of proof shall be on the utility, consistent
13 with Article IX, and the utility's petition shall be
14 supported by substantial evidence. The Commission
15 shall, after notice and hearing, enter its order
16 approving or denying, in whole or in part, the
17 utility's petition based on the extent to which the
18 utility demonstrated that its achievement of the
19 affected metrics and performance goals was hindered by
20 extraordinary circumstances outside of the utility's
21 control.

22 (3) The Commission shall approve reasonable and
23 appropriate tracking metrics to collect and monitor data
24 for the purpose of measuring and reporting utility
25 performance and for establishing future performance
26 metrics. These additional tracking metrics shall include

1 at least one metric from each of the following categories
2 of performance:

3 (A) Minimize emissions of greenhouse gases and
4 other air pollutants that harm human health,
5 particularly in environmental justice and equity
6 investment eligible communities, through minimizing
7 total emissions by accelerating electrification of
8 transportation, buildings, and industries where such
9 electrification results in net reductions, across all
10 fuels and over the life of electrification measures,
11 of greenhouse gases and other pollutants, taking into
12 consideration the fuel mix used to produce electricity
13 at the relevant hour and the effect of accelerating
14 electrification on electricity delivery services
15 rates, supply prices, and peak demand, provided the
16 revenues the utility receives from accelerating
17 electrification of transportation, buildings, and
18 industries exceed the costs.

19 (B) Enhance the grid's flexibility to adapt to
20 increased deployment of nondispatchable resources,
21 improve the ability and performance of the grid on
22 load balancing, and offer a variety of rate plans to
23 match consumer consumption patterns and lower consumer
24 bills for electricity delivery and supply.

25 (C) Ensure rates reflect cost savings attributable
26 to grid modernization and utilize distributed energy

1 resources that allow the utility to defer or forgo
2 traditional grid investments that would otherwise be
3 required to provide safe and reliable service.

4 (D) Metrics designed to create and sustain
5 full-time-equivalent jobs and opportunities for all
6 segments of the population and workforce, including
7 minority-owned businesses, women-owned businesses,
8 veteran-owned businesses, and businesses owned by a
9 person or persons with a disability, and that do not,
10 consistent with State and federal law, discriminate
11 based on race or socioeconomic status as a result of
12 Public Act 102-662.

13 (E) Maximize and prioritize the allocation of grid
14 planning benefits to environmental justice and
15 economically disadvantaged customers and communities,
16 such that all metrics provide equitable benefits
17 across the utility's service territory and maintain
18 and improve utility customers' access to uninterrupted
19 utility services.

20 (4) The Commission may establish new tracking and
21 performance metrics in future Multi-Year Rate Plans to
22 further measure achievement of the outcomes set forth in
23 paragraph (2) of subsection (f) of this Section and the
24 other goals and requirements of this Section.

25 (5) The Commission shall also evaluate metrics that
26 were established in prior Multi-Year Rate Plans to

1 determine if there has been an unanticipated material
2 change in circumstances such that adjustments are required
3 to improve the likelihood of the outcomes described in
4 paragraph (2) of subsection (f). For metrics that were
5 established in prior Multi-Year Rate Plan proceedings and
6 that the Commission elects to continue, the design of
7 these metrics, including the goals of tracking metrics and
8 the targets and incentive levels and structures of
9 performance metrics, may be adjusted pursuant to the
10 requirements in this Section. The Commission may also
11 change, adjust, or phase out tracking and performance
12 metrics that were established in prior Multi-Year Rate
13 Plan proceedings if these metrics no longer meet the
14 requirements of this Section or if they are rendered
15 obsolete by the changing needs and technology of an
16 evolving grid. Additionally, performance metrics that no
17 longer require an incentive to create improved utility
18 performance may become tracking metrics in a Multi-Year
19 Rate Plan proceeding.

20 (6) The Commission shall initiate a workshop process
21 no later than August 1, 2021, or 15 days after September
22 15, 2021 (the effective date of Public Act 102-662),
23 whichever is later, for the purpose of facilitating the
24 development of metrics for each utility. The workshop
25 shall be coordinated by the staff of the Commission, or a
26 facilitator retained by staff, and shall be organized and

1 facilitated in a manner that encourages representation
2 from diverse stakeholders and ensures equitable
3 opportunities for participation, without requiring formal
4 intervention or representation by an attorney. Working
5 with staff of the Commission the facilitator may conduct a
6 combination of workshops specific to a utility or
7 applicable to multiple utilities where content and
8 stakeholders are substantially similar. The workshop
9 process shall conclude no later than October 31, 2021.
10 Following the workshop, the staff of the Commission, or
11 the facilitator retained by the Staff, shall prepare and
12 submit a report to the Commission that identifies the
13 participants in the process, the metrics proposed during
14 the process, any material issues that remained unresolved
15 at the conclusions of such process, and any
16 recommendations for workshop process improvements. Any
17 workshop participant may file comments and reply comments
18 in response to the Staff report.

19 (A) No later than January, 20, 2022, each electric
20 utility that intends to file a petition pursuant to
21 subsection (b) of this Section shall file a petition
22 with the Commission seeking approval of its
23 performance metrics, which shall include for each
24 metric, at a minimum, (i) a detailed description, (ii)
25 the calculation of the baseline, (iii) the performance
26 period and overall performance goal, provided that the

1 performance period shall not commence prior to January
2 1, 2024, (iv) each annual performance goal, (v) the
3 performance adjustment, which shall be a symmetrical
4 basis point increase or decrease to the utility's cost
5 of equity based on the extent to which the utility
6 achieved the annual performance goal, and (vi) the new
7 or modified tariff mechanism that will apply the
8 performance adjustments. The Commission shall issue
9 its order approving, or approving with modification,
10 the utility's proposed performance metrics no later
11 than September 30, 2022.

12 (B) No later than August 1, 2025, the Commission
13 shall initiate a workshop process that conforms to the
14 workshop purpose and requirements of this paragraph
15 (6) of this Section to the extent they do not conflict.
16 The workshop process shall conclude no later than
17 October 31, 2025, and the staff of the Commission, or
18 the facilitator retained by the Staff, shall prepare
19 and submit a report consistent with the requirements
20 described in this paragraph (6) of this Section. No
21 later than January 20, 2026, each electric utility
22 subject to the requirements of this Section shall file
23 a petition that reflects, and is consistent with, the
24 components required in this paragraph (6) of this
25 Section, and the Commission shall issue its order
26 approving, or approving with modification, the

1 utility's proposed performance metrics no later than
2 September 30, 2026.

3 (f) On May 1 of each year, following the approval of the
4 first Multi-Year Rate Plan and its initial year, the
5 Commission shall open an annual performance evaluation
6 proceeding to evaluate the utilities' performance on their
7 metric targets during the year just completed, as well as the
8 appropriate Annual Adjustment as defined in paragraph (6). The
9 Commission shall determine the performance and annual
10 adjustments to be applied through a surcharge in the following
11 calendar year.

12 (1) On February 15 of each year, prior to the annual
13 performance evaluation proceeding, each utility shall file
14 a performance evaluation report with the Commission that
15 includes a description of and all data supporting how the
16 utility performed under each performance metric and an
17 identification of any extraordinary events that adversely
18 impacted the utility's performance.

19 (2) The metrics approved under this Section are based
20 on the assumptions that the utility may fully implement
21 the technology and equipment, and make the investments,
22 required to achieve the metrics and performance goals. If
23 the utility is unable to meet the metrics and performance
24 goals because it was hindered by unanticipated technology
25 or equipment implementation delays, government-declared
26 emergencies, or other investment impediments, then the

1 utility shall be permitted to file a petition with the
2 Commission on or before the date that its report is due
3 pursuant to paragraph (1) of this subsection (f)
4 requesting that the utility be excused from compliance
5 with the applicable performance goal or goals. The burden
6 of proof shall be on the utility, consistent with Article
7 IX, and the utility's petition shall be supported by
8 substantial evidence. No later than 90 days after the
9 utility files its petition, the Commission shall, after
10 notice and hearing, enter its order approving or denying,
11 in whole or in part, the utility's petition based on the
12 extent to which the utility demonstrated that its
13 achievement of the affected metrics and performance goals
14 was hindered by unanticipated technology or equipment
15 implementation delays, or other investment impediments,
16 that were reasonably outside of the utility's control.

17 (3) The electric utility shall provide for an annual
18 independent evaluation of its performance on metrics. The
19 independent evaluator shall review the utility's
20 assumptions, baselines, targets, calculation
21 methodologies, and other relevant information, especially
22 ensuring that the utility's data for establishing
23 baselines matches actual performance, and shall provide a
24 report to the Commission in each annual performance
25 evaluation describing the results. The independent
26 evaluator shall present this report as evidence as a

1 nonparty participant and shall not be represented by the
2 utility's legal counsel. The independent evaluator shall
3 be hired through a competitive bidding process with
4 approval of the contract by the Commission.

5 The Commission shall consider the report of the
6 independent evaluator in determining the utility's
7 achievement of performance targets. Discrepancies between
8 the utility's assumptions, baselines, targets, or
9 calculations and those of the independent evaluator shall
10 be closely scrutinized by the Commission. If the
11 Commission finds that the utility's reported data for any
12 metric or metrics significantly and incorrectly deviates
13 from the data reported by the independent evaluator, then
14 the Commission shall order the utility to revise its data
15 collection and calculation process within 60 days, with
16 specifications where appropriate.

17 (4) The Commission shall, after notice and hearing in
18 the annual performance evaluation proceeding, enter an
19 order approving the utility's performance adjustment based
20 on its achievement of or failure to achieve its
21 performance targets no later than December 20 each year.
22 The Commission-approved penalties or incentives shall be
23 applied beginning with the next calendar year.

24 (5) In order to promote the transparency of utility
25 investments during the effective period of a multi-year
26 rate plan, inform the Commission's investigation and

1 adjustment of rates in the annual adjustment process, and
2 to facilitate the participation of stakeholders in the
3 annual adjustment process, an electric utility with an
4 effective Multi-Year Rate Plan shall, within 90 days of
5 the close of each quarter during the Multi-Year Rate Plan
6 period, submit to the Commission a report that summarizes
7 the additions to utility plant that were placed into
8 service during the prior quarter, which for purposes of
9 the report shall be the most recently closed fiscal
10 quarter. The report shall also summarize the utility plant
11 the electric utility projects it will place into service
12 through the end of the calendar year in which the report is
13 filed. The projections, estimates, plans, and
14 forward-looking information that are provided in the
15 reports pursuant to this paragraph (5) are for planning
16 purposes and are intended to be illustrative of the
17 investments that the utility proposes to make as of the
18 time of submittal. Nothing in this paragraph (5)
19 precludes, or is intended to limit, a utility's ability to
20 modify and update its projections, estimates, plans, and
21 forward-looking information previously submitted in order
22 to reflect stakeholder input or other new or updated
23 information and analysis, including, but not limited to,
24 changes in specific investment needs, customer electric
25 use patterns, customer applications and preferences, and
26 commercially available equipment and technologies, however

1 the utility shall explain any changes or deviations
2 between the projected investments from the quarterly
3 reports and actual investments in the annual report. The
4 reports submitted pursuant to this subsection are intended
5 to be flexible planning tools, and are expected to evolve
6 as new information becomes available. Within 7 days of
7 receiving a quarterly report, the Commission shall timely
8 make such report available to the public by posting it on
9 the Commission's website. Each quarterly report shall
10 include the following detail:

11 (A) The total dollar value of the additions to
12 utility plant placed in service during the prior
13 quarter;

14 (B) A list of the major investment categories the
15 electric utility used to manage its routine standing
16 operational activities during the prior quarter
17 including the total dollar amount for the work
18 reflected in each investment category in which utility
19 plant in service is equal to or greater than
20 \$2,000,000 for an electric utility that serves more
21 than 3,000,000 customers in the State or \$500,000 for
22 an electric utility that serves less than 3,000,000
23 customers but more than 500,000 customers in the State
24 as of the last day of the quarterly reporting period,
25 as well as a summary description of each investment
26 category;

1 (C) A list of the projects which the electric
2 utility has identified by a unique investment tracking
3 number for utility plant placed in service during the
4 prior quarter for utility plant placed in service with
5 a total dollar value as of the last day of the
6 quarterly reporting period that is equal to or greater
7 than \$2,000,000 for an electric utility that serves
8 more than 3,000,000 customers in the State or \$500,000
9 for an electric utility that serves less than
10 3,000,000 retail customers but more than \$500,000
11 retail customers in the State, as well as a summary of
12 each project;

13 (D) The estimated total dollar value of the
14 additions to utility plant projected to be placed in
15 service through the end of the calendar year in which
16 the report is filed;

17 (E) A list of the major investment categories the
18 electric utility used to manage its routine standing
19 operational activities with utility plant projected to
20 be placed in service through the end of the calendar
21 year in which the report is filed, including the total
22 dollar amount for the work reflected in each
23 investment category in which utility plant in service
24 is projected to be equal to or greater than \$2,000,000
25 for an electric utility that serves more than
26 3,000,000 customers in the State or \$500,000 for an

1 electric utility that serves less than 3,000,000
2 retail customers but more than 500,000 retail
3 customers in the State, as well as a summary
4 description of each investment category; and

5 (F) A list of the projects for which the electric
6 utility has identified by a unique investment tracking
7 number for utility plant projected to be placed in
8 service through the end of the calendar year in which
9 the report is filed with an estimated dollar value
10 that is equal to or greater than \$2,000,000 for an
11 electric utility that serves more than 3,000,000
12 customers in the State or \$500,000 for an electric
13 utility that serves less than 3,000,000 retails
14 customers but more than \$500,000 retail customers in
15 the State, as well as a summary description of each
16 project.

17 (6) As part of the Annual Performance Adjustment, the
18 electric utility shall submit evidence sufficient to
19 support a determination of its actual revenue requirement
20 for the applicable calendar year, consistent with the
21 provisions of paragraphs (d) and (f) of this subsection.
22 The electric utility shall bear the burden of
23 demonstrating that its costs were prudent and reasonable,
24 subject to the provisions of paragraph (4) of this
25 subsection (f). The Commission's review of the electric
26 utility's annual adjustment shall be based on the same

1 evidentiary standards, including, but not limited to,
2 those concerning the prudence and reasonableness of the
3 known and measurable costs forecasted to be incurred by
4 the utility, and the used and usefulness of the actual
5 plant investment pursuant to Section 9-211 of this Act,
6 that the Commission applies in a proceeding to review a
7 filing for changes in rates pursuant to Section 9-201 of
8 this Act. The Commission shall determine the prudence and
9 reasonableness of the actual costs incurred by the utility
10 during the applicable calendar year, as well as determine
11 the original cost of plant in service as of the end of the
12 applicable calendar year. The Commission shall then
13 determine the Annual Adjustment, which shall mean the
14 amount by which, the electric utility's actual revenue
15 requirement for the applicable year of the Multi-Year Rate
16 Plan either exceeded, or was exceeded by, the revenue
17 requirement approved by the Commission for such calendar
18 year, plus carrying costs calculated at the weighted
19 average cost of capital approved for the Multi-Year Rate
20 Plan.

21 The Commission's determination of the electric
22 utility's actual revenue requirement for the applicable
23 calendar year shall be based on:

24 (A) the Commission-approved used and useful,
25 prudent and reasonable actual costs for the applicable
26 calendar year, which shall be determined pursuant to

1 the following criteria:

2 (i) the overall level of actual costs incurred
3 during the calendar year, provided that the
4 Commission may not allow recovery of actual costs
5 that are more than 105% of the approved revenue
6 requirement calculated as provided in item (ii) of
7 this subparagraph (A), except to the extent the
8 Commission approves a modification of the
9 Multi-Year Rate Plan to permit such recovery;

10 (ii) the calculation of 105% of the revenue
11 requirement required by this subparagraph (A)
12 shall exclude the revenue requirement impacts of
13 the following volatile and fluctuating variables
14 that occurred during the year: (i) storms and
15 weather-related events for which the utility
16 provides sufficient evidence to demonstrate that
17 such expenses were not foreseeable and not in
18 control of the utility; (ii) new business; (iii)
19 changes in interest rates; (iv) changes in taxes;
20 (v) facility relocations; (vi) changes in pension
21 or post-retirement benefits costs due to
22 fluctuations in interest rates, market returns or
23 actuarial assumptions; (vii) amortization expenses
24 related to costs; and (viii) changes in the timing
25 of when an expenditure or investment is made such
26 that it is accelerated to occur during the

1 applicable year or deferred to occur in a
2 subsequent year;

3 (B) the year-end rate base;

4 (C) the cost of equity approved in the multi-year
5 rate plan; and

6 (D) the electric utility's actual year-end capital
7 structure, provided that the common equity ratio in
8 such capital structure may not exceed the common
9 equity ratio that was approved by the Commission in
10 the Multi-Year Rate Plan.

11 (2) The Commission's determinations of the prudence
12 and reasonableness of the costs incurred for the
13 applicable year, and of the original cost of plant in
14 service as of the end of the applicable calendar year,
15 shall be final upon entry of the Commission's order and
16 shall not be subject to collateral attack in any other
17 Commission proceeding, case, docket, order, rule, or
18 regulation; however, nothing in this Section shall
19 prohibit a party from petitioning the Commission to rehear
20 or appeal to the courts the order pursuant to the
21 provisions of this Act.

22 (g) During the period leading to approval of the first
23 Multi-Year Integrated Grid Plan, each electric utility will
24 necessarily continue to invest in its distribution grid. Those
25 investments will be subject to a determination of prudence and
26 reasonableness consistent with Commission practice and law.

1 Any failure to conform to the Multi-Year Integrated Grid Plan
2 ultimately approved shall not imply imprudence or
3 unreasonableness.

4 (h) After calculating the Performance Adjustment and
5 Annual Adjustment, the Commission shall order the electric
6 utility to collect the amount in excess of the revenue
7 requirement from customers, or issue a refund to customers, as
8 applicable, to be applied through a surcharge beginning with
9 the next calendar year.

10 Electric utilities subject to the requirements of this
11 Section shall be permitted to file new or revised tariffs to
12 comply with the provisions of, and Commission orders entered
13 pursuant to, this Section.

14 (Source: P.A. 104-417, eff. 8-15-25; revised 12-12-25.)

15 Section 565. The Acupuncture Practice Act is amended by
16 changing Section 110 as follows:

17 (225 ILCS 2/110)

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

19 Sec. 110. Grounds for disciplinary action. ~~(a)~~ The
20 Department may refuse to issue or to renew, place on
21 probation, suspend, revoke_L or take other disciplinary or
22 non-disciplinary action as deemed appropriate_L including the
23 imposition of fines not to exceed \$10,000 for each violation,
24 as the Department may deem proper, with regard to a license for

1 any one or combination of the following causes:

2 (1) Violations of this Act or its rules.

3 (2) Conviction by plea of guilty or nolo contendere,
4 finding of guilt, jury verdict, or entry of judgment or
5 sentencing, including, but not limited to, convictions,
6 preceding sentences of supervision, conditional discharge,
7 or first offender probation, under the laws of any
8 jurisdiction of the United States that is (i) a felony or
9 (ii) a misdemeanor, an essential element of which is
10 dishonesty or that is directly related to the practice of
11 the profession.

12 (3) Making any misrepresentation for the purpose of
13 obtaining a license.

14 (4) Aiding or assisting another person in violating
15 any provision of this Act or its rules.

16 (5) Failing to provide information within 60 days in
17 response to a written request made by the Department which
18 has been sent by certified or registered mail to the
19 licensee's address of record or by email to the licensee's
20 email address of record.

21 (6) Discipline by another U.S. jurisdiction or foreign
22 nation, if at least one of the grounds for the discipline
23 is the same or substantially equivalent to one set forth
24 in this Section.

25 (7) Solicitation of professional services by means
26 other than permitted under this Act.

1 (8) Failure to provide a patient with a copy of his or
2 her record upon the written request of the patient.

3 (9) Gross negligence in the practice of acupuncture.

4 (10) Habitual or excessive use or addiction to
5 alcohol, narcotics, stimulants, or any other chemical
6 agent or drug that results in an acupuncturist's inability
7 to practice with reasonable judgment, skill, or safety.

8 (11) A finding that licensure has been applied for or
9 obtained by fraudulent means.

10 (12) A pattern of practice or other behavior that
11 demonstrates incapacity or incompetence to practice under
12 this Act.

13 (13) Being named as a perpetrator in an indicated
14 report by the Department of Children and Family Services
15 under the Abused and Neglected Child Reporting Act and
16 upon proof by clear and convincing evidence that the
17 licensee has caused a child to be an abused child or a
18 neglected child as defined in the Abused and Neglected
19 Child Reporting Act.

20 (14) Willfully failing to report an instance of
21 suspected child abuse or neglect as required by the Abused
22 and Neglected Child Reporting Act.

23 (15) The use of any words, abbreviations, figures, or
24 letters (such as "Acupuncturist", "Licensed
25 Acupuncturist", "Certified Acupuncturist", "Doctor of
26 Acupuncture and Chinese Medicine", "Doctor of Acupuncture

1 and Oriental Medicine", "Doctor of Acupuncture", "Oriental
2 Medicine Practitioner", "Licensed Oriental Medicine
3 Practitioner", "Oriental Medicine Doctor", "Licensed
4 Oriental Medicine Doctor", "C.A.", "Act.", "Lic. Act.",
5 "Lic. Ac.", "D.Ac.", "DACM", "DAOM", or "O.M.D.") or any
6 designation used by the Accreditation Commission for
7 Acupuncture and Oriental Medicine with the intention of
8 indicating practice as a licensed acupuncturist without a
9 valid license as an acupuncturist issued under this Act.

10 When the name of the licensed acupuncturist is used
11 professionally in oral, written, or printed announcements,
12 professional cards, or publications for the information of
13 the public, the degree title or degree abbreviation shall
14 be added immediately following title and name. When the
15 announcement, professional card, or publication is in
16 writing or in print, the explanatory addition shall be in
17 writing, type, or print not less than 1/2 the size of that
18 used in the name and title. No person other than the holder
19 of a valid existing license under this Act shall use the
20 title and designation of "acupuncturist", either directly
21 or indirectly, in connection with his or her profession or
22 business.

23 (16) Using claims of superior quality of care to
24 entice the public or advertising fee comparisons of
25 available services with those of other persons providing
26 acupuncture services.

1 (17) Advertising of professional services that the
2 offeror of the services is not licensed to render.
3 Advertising of professional services that contains false,
4 fraudulent, deceptive, or misleading material or
5 guarantees of success, statements that play upon the
6 vanity or fears of the public, or statements that promote
7 or produce unfair competition.

8 (18) Having treated ailments other than by the
9 practice of acupuncture as defined in this Act, or having
10 treated ailments ~~of~~ as a licensed acupuncturist pursuant
11 to a referral by written order that provides for
12 management of the patient by a physician or dentist
13 without having notified the physician or dentist who
14 established the diagnosis that the patient is receiving
15 acupuncture treatments.

16 (19) Unethical, unauthorized, or unprofessional
17 conduct as defined by rule.

18 (20) Physical illness, mental illness, or other
19 impairment that results in the inability to practice the
20 profession with reasonable judgment, skill, and safety,
21 including, without limitation, deterioration through the
22 aging process, mental illness, or disability.

23 (21) Violation of the Health Care Worker Self-Referral
24 Act.

25 (22) Failure to refer a patient whose condition
26 should, at the time of evaluation or treatment, be

1 determined to be beyond the scope of practice of the
2 acupuncturist to a licensed physician or dentist.

3 (23) Holding himself or herself out as being trained
4 in Chinese herbology without being able to provide the
5 Department with proof of status as a Diplomate of Oriental
6 Medicine certified by the National Certification
7 Commission for Acupuncture and Oriental Medicine or a
8 substantially equivalent status approved by the Department
9 or proof that he or she has successfully completed the
10 National Certification Commission for Acupuncture and
11 Oriental Medicine Chinese Herbology Examination or a
12 substantially equivalent examination approved by the
13 Department.

14 The entry of an order by a circuit court establishing that
15 any person holding a license under this Act is subject to
16 involuntary admission or judicial admission as provided for in
17 the Mental Health and Developmental Disabilities Code operates
18 as an automatic suspension of that license. That person may
19 have his or her license restored only upon the determination
20 by a circuit court that the patient is no longer subject to
21 involuntary admission or judicial admission and the issuance
22 of an order so finding and discharging the patient and upon the
23 Board's recommendation to the Department that the license be
24 restored. Where the circumstances so indicate, the Board may
25 recommend to the Department that it require an examination
26 prior to restoring a suspended license.

1 The Department may refuse to issue or renew the license of
2 any person who fails to (i) file a return or to pay the tax,
3 penalty, or interest shown in a filed return or (ii) pay any
4 final assessment of the tax, penalty, or interest as required
5 by any tax Act administered by the Illinois Department of
6 Revenue, until the time that the requirements of that tax Act
7 are satisfied.

8 In enforcing this Section, the Department upon a showing
9 of a possible violation may compel an individual licensed to
10 practice under this Act, or who has applied for licensure
11 under this Act, to submit to a mental or physical examination,
12 or both, as required by and at the expense of the Department.
13 The Department may order the examining physician to present
14 testimony concerning the mental or physical examination of the
15 licensee or applicant. No information shall be excluded by
16 reason of any common law or statutory privilege relating to
17 communications between the licensee or applicant and the
18 examining physician. The examining physicians shall be
19 specifically designated by the Department. The individual to
20 be examined may have, at his or her own expense, another
21 physician of his or her choice present during all aspects of
22 this examination. Failure of an individual to submit to a
23 mental or physical examination, when directed, shall be
24 grounds for suspension of his or her license until the
25 individual submits to the examination if the Department finds,
26 after notice and hearing, that the refusal to submit to the

1 examination was without reasonable cause.

2 If the Department finds an individual unable to practice
3 because of the reasons set forth in this Section, the
4 Department may require that individual to submit to care,
5 counseling, or treatment by physicians approved or designated
6 by the Department, as a condition, term, or restriction for
7 continued, restored, or renewed licensure to practice; or, in
8 lieu of care, counseling, or treatment, the Department may
9 file a complaint to immediately suspend, revoke, or otherwise
10 discipline the license of the individual. An individual whose
11 license was granted, continued, restored, renewed,
12 disciplined, or supervised subject to such terms, conditions,
13 or restrictions, and who fails to comply with such terms,
14 conditions, or restrictions, shall be referred to the
15 Secretary for a determination as to whether the individual
16 shall have his or her license suspended immediately, pending a
17 hearing by the Department.

18 In instances in which the Secretary immediately suspends a
19 person's license under this Section, a hearing on that
20 person's license must be convened by the Department within 30
21 days after the suspension and completed without appreciable
22 delay. The Department and Board shall have the authority to
23 review the subject individual's record of treatment and
24 counseling regarding the impairment to the extent permitted by
25 applicable federal statutes and regulations safeguarding the
26 confidentiality of medical records.

1 An individual licensed under this Act and affected under
2 this Section shall be afforded an opportunity to demonstrate
3 to the Department that he or she can resume practice in
4 compliance with acceptable and prevailing standards under the
5 provisions of his or her license.

6 (Source: P.A. 100-375, eff. 8-25-17; 101-201, eff. 1-1-20;
7 revised 6-24-25.)

8 Section 570. The Illinois Athletic Trainers Practice Act
9 is amended by changing Section 3 as follows:

10 (225 ILCS 5/3) (from Ch. 111, par. 7603)

11 (Section scheduled to be repealed on January 1, 2031)

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

13 (1) "Department" means the Department of Financial and
14 Professional Regulation.

15 (2) "Secretary" means the Secretary of Financial and
16 Professional Regulation.

17 (3) (Blank).~~+~~

18 (4) "Licensed athletic trainer" means a person licensed to
19 practice athletic training as defined in this Act and with the
20 specific qualifications set forth in Section 9 of this Act
21 who, upon the direction or consultation of a physician,
22 carries out the practice of evaluation, prevention or
23 emergency care, or physical reconditioning of injuries
24 incurred by athletes conducted by an educational institution,

1 professional athletic organization, sanctioned amateur
2 athletic organization, performing arts setting, clinical
3 setting, or employment setting employing the athletic trainer;
4 or a person who, under the direction of a physician, carries
5 out comparable functions for a health organization-based
6 extramural program of athletic training services for athletes.
7 Specific duties of the athletic trainer include, but are not
8 limited to:

9 A. Supervision of the selection, fitting, and
10 maintenance of protective equipment;

11 B. Provision of assistance to the coaching staff in
12 the development and implementation of conditioning
13 programs;

14 C. Counseling of athletes on nutrition and hygiene;

15 D. Supervision of athletic training facility and
16 inspection of playing facilities;

17 E. Selection and maintenance of athletic training
18 equipment and supplies;

19 F. (Blank);

20 G. Coordination with a physician to provide:

21 (i) pre-competition physical exam and health
22 history updates,

23 (ii) game coverage or phone access to a physician
24 or paramedic,

25 (iii) follow-up injury care,

26 (iv) reconditioning programs, and

1 (v) assistance on all matters pertaining to the
2 health and well-being of athletes;

3 H. Provision of on-site injury care and evaluation as
4 well as appropriate transportation, follow-up treatment
5 and reconditioning as necessary for all injuries sustained
6 by athletes in the program;

7 I. With a physician, determination of when an athlete
8 may safely return to full participation post-injury;

9 J. Maintenance of complete and accurate records of all
10 athlete injuries and treatments rendered; and

11 K. Written reports to a referring individual every 30
12 days services are provided.

13 To carry out these functions the athletic trainer is
14 authorized to utilize modalities, including, but not limited
15 to, heat, light, sound, cold, electricity, exercise, or
16 mechanical devices related to care and reconditioning. An
17 athletic trainer may also carry out these functions upon
18 receiving a referral. A licensed athletic trainer shall use
19 "LAT" or "L.A.T." in connection with the athletic trainer's
20 name to denote licensure under this Act.

21 (5) "Referral" means the written authorization for
22 athletic trainer services as provided in paragraph (4) given
23 by a physician, physician assistant, advanced practice
24 registered nurse, podiatric physician, or dentist, who shall
25 maintain medical supervision of the athlete and makes a
26 diagnosis or verifies that the patient's condition is such

1 that it may be treated by an athletic trainer.

2 (6) "Aide" means a person who has received on-the-job
3 training specific to the facility in which that person is
4 employed, on either a paid or volunteer basis, but is not
5 enrolled in an accredited curriculum.

6 (7) "Address of record" means the designated address
7 recorded by the Department in the applicant's or licensee's
8 application file or license file as maintained by the
9 Department's licensure maintenance unit.

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

14 (9) "Board of Certification" means the Board of
15 Certification for the Athletic Trainer.

16 (10) "Athlete" means a person participating in an activity
17 that requires a level of strength, endurance, flexibility,
18 range of motion, speed, or agility which may include exercise,
19 sports, recreation, wellness, or employment activity.

20 (11) "Physician assistant" means a physician assistant
21 licensed to practice under the Physician Assistant Practice
22 Act of 1987 in accordance with a written collaborative
23 agreement with a physician licensed to practice medicine in
24 all of its branches.

25 (12) "Advanced practice registered nurse" means an
26 advanced practice registered nurse licensed to practice under

1 the Nurse Practice Act.

2 (Source: P.A. 104-152, eff. 1-1-26; revised 12-12-25.)

3 Section 575. The Child Care Act of 1969 is amended by
4 changing Sections 3.8, 4.1, and 7.4 as follows:

5 (225 ILCS 10/3.8)

6 Sec. 3.8. Licensed day care centers; immigration
7 enforcement.

8 (a) As used in this Section:

9 "Immigration enforcement action" includes any arrests or
10 detentions conducted by agents or officers of the United
11 States Department of Homeland Security, United States
12 Immigration and Customs Enforcement, or United States Customs
13 and Border Protection or any other individual or entity with
14 the power to arrest or detain individuals or manage custody of
15 detained individuals for the purposes of civil immigration
16 enforcement.

17 "Law enforcement agent" means an agent of federal, State,
18 or local law enforcement authorized with the power to arrest
19 or detain individuals, or manage the custody of detained
20 individuals, for civil immigration enforcement.

21 (b) A licensed day care center shall not disclose or
22 threaten to disclose to any other person, entity, or agency
23 information regarding or relating to the actual or perceived
24 citizenship or immigration status of a child or an associated

1 person, unless disclosure is required by State or federal law.

2 Nothing in this Section shall be construed to prohibit or
3 restrict an entity from sending to or receiving from the
4 United States Department of Homeland Security or any other
5 federal, State, or local governmental entity information
6 regarding the citizenship or immigration status of an
7 individual under 8 U.S.C. 1373 and 8 U.S.C. 1644.

8 (c) This Section does not affect a licensed day care
9 center's obligation as a mandated reporter or to otherwise
10 respond to instances of suspected crime on the premises. This
11 Section does not prohibit licensed day care centers from
12 interacting with law enforcement agents for the purposes of
13 hotline emergency calls or incidents arising out of mandated
14 reporting.

15 (d) The Department of Children and Family Services or the
16 Department of Early Childhood, whichever is applicable, shall
17 make available on its website resources for families,
18 including, but not limited to, resources regarding the
19 constitutional rights of families, family preparedness plans,
20 and a copy of the Department of Children and Family Services'
21 appointment of short-term guardian form (Form CFS 444-2 or its
22 predecessor or successor form).

23 (e) If a child's parent or guardian directly faces
24 immigration enforcement action, a licensed day care center
25 shall use the child's emergency contact information and
26 release the child to the persons designated as the child's

1 emergency contacts or into the custody of an individual who
2 presents a properly executed appointment of short-term
3 guardian form on behalf of the child.

4 (f) A licensed day care center shall adopt policies by
5 January 1, 2026 to comply with this Section and shall ensure
6 that all staff members are trained on the adopted policies.
7 The policies shall not have the effect of excluding or
8 discouraging a child from any program at the licensed day care
9 center because of the child's or the child's parent or
10 guardian's actual or perceived immigration status shall
11 require the following:

12 (1) a written plan of action for interacting with law
13 enforcement agents that shall be shared with a child's
14 parent or guardian and includes the following:

15 (A) designation of spaces deemed to be private
16 within the facility;

17 (B) designation of the licensed day care center
18 director or the center director's designee to serve as
19 the primary point of contact for interacting with law
20 enforcement agents; and

21 (C) procedures that a licensed day care center's
22 primary point of contact shall follow to respond and
23 review any request for entry by law enforcement,
24 including judicial warrants, orders, and subpoenas;~~;~~

25 (2) procedures for notifying and seeking written
26 consent from a child's parents or guardian if a law

1 enforcement agent requests access to personally
2 identifiable information from the child's records, unless
3 such access is in compliance with a judicial warrant or
4 order or a subpoena that restricts the disclosure of the
5 information to the child's parents or guardian;

6 (3) families enrolled at the licensed day care center
7 to update their emergency contact list biannually; and

8 (4) notification to be given, within a reasonable time
9 period, to parents or guardians and the Department if
10 immigration enforcement action occurs at the licensed day
11 care center or its environs.

12 A licensed day care center's late pick-up policy shall be
13 updated to include the degree of diligence the licensed day
14 care center will use to reach a child's emergency contacts,
15 including the number of attempted phone calls to parents and
16 emergency contacts and any requests for police assistance in
17 finding a child's emergency contact.

18 (g) Failure to comply with subsection (b) of this Section
19 shall result in a formal licensing violation. Failure to
20 comply with any other provision of this Section may result in a
21 licensing violation.

22 (Source: P.A. 104-440, eff. 12-9-25; revised 12-12-25.)

23 (225 ILCS 10/4.1) (from Ch. 23, par. 2214.1)

24 (Text of Section before amendment by P.A. 103-594)

25 Sec. 4.1. Criminal background investigations.

1 (a) In this Section, "third-party vendor" means a
2 third-party fingerprinting vendor who is licensed by the
3 Department of Financial and Professional Regulation and
4 regulated by 68 Ill. Adm. Code 1240.600.

5 (b) The Department shall require that each child care
6 facility license applicant as part of the application process,
7 and each employee and volunteer of a child care facility or
8 non-licensed service provider, as a condition of employment,
9 authorize an investigation to determine if such applicant,
10 employee, or volunteer has ever been charged with a crime and
11 if so, the disposition of those charges; this authorization
12 shall indicate the scope of the inquiry and the agencies which
13 may be contacted. An employee or volunteer of a day care
14 center, day care home, or group day care home shall authorize
15 an investigation every 5 years, as required under the Child
16 Care and Development Block Grant. A child care facility,
17 non-licensed service provider, day care center, group day care
18 home, or day care home may authorize the Department or a
19 third-party vendor to collect fingerprints for the
20 investigation. If a third-party vendor is used for
21 fingerprinting, then the child care facility, non-licensed
22 service provider, day care center, group day care home, or day
23 care home shall pay the third-party vendor for that service
24 directly. If a child care facility, non-licensed service
25 provider, day care center, group day care home, or day care
26 home authorizes the Department or a third-party vendor to

1 collect fingerprints for the investigation, the Director shall
2 request and receive information and assistance from any
3 federal, State, or local governmental agency as part of the
4 authorized investigation. Each applicant, employee, or
5 volunteer of a child care facility or non-licensed service
6 provider shall submit the applicant's, employee's, or
7 volunteer's fingerprints to the Illinois State Police in the
8 form and manner prescribed by the Illinois State Police. These
9 fingerprints shall be checked against the fingerprint records
10 now and hereafter filed in the Illinois State Police and
11 Federal Bureau of Investigation criminal history records
12 databases. The Illinois State Police shall charge a fee for
13 conducting the criminal history records check, which shall be
14 deposited into ~~in~~ the State Police Services Fund and shall not
15 exceed the actual cost of the records check. The Illinois
16 State Police shall provide information concerning any criminal
17 charges, and their disposition, now or hereafter filed,
18 against an applicant, employee, or volunteer of a child care
19 facility or non-licensed service provider upon request of the
20 Department of Children and Family Services when the request is
21 made in the form and manner required by the Illinois State
22 Police.

23 Information concerning convictions of a license applicant,
24 employee, or volunteer of a child care facility or
25 non-licensed service provider investigated under this Section,
26 including the source of the information and any conclusions or

1 recommendations derived from the information, shall be
2 provided, upon request, to such applicant, employee, or
3 volunteer of a child care facility or non-licensed service
4 provider prior to final action by the Department on the
5 application. State conviction information provided by the
6 Illinois State Police regarding employees, prospective
7 employees, or volunteers of non-licensed service providers and
8 child care facilities licensed under this Act shall be
9 provided to the operator of such facility, and, upon request,
10 to the employee, prospective employee, or volunteer of a child
11 care facility or non-licensed service provider. Any
12 information concerning criminal charges and the disposition of
13 such charges obtained by the Department shall be confidential
14 and may not be transmitted outside the Department, except as
15 required herein, and may not be transmitted to anyone within
16 the Department except as needed for the purpose of evaluating
17 an application or an employee or volunteer of a child care
18 facility or non-licensed service provider. Only information
19 and standards which bear a reasonable and rational relation to
20 the performance of a child care facility shall be used by the
21 Department or any licensee. Any employee of the Department of
22 Children and Family Services, Illinois State Police, or a
23 child care facility receiving confidential information under
24 this Section who gives or causes to be given any confidential
25 information concerning any criminal convictions of an
26 applicant, employee, or volunteer of a child care facility or

1 non-licensed service provider, shall be guilty of a Class A
2 misdemeanor unless release of such information is authorized
3 by this Section.

4 The Department of Children and Family Services, through
5 June 30, 2026, or the Department of Early Childhood, on and
6 after July 1, 2026, shall allow day care centers, day care
7 homes, and group day care homes to hire, on a probationary
8 basis, any employee or volunteer authorizing a criminal
9 background investigation under this Section after receiving a
10 qualifying result, as determined by the Department of Children
11 and Family Services or the Department of Early Childhood,
12 whichever is applicable, pursuant to this Act, from either:

13 (1) the Federal Bureau of Investigation fingerprint
14 criminal background check; or

15 (2) the Illinois State Police fingerprint criminal
16 background check and a criminal record check of the
17 criminal repository of each state in which the employee or
18 volunteer resided during the preceding 5 years.

19 Pending full clearance of all background check
20 requirements, the prospective employee or volunteer must be
21 supervised at all times by an individual who received a
22 qualifying result on all background check components.
23 Employees and volunteers of a day care center, day care home,
24 or group day care home shall be notified prior to hiring that
25 such employment may be terminated on the basis of criminal
26 background information obtained by the facility.

1 (Source: P.A. 103-22, eff. 8-8-23; 103-1072, eff. 1-1-26;
2 104-307, eff. 1-1-26; revised 10-27-25.)

3 (Text of Section after amendment by P.A. 103-594)

4 Sec. 4.1. Criminal background investigations.

5 (a) In this Section, "third-party vendor" means a
6 third-party fingerprinting vendor who is licensed by the
7 Department of Financial and Professional Regulation and
8 regulated by 68 Ill. Adm. Code 1240.600.

9 (b) The Department of Children and Family Services or the
10 Department of Early Childhood shall require that each child
11 care facility license applicant under the agencies' respective
12 authority as part of the application process, and each
13 employee and volunteer of a child care facility or
14 non-licensed service provider, as a condition of employment,
15 authorize an investigation to determine if such applicant,
16 employee, or volunteer has ever been charged with a crime and
17 if so, the disposition of those charges; this authorization
18 shall indicate the scope of the inquiry and the agencies which
19 may be contacted. An employee or volunteer of a day care
20 center, day care home, or group day care home shall authorize
21 an investigation every 5 years, as required under the Child
22 Care and Development Block Grant. A child care facility,
23 non-licensed service provider, day care center, group day care
24 home, or day care home may authorize the Department of
25 Children and Family Services, the Department of Early

1 Childhood, or a third-party vendor to collect fingerprints for
2 the investigation. If a third-party vendor is used for
3 fingerprinting, then the child care facility, non-licensed
4 service provider, day care center, group day care home, or day
5 care home shall pay the third-party vendor for that service
6 directly. If a child care facility, non-licensed service
7 provider, day care center, group day care home, or day care
8 home authorizes the Department of Children and Family
9 Services, the Department of Early Childhood, or a third-party
10 vendor to collect fingerprints for the investigation, the
11 Director of Children and Family Services or the Secretary of
12 Early Childhood shall request and receive information and
13 assistance from any federal, State, or local governmental
14 agency as part of the authorized investigation. Each
15 applicant, employee, or volunteer of a child care facility or
16 non-licensed service provider shall submit the applicant's,
17 employee's, or volunteer's fingerprints to the Illinois State
18 Police in the form and manner prescribed by the Illinois State
19 Police. These fingerprints shall be checked against the
20 fingerprint records now and hereafter filed in the Illinois
21 State Police and Federal Bureau of Investigation criminal
22 history records databases. The Illinois State Police shall
23 charge a fee for conducting the criminal history records
24 check, which shall be deposited into ~~in~~ the State Police
25 Services Fund and shall not exceed the actual cost of the
26 records check. The Illinois State Police shall provide

1 information concerning any criminal charges, and their
2 disposition, now or hereafter filed, against an applicant,
3 employee, or volunteer of a child care facility or
4 non-licensed service provider upon request of the Department
5 of Children and Family Services or the Department of Early
6 Childhood when the request is made in the form and manner
7 required by the Illinois State Police.

8 Information concerning convictions of a license applicant,
9 employee, or volunteer of a child care facility or
10 non-licensed service provider investigated under this Section,
11 including the source of the information and any conclusions or
12 recommendations derived from the information, shall be
13 provided, upon request, to such applicant, employee, or
14 volunteer of a child care facility or non-licensed service
15 provider prior to final action by the Department of Children
16 and Family Services or the Department of Early Childhood under
17 the agencies' respective authority on the application. State
18 conviction information provided by the Illinois State Police
19 regarding employees, prospective employees, or volunteers of
20 non-licensed service providers and child care facilities
21 licensed under this Act shall be provided to the operator of
22 such facility, and, upon request, to the employee, prospective
23 employee, or volunteer of a child care facility or
24 non-licensed service provider. Any information concerning
25 criminal charges and the disposition of such charges obtained
26 by the Department of Children and Family Services or the

1 Department of Early Childhood shall be confidential and may
2 not be transmitted outside the Department of Children and
3 Family Services or the Department of Early Childhood, except
4 as required herein, and may not be transmitted to anyone
5 within the Department of Children and Family Services or the
6 Department of Early Childhood except as needed for the purpose
7 of evaluating an application or an employee or volunteer of a
8 child care facility or non-licensed service provider. Only
9 information and standards which bear a reasonable and rational
10 relation to the performance of a child care facility shall be
11 used by the Department of Children and Family Services or the
12 Department of Early Childhood or any licensee. Any employee of
13 the Department of Children and Family Services, Department of
14 Early Childhood, Illinois State Police, or a child care
15 facility receiving confidential information under this Section
16 who gives or causes to be given any confidential information
17 concerning any criminal convictions of an applicant, employee,
18 or volunteer of a child care facility or non-licensed service
19 provider, shall be guilty of a Class A misdemeanor unless
20 release of such information is authorized by this Section.

21 The Department of Children and Family Services, through
22 June 30, 2026, or the Department of Early Childhood, on and
23 after July 1, 2026, shall allow day care centers, day care
24 homes, and group day care homes to hire, on a probationary
25 basis, any employee or volunteer authorizing a criminal
26 background investigation under this Section after receiving a

1 qualifying result, as determined by the Department of Children
2 and Family Services or the Department of Early Childhood,
3 whichever is applicable, pursuant to this Act, from either:

4 (1) the Federal Bureau of Investigation fingerprint
5 criminal background check; or

6 (2) the Illinois State Police fingerprint criminal
7 background check and a criminal record check of the
8 criminal repository of each state in which the employee or
9 volunteer resided during the preceding 5 years.

10 Pending full clearance of all background check
11 requirements, the prospective employee or volunteer must be
12 supervised at all times by an individual who received a
13 qualifying result on all background check components.
14 Employees and volunteers of a day care center, day care home,
15 or group day care home shall be notified prior to hiring that
16 such employment may be terminated on the basis of criminal
17 background information obtained by the facility.

18 (Source: P.A. 103-22, eff. 8-8-23; 103-594, eff. 7-1-26;
19 103-1072, eff. 1-1-26; 104-307, eff. 1-1-26; revised
20 10-27-25.)

21 (225 ILCS 10/7.4)

22 Sec. 7.4. Disclosures.

23 (a) Every licensed child welfare agency providing adoption
24 services shall provide to all prospective clients and to the
25 public written disclosures with respect to its adoption

1 services, policies, and practices, including general
2 eligibility criteria, fees, and the mutual rights and
3 responsibilities of clients, including birth parents and
4 adoptive parents. The written disclosures ~~disclosure~~ shall be
5 posted on any website maintained by the child welfare agency
6 that relates to adoption services. The Department shall adopt
7 rules relating to the contents of the written disclosures.
8 Eligible agencies may be deemed compliant with this subsection
9 (a).

10 (b) Every licensed child welfare agency providing adoption
11 services shall provide to all applicants, prior to
12 application, a written schedule of estimated fees, expenses,
13 and refund policies. Every child welfare agency providing
14 adoption services shall have a written policy that shall be
15 part of its standard adoption contract and state that it will
16 not charge additional fees and expenses beyond those disclosed
17 in the adoption contract unless additional fees are reasonably
18 required by the circumstances and are disclosed to the
19 adoptive parents or parent before they are incurred. The
20 Department shall adopt rules relating to the contents of the
21 written schedule and policy. Eligible agencies may be deemed
22 compliant with this subsection (b).

23 (c) Every licensed child welfare agency providing adoption
24 services must make full and fair disclosure to its clients,
25 including birth parents and adoptive parents, of all
26 circumstances material to the placement of a child for

1 adoption. The Department shall adopt rules necessary for the
2 implementation and regulation of the requirements of this
3 subsection (c).

4 (c-5) Whenever a licensed child welfare agency places a
5 child in a certified relative caregiver or licensed foster
6 family home or an adoption-only home, the agency shall provide
7 the following to the caregiver or prospective adoptive parent:

8 (1) Available detailed information concerning the
9 child's educational and health history, copies of
10 immunization records (including insurance and medical card
11 information), a history of the child's previous
12 placements, if any, and reasons for placement changes,
13 excluding any information that identifies or reveals the
14 location of any previous caretaker.

15 (2) A copy of the child's portion of the client
16 service plan, including any visitation arrangement, and
17 all amendments or revisions to it as related to the child.

18 (3) Information containing details of the child's
19 individualized education program ~~educational plan~~ when the
20 child is receiving special education services.

21 (4) Any known social or behavioral information
22 (including, but not limited to, criminal background, fire
23 setting, perpetration of sexual abuse, destructive
24 behavior, and substance abuse) necessary to care for and
25 safeguard the child.

26 The agency may prepare a written summary of the

1 information required by this subsection, which may be provided
2 to the certified relative caregiver or foster or prospective
3 adoptive parent in advance of a placement. The certified
4 relative caregiver or foster or prospective adoptive parent
5 may review the supporting documents in the child's file in the
6 presence of casework staff. In the case of an emergency
7 placement, casework staff shall at least provide information
8 verbally, if necessary, and must subsequently provide the
9 information in writing as required by this subsection. In the
10 case of emergency placements when time does not allow prior
11 review, preparation, and collection of written information,
12 the agency shall provide such information as it becomes
13 available.

14 The Department shall adopt rules necessary for the
15 implementation and regulation of the requirements of this
16 subsection (c-5).

17 (d) Every licensed child welfare agency providing adoption
18 services shall meet minimum standards set forth by the
19 Department concerning the taking or acknowledging of a consent
20 prior to taking or acknowledging a consent from a prospective
21 birth parent. The Department shall adopt rules concerning the
22 minimum standards required by agencies under this Section.

23 (Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 7-1-25;
24 revised 6-24-25.)

25 Section 580. The Clinical Social Work and Social Work

1 Practice Act is amended by changing Sections 14 and 19 as
2 follows:

3 (225 ILCS 20/14) (from Ch. 111, par. 6364)

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

5 Sec. 14. Checks or other payment ~~order~~ to Department
6 dishonored because of insufficient funds. Any person who
7 delivers a check or other payment to the Department that is
8 returned to the Department unpaid by the financial institution
9 upon which it is drawn shall pay to the Department, in addition
10 to the amount already owed to the Department, a fine of \$50.
11 The fines imposed by this Section are in addition to any other
12 discipline provided under this Act for unlicensed practice or
13 practice on a nonrenewed license. The Department shall notify
14 the person that payment of fees and fines shall be paid to the
15 Department by certified check or money order within 30
16 calendar days of the notification. If, after the expiration of
17 30 days from the date of the notification, the person has
18 failed to submit the necessary remittance, the Department
19 shall automatically terminate the license or deny the
20 application, without hearing. If, after termination or denial,
21 the person seeks a license, then the person shall apply to the
22 Department for restoration or issuance of the license and pay
23 all fees and fines due to the Department. The Department may
24 establish a fee for the processing of an application for
25 restoration of a license to pay all expenses of processing

1 this application. The Secretary may waive the fines due under
2 this Section in individual cases where the Secretary finds
3 that the fines would be unreasonable or unnecessarily
4 burdensome.

5 (Source: P.A. 103-1048, eff. 1-1-25; revised 6-24-25.)

6 (225 ILCS 20/19)

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

8 Sec. 19. Grounds for disciplinary action.

9 (1) The Department may refuse to issue or renew a license,
10 or may suspend, revoke, place on probation, reprimand, or take
11 any other disciplinary or non-disciplinary action deemed
12 appropriate by the Department, including the imposition of
13 fines not to exceed \$10,000 for each violation, with regard to
14 any license issued under the provisions of this Act for any one
15 or a combination of the following grounds:

16 (a) material misstatements in furnishing information
17 to the Department or to any other State agency or in
18 furnishing information to any insurance company with
19 respect to a claim on behalf of a licensee or a patient;

20 (b) violations or negligent or intentional disregard
21 of this Act, or any of the rules promulgated hereunder;

22 (c) conviction of or entry of a plea of guilty or nolo
23 contendere, finding of guilt, jury verdict, or entry of
24 judgment or sentencing, including, but not limited to,
25 convictions, preceding sentences of supervision,

1 conditional discharge, or first offender probation, under
2 the laws of any jurisdiction of the United States that is
3 (i) a felony or (ii) a misdemeanor, an essential element
4 of which is dishonesty, or that is directly related to the
5 practice of the clinical social work or social work
6 professions;

7 (d) fraud or misrepresentation in applying for or
8 procuring a license under this Act or in connection with
9 applying for renewal or restoration of a license under
10 this Act;

11 (e) professional incompetence;

12 (f) gross negligence in practice under this Act;

13 (g) aiding or assisting another person in violating
14 any provision of this Act or its rules;

15 (h) failing to provide information within 60 days in
16 response to a written request made by the Department;

17 (i) engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud, or harm the public as defined by the rules of the
20 Department, or violating the rules of professional conduct
21 adopted by the Department;

22 (j) habitual or excessive use or abuse of drugs
23 defined in law as controlled substances, of alcohol, or of
24 any other substances that results in the inability to
25 practice with reasonable judgment, skill, or safety;

26 (k) adverse action taken by another state or

1 jurisdiction, if at least one of the grounds for the
2 discipline is the same or substantially equivalent to
3 those set forth in this Section;

4 (l) directly or indirectly giving to or receiving from
5 any person, firm, corporation, partnership, or association
6 any fee, commission, rebate, or other form of compensation
7 for any professional service not actually rendered.
8 Nothing in this paragraph (l) affects any bona fide
9 independent contractor or employment arrangements among
10 health care professionals, health facilities, health care
11 providers, or other entities, except as otherwise
12 prohibited by law. Any employment arrangements may include
13 provisions for compensation, health insurance, pension, or
14 other employment benefits for the provision of services
15 within the scope of the licensee's practice under this
16 Act. Nothing in this paragraph (l) shall be construed to
17 require an employment arrangement to receive professional
18 fees for services rendered;

19 (m) a finding by the Department that the licensee,
20 after having the license placed on probationary status,
21 has violated the terms of probation or failed to comply
22 with such terms;

23 (n) abandonment, without cause, of a client;

24 (o) willfully making or filing false records or
25 reports relating to a licensee's practice, including, but
26 not limited to, false records filed with federal or State

1 agencies or departments;

2 (p) willfully failing to report an instance of
3 suspected child abuse or neglect as required by the Abused
4 and Neglected Child Reporting Act;

5 (q) being named as a perpetrator in an indicated
6 report by the Department of Children and Family Services
7 under the Abused and Neglected Child Reporting Act, and
8 upon proof by clear and convincing evidence that the
9 licensee has caused a child to be an abused child or
10 neglected child as defined in the Abused and Neglected
11 Child Reporting Act;

12 (r) physical illness, mental illness, or any other
13 impairment or disability, including, but not limited to,
14 deterioration through the aging process, or loss of motor
15 skills that results in the inability to practice the
16 profession with reasonable judgment, skill, or safety;

17 (s) solicitation of professional services by using
18 false or misleading advertising;

19 (t) violation of the Health Care Worker Self-Referral
20 Act;

21 (u) willfully failing to report an instance of
22 suspected abuse, neglect, financial exploitation, or
23 self-neglect of an eligible adult as defined in and
24 required by the Adult Protective Services Act; or

25 (v) being named as an abuser in a verified report by
26 the Department on Aging under the Adult Protective

1 Services Act, and upon proof by clear and convincing
2 evidence that the licensee abused, neglected, or
3 financially exploited an eligible adult as defined in the
4 Adult Protective Services Act.

5 (2) (Blank).

6 (3) The determination by a court that a licensee is
7 subject to involuntary admission or judicial admission as
8 provided in the Mental Health and Developmental Disabilities
9 Code, will result in an automatic suspension of the licensee's
10 license. Such suspension will end upon a finding by a court
11 that the licensee is no longer subject to involuntary
12 admission or judicial admission and the issuance of ~~issues~~ an
13 order so finding and discharging the patient, and upon the
14 recommendation of the Board to the Secretary that the licensee
15 be allowed to resume professional practice.

16 (4) The Department shall refuse to issue or renew or may
17 suspend the license of a person who (i) fails to file a return,
18 pay the tax, penalty, or interest shown in a filed return, or
19 pay any final assessment of tax, penalty, or interest, as
20 required by any tax Act administered by the Department of
21 Revenue, until the requirements of the tax Act are satisfied
22 or (ii) has failed to pay any court-ordered child support as
23 determined by a court order or by referral from the Department
24 of Healthcare and Family Services.

25 (4.5) The Department shall not revoke, suspend, summarily
26 suspend, place on prohibition, reprimand, refuse to issue or

1 renew, or take any other disciplinary or non-disciplinary
2 action against a person's authorization to practice under this
3 Act based solely upon the person authorizing, recommending,
4 aiding, assisting, referring for, or otherwise participating
5 in any health care service, so long as the care was not
6 unlawful under the laws of this State, regardless of whether
7 the patient was a resident of this State or another state.

8 (4.10) The Department shall not revoke, suspend, summarily
9 suspend, place on prohibition, reprimand, refuse to issue or
10 renew, or take any other disciplinary or non-disciplinary
11 action against a person's authorization to practice under this
12 Act based upon the person's license, registration, or permit
13 being revoked or suspended, or the person being otherwise
14 disciplined, by any other state if that revocation,
15 suspension, or other form of discipline was based solely on
16 the person violating another state's laws prohibiting the
17 provision of, authorization of, recommendation of, aiding or
18 assisting in, referring for, or participation in any health
19 care service if that health care service as provided would not
20 have been unlawful under the laws of this State and is
21 consistent with the applicable standard of conduct for a
22 person practicing in Illinois under this Act.

23 (4.15) The conduct specified in subsection (4.5), (4.10),
24 (4.25), or (4.30) shall not constitute grounds for suspension
25 under Section 32.

26 (4.20) An applicant seeking licensure, certification, or

1 authorization pursuant to this Act who has been subject to
2 disciplinary action by a duly authorized professional
3 disciplinary agency of another jurisdiction solely on the
4 basis of having authorized, recommended, aided, assisted,
5 referred for, or otherwise participated in health care shall
6 not be denied such licensure, certification, or authorization,
7 unless the Department determines that such action would have
8 constituted professional misconduct in this State; however,
9 nothing in this Section shall be construed as prohibiting the
10 Department from evaluating the conduct of such applicant and
11 making a determination regarding the licensure, certification,
12 or authorization to practice a profession under this Act.

13 (4.25) The Department may not revoke, suspend, summarily
14 suspend, place on prohibition, reprimand, refuse to issue or
15 renew, or take any other disciplinary or non-disciplinary
16 action against a person's authorization to practice under this
17 Act based solely upon an immigration violation by the person.

18 (4.30) The Department may not revoke, suspend, summarily
19 suspend, place on prohibition, reprimand, refuse to issue or
20 renew, or take any other disciplinary or non-disciplinary
21 action against a person's authorization to practice under this
22 Act based upon the person's license, registration, or permit
23 being revoked or suspended, or the person being otherwise
24 disciplined, by any other state if that revocation,
25 suspension, or other form of discipline was based solely upon
26 an immigration violation by the person.

1 (5) (a) In enforcing this Section, the Department or Board,
2 upon a showing of a possible violation, may compel a person
3 licensed to practice under this Act, or who has applied for
4 licensure under this Act, to submit to a mental or physical
5 examination, or both, which may include a substance abuse or
6 sexual offender evaluation, as required by and at the expense
7 of the Department.

8 (b) The Department shall specifically designate the
9 examining physician licensed to practice medicine in all of
10 its branches or, if applicable, the multidisciplinary team
11 involved in providing the mental or physical examination or
12 both. The multidisciplinary team shall be led by a physician
13 licensed to practice medicine in all of its branches and may
14 consist of one or more or a combination of physicians licensed
15 to practice medicine in all of its branches, licensed clinical
16 psychologists, licensed clinical social workers, licensed
17 clinical professional counselors, and other professional and
18 administrative staff. Any examining physician or member of the
19 multidisciplinary team may require any person ordered to
20 submit to an examination pursuant to this Section to submit to
21 any additional supplemental testing deemed necessary to
22 complete any examination or evaluation process, including, but
23 not limited to, blood testing, urinalysis, psychological
24 testing, or neuropsychological testing.

25 (c) The Board or the Department may order the examining
26 physician or any member of the multidisciplinary team to

1 present testimony concerning this mental or physical
2 examination of the licensee or applicant. No information,
3 report, record, or other documents in any way related to the
4 examination shall be excluded by reason of any common law or
5 statutory privilege relating to communications between the
6 licensee or applicant and the examining physician or any
7 member of the multidisciplinary team. No authorization is
8 necessary from the licensee or applicant ordered to undergo an
9 examination for the examining physician or any member of the
10 multidisciplinary team to provide information, reports,
11 records, or other documents or to provide any testimony
12 regarding the examination and evaluation.

13 (d) The person to be examined may have, at the person's own
14 expense, another physician of the person's choice present
15 during all aspects of the examination. However, that physician
16 shall be present only to observe and may not interfere in any
17 way with the examination.

18 (e) Failure of any person to submit to a mental or physical
19 examination without reasonable cause, when ordered, shall
20 result in an automatic suspension of the person's license
21 until the person submits to the examination.

22 (f) If the Department or Board finds a person unable to
23 practice because of the reasons set forth in this Section, the
24 Department or Board may require that person to submit to care,
25 counseling, or treatment by physicians approved or designated
26 by the Department or Board, as a condition, term, or

1 restriction for continued, reinstated, or renewed licensure to
2 practice; or, in lieu of care, counseling, or treatment, the
3 Department may file, or the Board may recommend to the
4 Department to file, a complaint to immediately suspend,
5 revoke, or otherwise discipline the license of the person. Any
6 person whose license was granted, continued, reinstated,
7 renewed, disciplined, or supervised subject to such terms,
8 conditions, or restrictions, and who fails to comply with such
9 terms, conditions, or restrictions, shall be referred to the
10 Secretary for a determination as to whether the person's
11 license shall be suspended immediately, pending a hearing by
12 the Department.

13 (g) All fines imposed shall be paid within 60 days after
14 the effective date of the order imposing the fine or in
15 accordance with the terms set forth in the order imposing the
16 fine.

17 In instances in which the Secretary immediately suspends a
18 person's license under this Section, a hearing on that
19 person's license must be convened by the Department within 30
20 days after the suspension and completed without appreciable
21 delay. The Department and Board shall have the authority to
22 review the subject person's record of treatment and counseling
23 regarding the impairment, to the extent permitted by
24 applicable federal statutes and regulations safeguarding the
25 confidentiality of medical records.

26 A person licensed under this Act and affected under this

1 Section shall be afforded an opportunity to demonstrate to the
2 Department or Board that the person can resume practice in
3 compliance with acceptable and prevailing standards under the
4 provisions of the person's license.

5 (h) The Department may adopt rules to implement,
6 administer, and enforce this Section ~~Public Act 102-1117~~.

7 (Source: P.A. 103-715, eff. 1-1-25; 103-1048, eff. 1-1-25;
8 104-417, eff. 8-15-25; 104-432, eff. 1-1-26; revised 9-15-25.)

9 Section 585. The Illinois Dental Practice Act is amended
10 by changing Sections 4, 6, 17, 18, and 18.1 as follows:

11 (225 ILCS 25/4)

12 (Section scheduled to be repealed on January 1, 2031)

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

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

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

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

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

5 "Board" means the Board of Dentistry.

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

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

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

17 "Expanded function dental assistant" means a dental
18 assistant who has completed the training required by Section
19 17.1 of this Act.

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

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

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

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

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

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

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

26 "Dentistry" means the healing art which is concerned with

1 the examination, diagnosis, treatment planning, and care of
2 conditions within the human oral cavity and its adjacent
3 tissues and structures, as further specified in Section 17.

4 "Branches of dentistry" means the various specialties of
5 dentistry which, for purposes of this Act, shall be limited to
6 the following: endodontics, oral and maxillofacial surgery,
7 orthodontics and dentofacial orthopedics, pediatric dentistry,
8 periodontics, prosthodontics, oral and maxillofacial
9 radiology, dental anesthesiology, oral and maxillofacial
10 pathology, dental public health, oral medicine, and orofacial
11 pain.

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

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

20 "Informed consent" means legally valid consent that is
21 given by a patient or legal guardian, that is recorded in
22 writing or digitally, that authorizes intervention or
23 treatment services from the treating dentist, and that
24 documents agreement to participate in those services and
25 knowledge of the risks, benefits, and alternatives, including
26 the decision to withdraw from or decline treatment.

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

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

14 "Patient of record", except as provided in Section 17.2,
15 means a patient for whom the patient's most recent dentist has
16 obtained a relevant medical and dental history and on whom the
17 dentist has performed a physical examination within the last
18 year and evaluated the condition to be treated, including a
19 review of the patient's most recent x-rays.

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

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

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

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

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

1 poverty level.

2 "Teledentistry" means the use of telehealth systems and
3 methodologies in dentistry and includes patient diagnosis,
4 treatment planning, care, and education delivery for a patient
5 of record using synchronous and asynchronous communications
6 under an Illinois licensed dentist's authority as provided
7 under this Act.

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

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

23 "General anesthesia" means a drug-induced loss of
24 consciousness during which: (1) patients are not arousable,
25 even by painful stimulation; (2) the ability to independently
26 maintain ventilatory function is often impaired; (3) patients

1 often require assistance in maintaining airways and positive
2 pressure ventilation may be required because of depressed
3 spontaneous ventilation or drug-induced depression of
4 neuromuscular function; and (4) cardiovascular function may be
5 impaired.

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

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

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

17 (Source: P.A. 103-425, eff. 1-1-24; 103-431, eff. 1-1-24;
18 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 103-902, eff.
19 8-9-24; 104-103, eff. 8-1-25; 104-151, eff. 1-1-26; 104-417,
20 eff. 8-15-25; revised 9-15-25.)

21 (225 ILCS 25/6)

22 (Section scheduled to be repealed on January 1, 2031)

23 Sec. 6. Board of Dentistry; report by majority required.
24 There is created a Board of Dentistry, to be composed of 13
25 persons designated from time to time by the Secretary, as

1 follows:

2 (1) 10 members who have been dentists for a period of 5
3 years or more, at least one of whom holds a permit to
4 administer moderate sedation, and at least one of whom
5 holds a permit to administer deep sedation and general
6 anesthesia;

7 (2) 2 members who have been dental hygienists for a
8 period of 5 years or more; and

9 (3) one public member.

10 None of the members shall be an officer, dean, assistant
11 dean, or associate dean of a dental college or dental
12 department of an institute of learning, nor shall any member
13 be the program director of any dental hygiene program. A Board
14 ~~board~~ member who holds a faculty position in a dental school or
15 dental hygiene program shall not participate in the
16 examination of applicants for licenses from that school or
17 program. The dental hygienists shall not participate in the
18 examination of applicants for licenses to practice dentistry.
19 The public member shall not participate in the examination of
20 applicants for licenses to practice dentistry or dental
21 hygiene. The Board ~~board~~ shall annually elect a chairman and
22 vice-chairman who shall be dentists.

23 Terms for all members shall be for 4 years. Partial terms
24 over 2 years in length shall be considered as full terms. A
25 member may be reappointed for a successive term, but no member
26 shall serve more than 2 full terms in the member's lifetime.

1 The membership of the Board shall include only residents
2 from various geographic areas of this State and shall include
3 at least some graduates from various institutions of dental
4 education in this State.

5 In making appointments to the Board, the Secretary shall
6 give due consideration to recommendations by organizations of
7 the dental profession in Illinois, including the Illinois
8 State Dental Society and Illinois Dental Hygienists
9 Association, and shall promptly give due notice to such
10 organizations of any vacancy in the membership of the Board.
11 The Secretary may terminate the appointment of any member for
12 cause which, in the opinion of the Secretary, reasonably
13 justifies such termination.

14 A vacancy in the membership of the Board shall not impair
15 the right of a quorum to exercise all the rights and perform
16 all the duties of the Board. Any action to be taken by the
17 Board under this Act may be authorized by resolution at any
18 regular or special meeting, and each such resolution shall
19 take effect immediately. The Board shall meet at least
20 quarterly.

21 The members of the Board shall each receive as
22 compensation a reasonable sum as determined by the Secretary
23 for each day actually engaged in the duties of the office, and
24 all legitimate and necessary expenses ~~expense~~ incurred in
25 attending the meetings of the Board.

26 Members of the Board shall be immune from suit in any

1 action based upon any disciplinary proceedings or other
2 activities performed in good faith as members of the Board.

3 (Source: P.A. 104-94, eff. 1-1-26; 104-151, eff. 1-1-26;
4 revised 11-21-25.)

5 (225 ILCS 25/17)

6 (Section scheduled to be repealed on January 1, 2031)

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

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

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

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

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

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

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

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

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

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

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

19 (11) Who takes material or digital scans for final
20 impressions of human teeth or places the person's hands in
21 the mouth of any person for the purpose of applying teeth
22 whitening materials, or who takes impressions of human
23 teeth or places the person's hands in the mouth of any
24 person for the purpose of assisting in the application of
25 teeth whitening materials. A person does not practice
26 dentistry when the person discloses to the consumer that

1 the person is not licensed as a dentist under this Act and
2 (i) discusses the use of teeth whitening materials with a
3 consumer purchasing these materials; (ii) provides
4 instruction on the use of teeth whitening materials with a
5 consumer purchasing these materials; or (iii) provides
6 appropriate equipment on-site to the consumer for the
7 consumer to self-apply teeth whitening materials.

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

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

15 (a) The rendering of dental relief in emergency cases
16 in the practice of the person's profession by a physician
17 or surgeon, licensed as such under the laws of this State,
18 unless the person undertakes to reproduce or reproduces
19 lost parts of the human teeth in the mouth or to restore or
20 replace lost or missing teeth in the mouth; or

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

26 (c) The practice of dentistry by students in their

1 course of study in dental schools or colleges approved by
2 the Department, when acting under the direction and
3 supervision of dentists acting as instructors; or

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

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

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

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

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

23 (g) The performance of any dental service by a dental
24 assistant, if such service is performed under the
25 supervision and full responsibility of a dentist. In
26 addition, after being authorized by a dentist, a dental

1 assistant may, for the purpose of eliminating pain or
2 discomfort, remove loose, broken, or irritating
3 orthodontic appliances on a patient of record.

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

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

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

18 A dental assistant may place, carve, and finish
19 amalgam restorations, place, pack, and finish
20 composite restorations, and place interim restorations
21 if the dental assistant (A) has successfully completed
22 a structured training program as described in item (2)
23 of paragraph subsection (g) provided by an educational
24 institution accredited by the Commission on Dental
25 Accreditation, such as a dental school or dental
26 hygiene or dental assistant program, or (B) has at

1 least 4,000 hours of direct clinical patient care
2 experience and has successfully completed a structured
3 training program as described in item (2) of paragraph
4 ~~subsection~~ (g) provided by a statewide dental
5 association, approved by the Department to provide
6 continuing education, that has developed and conducted
7 training programs for expanded functions for dental
8 assistants or hygienists. The training program must:
9 (i) include a minimum of 16 hours of didactic study and
10 14 hours of clinical manikin instruction; all training
11 programs shall include areas of study in nomenclature,
12 caries classifications, oral anatomy, periodontium,
13 basic occlusion, instrumentations, pulp protection
14 liners and bases, dental materials, matrix and wedge
15 techniques, amalgam placement and carving, rubber dam
16 clamp placement, and rubber dam placement and removal;
17 (ii) include an outcome assessment examination that
18 demonstrates competency; (iii) require the supervising
19 dentist to observe and approve the completion of 8
20 amalgam or composite restorations; and (iv) issue a
21 certificate of completion of the training program,
22 which must be kept on file at the dental office and be
23 made available to the Department upon request. A
24 dental assistant must have successfully completed an
25 approved coronal polishing and dental sealant course
26 prior to taking the amalgam and composite restoration

1 course.

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

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

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

18 (5) Removal of calculus from human teeth.

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

23 (7) The operative procedure of dental hygiene
24 consisting of oral prophylactic procedures, except for
25 coronal polishing and pit and fissure sealants, which
26 may be performed by a dental assistant who has

1 successfully completed a training program approved by
2 the Department. Dental assistants may perform coronal
3 polishing under the following circumstances: (i) the
4 coronal polishing shall be limited to polishing the
5 clinical crown of the tooth and existing restorations,
6 supragingivally; (ii) the dental assistant performing
7 the coronal polishing shall be limited to the use of
8 rotary instruments using a rubber cup or brush
9 polishing method (air polishing is not permitted); and
10 (iii) the supervising dentist shall not supervise more
11 than 4 dental assistants at any one time for the task
12 of coronal polishing or pit and fissure sealants.

13 In addition to coronal polishing and pit and
14 fissure sealants as described in this item (7), a
15 dental assistant who has at least 2,000 hours of
16 direct clinical patient care experience and who has
17 successfully completed a structured training program
18 provided by (1) an educational institution including,
19 but not limited to, a dental school or dental hygiene
20 or dental assistant program, (2) a continuing
21 education provider approved by the Department, or (3)
22 a statewide dental or dental hygienist association
23 that has developed and conducted a training program
24 for expanded functions for dental assistants or
25 hygienists may perform: (A) coronal scaling above the
26 gum line, supragingivally, on the clinical crown of

1 the tooth only on patients 17 years of age or younger
2 who have an absence of periodontal disease and who are
3 not medically compromised or individuals with special
4 needs and (B) intracoronal temporization of a tooth.
5 The training program must: (I) include a minimum of 32
6 hours of instruction in both didactic and clinical
7 manikin or human subject instruction; all training
8 programs shall include areas of study in dental
9 anatomy, public health dentistry, medical history,
10 dental emergencies, and managing the pediatric
11 patient; (II) include an outcome assessment
12 examination that demonstrates competency; (III)
13 require the supervising dentist to observe and approve
14 the completion of 6 full mouth supragingival scaling
15 procedures unless the training was received as part of
16 a Commission on Dental Accreditation approved dental
17 assistant program; and (IV) issue a certificate of
18 completion of the training program, which must be kept
19 on file at the dental office and be made available to
20 the Department upon request. A dental assistant must
21 have successfully completed an approved coronal
22 polishing course prior to taking the coronal scaling
23 course. A dental assistant performing these functions
24 shall be limited to the use of hand instruments only.
25 In addition, coronal scaling as described in this
26 paragraph shall only be utilized on patients who are

1 eligible for Medicaid, who are uninsured, or whose
2 household income is not greater than 300% of the
3 federal poverty level. A dentist may not supervise
4 more than 2 dental assistants at any one time for the
5 task of coronal scaling.

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

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

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

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

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

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

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

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

12 The applicant shall only be entitled to perform such
13 acts as may be prescribed by and incidental to the
14 applicant's program of residency or specialty training and
15 shall not otherwise engage in the practice of dentistry in
16 this State.

17 The authority to practice shall terminate immediately
18 upon:

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

21 (2) denial of licensure by the Department; or

22 (3) withdrawal of the application.

23 (Source: P.A. 103-425, eff. 1-1-24; 103-431, eff. 1-1-24;
24 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 104-103, eff.
25 8-1-25; 104-151, eff. 1-1-26; revised 11-21-25.)

1 (225 ILCS 25/18)

2 (Section scheduled to be repealed on January 1, 2031)

3 Sec. 18. Acts constituting the practice of dental hygiene;
4 limitations.

5 (a) A person practices dental hygiene within the meaning
6 of this Act when the person performs the following acts under
7 the supervision of a dentist:

8 (i) the operative procedure of dental hygiene,
9 consisting of oral prophylactic procedures;

10 (ii) the exposure and processing of X-Ray films of the
11 teeth and surrounding structures;

12 (iii) the application to the surfaces of the teeth or
13 gums of chemical compounds designed to be desensitizing
14 agents or effective agents in the prevention of dental
15 caries or periodontal disease;

16 (iv) all services which may be performed by a dental
17 assistant as specified by rule pursuant to Section 17, and
18 a dental hygienist may engage in the placing, carving, and
19 finishing of amalgam restorations only after obtaining
20 formal education and certification as determined by the
21 Department;

22 (v) administration and monitoring of nitrous oxide
23 upon successful completion of a training program approved
24 by the Department;

25 (vi) administration of local anesthetics upon
26 successful completion of a training program approved by

1 the Department; and

2 (vii) such other procedures and acts as shall be
3 prescribed by rule or regulation of the Department.

4 (b) A dental hygienist may be employed or engaged only:

5 (1) by a dentist;

6 (2) by a federal, State, county, or municipal agency
7 or institution;

8 (3) by a public or private school; or

9 (4) by a public clinic operating under the direction
10 of a hospital or federal, State, county, municipal, or
11 other public agency or institution.

12 (c) When employed or engaged in the office of a dentist, a
13 dental hygienist may perform, under general supervision, those
14 procedures found in items (i) through (iv) of subsection (a)
15 of this Section, provided the patient has been examined by the
16 dentist within one year of the provision of dental hygiene
17 services, the dentist has approved the dental hygiene services
18 by a notation in the patient's record and the patient has been
19 notified that the dentist may be out of the office during the
20 provision of dental hygiene services.

21 (d) If a patient of record is unable to travel to a dental
22 office because of illness, infirmity, or imprisonment, a
23 dental hygienist may perform, under the general supervision of
24 a dentist, those procedures found in items (i) through (iv) of
25 subsection (a) of this Section, provided the patient is
26 located in a long-term care facility licensed by the State of

1 Illinois, a mental health or developmental disability
2 facility, or a State or federal prison. The dentist shall
3 either personally examine and diagnose the patient or utilize
4 approved teledentistry communication methods and determine
5 which services are necessary to be performed, which shall be
6 contained in an order to the hygienist and a notation in the
7 patient's record. Such order must be implemented within 45
8 days of its issuance; except when a patient is located within a
9 State or federal prison, then the order must be implemented
10 within 180 days of its issuance, and an updated medical
11 history and observation of oral conditions must be performed
12 by the hygienist immediately prior to beginning the procedures
13 to ensure that the patient's health has not changed in any
14 manner to warrant a reexamination by the dentist.

15 (e) School-based oral health care, consisting of and
16 limited to oral prophylactic procedures, sealants, and
17 fluoride treatments, may be provided by a dental hygienist
18 under the general supervision of a dentist. A dental hygienist
19 may not provide other dental hygiene treatment in a
20 school-based setting, including, but not limited to,
21 administration or monitoring of nitrous oxide or
22 administration of local anesthetics. The school-based
23 procedures may be performed provided the patient is located at
24 a public or private school and the program is being conducted
25 by a State, county, or local public health department
26 initiative or in conjunction with a dental school or dental

1 hygiene program. The dentist shall personally examine and
2 diagnose the patient and determine which services are
3 necessary to be performed, which shall be contained in an
4 order to the hygienist and a notation in the patient's record.
5 Any such order for sealants must be implemented within 120
6 days after its issuance. Any such order for oral prophylactic
7 procedures or fluoride treatments must be implemented within
8 180 days after its issuance. An updated medical history and
9 observation of oral conditions must be performed by the
10 hygienist immediately prior to beginning the procedures to
11 ensure that the patient's health has not changed in any manner
12 to warrant a reexamination by the dentist.

13 (f) Without the supervision of a dentist, a dental
14 hygienist may perform dental health education functions,
15 including instruction in proper oral health care and dental
16 hygiene in, for example, a school setting, a long-term care
17 facility, and a health fair. In addition, a dental hygienist
18 may record case histories and oral conditions observed at any
19 time prior to a clinical exam by a dentist.

20 (g) The number of dental hygienists practicing in a dental
21 office shall not exceed, at any one time, 4 times the number of
22 dentists practicing in the office at the time.

23 (h) A dental hygienist who is certified as a public health
24 dental hygienist may provide services to patients: (1) who are
25 eligible for Medicaid or (2) who are uninsured and whose
26 household income is not greater than 300% of the federal

1 poverty level. A public health dental hygienist may perform
2 oral assessments, perform screenings, and provide educational
3 and preventative services as provided in subsection (b) of
4 Section 18.1 of this Act. The public health dental hygienist
5 may not administer local anesthesia or nitrous oxide, or
6 place, carve, or finish amalgam restorations or provide
7 periodontal therapy under this exception. Each patient must
8 sign a consent form that acknowledges that the care received
9 does not take the place of a regular dental examination. The
10 public health dental hygienist must provide the patient or
11 guardian a written referral to a dentist for assessment of the
12 need for further dental care at the time of treatment. Any
13 indication or observation of a condition that could warrant
14 the need for urgent attention must be reported immediately to
15 the supervising dentist for appropriate assessment and
16 treatment.

17 (i) A dental hygienist performing procedures listed in
18 paragraphs (1) through (4) of subsection (a) of Section 17.1
19 must be under the supervision of a dentist, requiring the
20 dentist authorizes the procedure, remains in the dental
21 facility while the procedure is performed, and approves the
22 work performed by the dental hygienist before dismissal of the
23 patient, but the dentist is not required to be present at all
24 times in the treatment room.

25 (j) A dental hygienist may perform actions described in
26 paragraph (5) of subsection (a) of Section 17.1 under the

1 general supervision of a dentist as described in this Section.
2 (Source: P.A. 103-431, eff. 1-1-24; 104-103, eff. 8-1-25;
3 104-151, eff. 1-1-26; revised 11-21-25.)

4 (225 ILCS 25/18.1)

5 (Section scheduled to be repealed on January 1, 2031)

6 Sec. 18.1. Public health dental supervision
7 responsibilities.

8 (a) When working together in a public health supervision
9 relationship, dentists and public health dental hygienists
10 shall enter into a public health supervision agreement. The
11 dentist providing public health supervision must:

12 (1) be available to provide an appropriate level of
13 contact, communication, collaboration, and consultation
14 with the public health dental hygienist and must meet
15 in-person with the public health dental hygienist at least
16 quarterly for review and consultation;

17 (2) have specific standing orders or policy guidelines
18 for procedures that are to be carried out for each
19 location or program, although the dentist need not be
20 present when the procedures are being performed;

21 (3) provide for the patient's additional necessary
22 care in consultation with the public health dental
23 hygienist;

24 (4) file agreements and notifications as required; and

25 (5) include procedures for creating and maintaining

1 dental records, including protocols for transmission of
2 all records between the public health dental hygienist and
3 the dentist following each treatment, which shall include
4 a notation regarding procedures authorized by the dentist
5 and performed by the public health dental hygienist and
6 the location where those records are to be kept.

7 Each dentist and hygienist who enters into a public health
8 supervision agreement must document and maintain a copy of any
9 change or termination of that agreement.

10 Dental records shall be owned and maintained by the
11 supervising dentist for all patients treated under public
12 health supervision, unless the supervising dentist is an
13 employee of a public health clinic or federally qualified
14 health center, in which case the public health clinic or
15 federally qualified health center shall maintain the records.

16 If a dentist ceases to be employed or contracted by the
17 facility, the dentist shall notify the facility administrator
18 that the public health supervision agreement is no longer in
19 effect. A new public health supervision agreement is required
20 for the public health dental hygienist to continue treating
21 patients under public health supervision.

22 A dentist entering into an agreement under this Section
23 may supervise and enter into agreements for public health
24 supervision with 4 public health dental hygienists. This shall
25 be in addition to the limit of 4 dental hygienists per dentist
26 set forth in subsection (g) of Section 18 of this Act.

1 (b) A public health dental hygienist providing services
2 under public health supervision may perform only those duties
3 within the accepted scope of practice of dental hygiene, as
4 follows:

5 (1) the operative procedures of dental hygiene,
6 consisting of oral prophylactic procedures, including
7 prophylactic cleanings, application of fluoride, and
8 placement of sealants;

9 (2) the exposure and processing of x-ray films of the
10 teeth and surrounding structures; and

11 (3) such other procedures and acts as shall be
12 prescribed by rule of the Department.

13 Any patient treated under this subsection (b) must be
14 examined by a dentist before additional services can be
15 provided by a public health dental hygienist. However, if the
16 supervising dentist, after consultation with the public health
17 hygienist, determines that time is needed to complete an
18 approved treatment plan on a patient eligible under this
19 Section, then the dentist may instruct the hygienist to
20 complete the remaining services prior to an oral examination
21 by the dentist. Such instruction by the dentist to the
22 hygienist shall be noted in the patient's records. Any
23 services performed under this exception must be scheduled in a
24 timely manner and shall not occur more than 30 days after the
25 first appointment date.

26 (c) A public health dental hygienist providing services

1 under public health supervision must:

2 (1) provide to the patient, parent, or guardian a
3 written plan for referral or an agreement for follow-up
4 that records all conditions observed that should be called
5 to the attention of a dentist for proper diagnosis;

6 (2) have each patient sign a permission slip or
7 consent form that informs them that the service to be
8 received does not take the place of regular dental
9 checkups at a dental office and is meant for people who
10 otherwise would not have access to the service;

11 (3) inform each patient who may require further dental
12 services of that need;

13 (4) maintain an appropriate level of contact and
14 communication with the dentist providing public health
15 supervision; and

16 (5) complete an additional 4 hours of continuing
17 education in areas specific to public health dentistry
18 yearly.

19 (d) Each public health dental hygienist who has rendered
20 services under subsections (c), (d), and (e) of this Section
21 must complete a summary report at the completion of a program
22 or, in the case of an ongoing program, at least annually. The
23 report must be completed in the manner specified by the
24 Department of Public Health Oral Health Section including
25 information about each location where the public health dental
26 hygienist has rendered these services. The public health

1 dental hygienist must submit the form to the dentist providing
2 supervision for the dentist's signature before sending it to
3 the Division. The Department of Public Health Oral Health
4 Section shall compile and publicize public health dental
5 hygienist service data annually.

6 (e) Public health dental hygienists providing services
7 under public health supervision may be compensated for their
8 work by salary, honoraria, and other mechanisms by the
9 employing or sponsoring entity. Nothing in this Act shall
10 preclude the entity that employs or sponsors a public health
11 dental hygienist from seeking payment, reimbursement, or other
12 source of funding for the services provided.

13 (e-5) A patient who is provided services under a
14 supervision agreement by a public health dental hygienist as
15 described in this Section does not need to receive a physical
16 examination from a dentist prior to treatment if the public
17 health dental hygienist consults with the supervising dentist
18 prior to performing the teledentistry service.

19 (Source: P.A. 103-431, eff. 1-1-24; 103-902, eff. 8-9-24;
20 104-103, eff. 8-1-25; 104-151, eff. 1-1-26; revised 11-21-25.)

21 Section 590. The Marriage and Family Therapy Licensing Act
22 is amended by changing Sections 70 and 95 as follows:

23 (225 ILCS 55/70) (from Ch. 111, par. 8351-70)

24 (Section scheduled to be repealed on January 1, 2027)

1 Sec. 70. Privileged communications and exceptions.

2 (a) No licensed marriage and family therapist or associate
3 licensed marriage and family therapist shall disclose any
4 information acquired from persons consulting the licensed
5 marriage and family therapist or associate licensed marriage
6 and family therapist in a professional capacity, except that
7 which may be voluntarily disclosed under the following
8 circumstances:

9 (1) In the course of formally reporting, conferring,
10 or consulting with administrative superiors, colleagues,
11 or consultants who share professional responsibility, in
12 which instance all recipients of the information are
13 similarly bound to regard the communications as
14 privileged;

15 (2) With the written consent of the person who
16 provided the information;

17 (3) In case of death or disability, with the written
18 consent of a personal representative, other person
19 authorized to sue, or the beneficiary of an insurance
20 policy on the person's life, health, or physical
21 condition;

22 (4) When a communication reveals the intended
23 commission of a crime or harmful act and the disclosure is
24 judged necessary by the licensed marriage and family
25 therapist or associate licensed marriage and family
26 therapist to protect any person from a clear, imminent

1 risk of serious mental or physical harm or injury, or to
2 forestall a serious threat to the public safety; or

3 (5) When the person waives the privilege by bringing
4 any public charges, criminal, or civil, against the
5 licensee.

6 (b) Any person having access to records or anyone ~~any one~~
7 who participates in providing marriage and family therapy
8 services or who, in providing any human services, is
9 supervised by a licensed marriage and family therapist, is
10 similarly bound to regard all information and communications
11 as privileged in accord with this Section.

12 (c) The Mental Health and Developmental Disabilities
13 Confidentiality Act is incorporated in this Act as if all of
14 its provisions were included in this Act.

15 (Source: P.A. 100-372, eff. 8-25-17; revised 6-24-25.)

16 (225 ILCS 55/95) (from Ch. 111, par. 8351-95)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 95. Investigation; notice and hearing.

19 (a) The Department may investigate the actions or
20 qualifications of any person or persons holding or claiming to
21 hold a license under this Act.

22 (b) The Department shall, before disciplining an applicant
23 or licensee, at least 30 days before the date set for the
24 hearing, (i) notify the accused in writing of any charges made
25 and the time and place for a hearing on the charges, (ii)

1 direct him or her to file a written answer to the charges under
2 oath within 20 days after the service on him or her of such
3 notice, and (iii) inform the applicant or licensee that
4 failure to file an answer will result in a default being
5 entered against the applicant or licensee.

6 (c) At the time and place fixed in the notice, the Board or
7 hearing officer appointed by the Secretary shall proceed to
8 hear the charges, and the parties or their counsel shall be
9 accorded ample opportunity to present any pertinent
10 statements, testimony, evidence, and arguments. The Board or
11 hearing officer may continue the hearing from time to time. In
12 case the person, after receiving notice, fails to file an
13 answer, his or her license may, in the discretion of the
14 Secretary having first received the recommendation of the
15 Board,~~τ~~ be suspended, revoked, or placed on probationary
16 status, or be subject to whatever disciplinary action the
17 Secretary considers proper, including limiting the scope,
18 nature, or extent of the person's practice or the imposition
19 of a fine, without a hearing, if the act or acts charged
20 constitute sufficient grounds for such action under this Act.

21 (d) Written or electronic notice, and any notice in the
22 subsequent proceeding, may be served by personal delivery, by
23 email, or by mail to the applicant or licensee at his or her
24 address of record or email address of record.

25 (Source: P.A. 100-372, eff. 8-25-17; revised 6-24-25.)

1 Section 595. The Music Therapy Licensing and Practice Act
2 is amended by changing Section 60 as follows:

3 (225 ILCS 56/60)

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

5 Sec. 60. Qualifications for licensure. ~~(a)~~ The Secretary
6 shall issue a license to an applicant for a professional music
7 therapist license if the applicant has completed and submitted
8 an application form in the manner as the Secretary prescribes,
9 accompanied by applicable fees, and evidence satisfactory to
10 the Secretary that:

11 (1) the applicant has received a baccalaureate degree
12 or higher in music therapy, or its equivalent, as defined
13 by the Department;

14 (2) the applicant is at least 18 years of age;

15 (3) the applicant has not engaged in conduct or
16 activities which would constitute grounds for discipline
17 under this Act; and

18 (4) the applicant provides proof of passing an exam
19 determined by the Department or provides proof that the
20 applicant holds a current music therapist credential as
21 determined by the Department.

22 (Source: P.A. 104-178, eff. 1-1-26; revised 12-12-25.)

23 Section 600. The Medical Practice Act of 1987 is amended
24 by changing Sections 5, 19, 22, 27, and 51 as follows:

1 (225 ILCS 60/5) (from Ch. 111, par. 4400-5)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 5. Because the candid and conscientious evaluation of
4 clinical practices is essential to the provision of adequate
5 health care, it is the policy of this State to encourage peer
6 review by health care providers. Therefore, while serving upon
7 any committee whose purpose, directly or indirectly, is
8 internal quality control or medical study to reduce morbidity
9 or mortality, or for improving patient care or physician
10 services within a hospital duly licensed under the Hospital
11 Licensing Act, or within a professional association of persons
12 licensed under this Act, or the improving or benefiting of
13 patient care and treatment whether within a hospital or not,
14 or for the purpose of professional discipline, any person
15 serving on such committee, and any person providing service to
16 such committees, shall not be liable for civil damages as a
17 result of their acts, omissions, decisions, or any other
18 conduct in connection with their duties on such committees,
19 except those involving willful ~~wilful~~ or wanton misconduct.

20 Information considered shall be afforded the same status
21 as is information concerning medical studies by Part 21 of
22 Article VIII of the "Code of Civil Procedure", ~~as now or~~
23 ~~hereafter amended.~~

24 (Source: P.A. 85-1209; revised 6-24-25.)

1 (225 ILCS 60/19) (from Ch. 111, par. 4400-19)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 19. Licensure by endorsement. The Department may, in
4 its discretion, issue a license by endorsement to any person
5 who is currently licensed to practice medicine in all of its
6 branches, or a chiropractic physician, in any other state,
7 territory, country or province, upon the following conditions
8 and submitting evidence satisfactory to the Department of the
9 following:

10 (A) (Blank);

11 (B) That the applicant is of good moral character. In
12 determining moral character under this Section, the
13 Department may take into consideration whether the
14 applicant has engaged in conduct or activities which would
15 constitute grounds for discipline under this Act. The
16 Department may also request the applicant to submit, and
17 may consider as evidence of moral character, endorsements
18 from 2 or 3 individuals licensed under this Act;

19 (C) That the applicant is physically, mentally and
20 professionally capable of practicing medicine with
21 reasonable judgment, skill and safety. In determining
22 physical, mental and professional capacity under this
23 Section the Medical Board may, upon a showing of a
24 possible incapacity, compel an applicant to submit to a
25 mental or physical examination and evaluation, or both, in
26 the same manner as provided in Section 22 and may

1 condition or restrict any license, subject to the same
2 terms and conditions as are provided for the Medical Board
3 under Section 22 of this Act;:-

4 (D) That if the applicant seeks to practice medicine
5 in all of its branches:

6 (1) if the applicant was licensed in another
7 jurisdiction prior to January 1, 1988, that the
8 applicant has satisfied the educational requirements
9 of paragraph (1) of subsection (A) or paragraph (2) of
10 subsection (A) of Section 11 of this Act; or

11 (2) if the applicant was licensed in another
12 jurisdiction after December 31, 1987, that the
13 applicant has satisfied the educational requirements
14 of paragraph (2) of subsection (A) ~~(A) (2)~~ of Section
15 11 of this Act; and

16 (3) the requirements for a license to practice
17 medicine in all of its branches in the particular
18 state, territory, country, or province in which the
19 applicant is licensed are deemed by the Department to
20 have been substantially equivalent to the requirements
21 for a license to practice medicine in all of its
22 branches in force in this State at the date of the
23 applicant's license;

24 (E) That if the applicant seeks to treat human
25 ailments without the use of drugs and without operative
26 surgery:

1 (1) the applicant is a graduate of a chiropractic
2 school or college approved by the Department at the
3 time of their graduation;

4 (2) the requirements for the applicant's license
5 to practice the treatment of human ailments without
6 the use of drugs are deemed by the Department to have
7 been substantially equivalent to the requirements for
8 a license to practice in this State at the date of the
9 applicant's license;

10 (F) That the Department may, in its discretion, issue
11 a license by endorsement to any graduate of a medical or
12 osteopathic college, reputable and in good standing in the
13 judgment of the Department, who has passed an examination
14 for admission to the United States Public Health Service,
15 or who has passed any other examination deemed by the
16 Department to have been at least equal in all substantial
17 respects to the examination required for admission to any
18 such medical corps;

19 (G) That applications for licenses by endorsement
20 shall be filed with the Department, under oath, on forms
21 prepared and furnished by the Department, and shall set
22 forth, and applicants therefor shall supply, such
23 information respecting the life, education, professional
24 practice, and moral character of applicants as the
25 Department may require to be filed for its use;

26 (H) That the applicant undergo the criminal background

1 check established under Section 9.7 of this Act.

2 In the exercise of its discretion under this Section, the
3 Department is empowered to consider and evaluate each
4 applicant on an individual basis. It may take into account,
5 among other things, ~~the~~ the extent to which the applicant will
6 bring unique experience and skills to the State of Illinois or
7 the extent to which there is or is not available to the
8 Department authentic and definitive information concerning the
9 quality of medical education and clinical training which the
10 applicant has had. Under no circumstances shall a license be
11 issued under the provisions of this Section to any person who
12 has previously taken and failed the written examination
13 conducted by the Department for such license. In the exercise
14 of its discretion under this Section, the Department may
15 require an applicant to successfully complete an examination
16 as recommended by the Medical Board. The Department may also
17 request the applicant to submit, and may consider as evidence
18 of moral character, evidence from 2 or 3 individuals licensed
19 under this Act. Applicants have 3 years from the date of
20 application to complete the application process. If the
21 process has not been completed within 3 years, the application
22 shall be denied, the fees shall be forfeited, and the
23 applicant must reapply and meet the requirements in effect at
24 the time of reapplication.

25 (Source: P.A. 102-20, eff. 1-1-22; revised 6-24-25.)

1 (225 ILCS 60/22)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 22. Disciplinary action.

4 (A) The Department may revoke, suspend, place on
5 probation, reprimand, refuse to issue or renew, or take any
6 other disciplinary or non-disciplinary action as the
7 Department may deem proper with regard to the license or
8 permit of any person issued under this Act, including imposing
9 fines not to exceed \$10,000 for each violation, upon any of the
10 following grounds:

11 (1) (Blank).

12 (2) (Blank).

13 (3) A plea of guilty or nolo contendere, finding of
14 guilt, jury verdict, or entry of judgment or sentencing,
15 including, but not limited to, convictions, preceding
16 sentences of supervision, conditional discharge, or first
17 offender probation, under the laws of any jurisdiction of
18 the United States of any crime that is a felony.

19 (4) Gross negligence in practice under this Act.

20 (5) Engaging in dishonorable, unethical, or
21 unprofessional conduct of a character likely to deceive,
22 defraud, or harm the public.

23 (6) Obtaining any fee by fraud, deceit, or
24 misrepresentation.

25 (7) Habitual or excessive use or abuse of drugs
26 defined in law as controlled substances, of alcohol, or of

1 any other substances which results in the inability to
2 practice with reasonable judgment, skill, or safety.

3 (8) Practicing under a false or, except as provided by
4 law, an assumed name.

5 (9) Fraud or misrepresentation in applying for, or
6 procuring, a license under this Act or in connection with
7 applying for renewal of a license under this Act.

8 (10) Making a false or misleading statement regarding
9 their skill or the efficacy or value of the medicine,
10 treatment, or remedy prescribed by them at their direction
11 in the treatment of any disease or other condition of the
12 body or mind.

13 (11) Allowing another person or organization to use
14 their license, procured under this Act, to practice.

15 (12) Adverse action taken by another state or
16 jurisdiction against a license or other authorization to
17 practice as a medical doctor, doctor of osteopathy, doctor
18 of osteopathic medicine, or doctor of chiropractic, a
19 certified copy of the record of the action taken by the
20 other state or jurisdiction being prima facie evidence
21 thereof. This includes any adverse action taken by a State
22 or federal agency that prohibits a medical doctor, doctor
23 of osteopathy, doctor of osteopathic medicine, or doctor
24 of chiropractic from providing services to the agency's
25 participants.

26 (13) Violation of any provision of this Act or of the

1 Medical Practice Act prior to the repeal of that Act, or
2 violation of the rules, or a final administrative action
3 of the Secretary, after consideration of the
4 recommendation of the Medical Board.

5 (14) Violation of the prohibition against fee
6 splitting in Section 22.2 of this Act.

7 (15) A finding by the Medical Board that the
8 registrant after having his or her license placed on
9 probationary status or subjected to conditions or
10 restrictions violated the terms of the probation or failed
11 to comply with such terms or conditions.

12 (16) Abandonment of a patient.

13 (17) Prescribing, selling, administering,
14 distributing, giving, or self-administering any drug
15 classified as a controlled substance (designated product)
16 or narcotic for other than medically accepted therapeutic
17 purposes.

18 (18) Promotion of the sale of drugs, devices,
19 appliances, or goods provided for a patient in such manner
20 as to exploit the patient for financial gain of the
21 physician.

22 (19) Offering, undertaking, or agreeing to cure or
23 treat disease by a secret method, procedure, treatment, or
24 medicine, or the treating, operating, or prescribing for
25 any human condition by a method, means, or procedure which
26 the licensee refuses to divulge upon demand of the

1 Department.

2 (20) Immoral conduct in the commission of any act,
3 including, but not limited to, commission of an act of
4 sexual misconduct related to the licensee's practice.

5 (21) Willfully making or filing false records or
6 reports in his or her practice as a physician, including,
7 but not limited to, false records to support claims
8 against the medical assistance program of the Department
9 of Healthcare and Family Services (formerly Department of
10 Public Aid) under the Illinois Public Aid Code.

11 (22) Willful omission to file or record, or willfully
12 impeding the filing or recording, or inducing another
13 person to omit to file or record, medical reports as
14 required by law, or willfully failing to report an
15 instance of suspected abuse or neglect as required by law.

16 (23) Being named as a perpetrator in an indicated
17 report by the Department of Children and Family Services
18 under the Abused and Neglected Child Reporting Act, and
19 upon proof by clear and convincing evidence that the
20 licensee has caused a child to be an abused child or
21 neglected child as defined in the Abused and Neglected
22 Child Reporting Act.

23 (24) Solicitation of professional patronage by any
24 corporation, agents, or persons, or profiting from those
25 representing themselves to be agents of the licensee.

26 (25) Gross ~~and~~ willful ~~and~~ continued overcharging

1 for professional services, including filing false
2 statements for collection of fees for which services are
3 not rendered, including, but not limited to, filing such
4 false statements for collection of monies for services not
5 rendered from the medical assistance program of the
6 Department of Healthcare and Family Services (formerly
7 Department of Public Aid) under the Illinois Public Aid
8 Code.

9 (26) A pattern of practice or other behavior which
10 demonstrates incapacity or incompetence to practice under
11 this Act.

12 (27) Mental illness or disability which results in the
13 inability to practice under this Act with reasonable
14 judgment, skill, or safety.

15 (28) Physical illness, including, but not limited to,
16 deterioration through the aging process, or loss of motor
17 skill which results in a physician's inability to practice
18 under this Act with reasonable judgment, skill, or safety.

19 (29) Cheating on or attempting to subvert the
20 licensing examinations administered under this Act.

21 (30) Willfully or negligently violating the
22 confidentiality between physician and patient except as
23 required by law.

24 (31) The use of any false, fraudulent, or deceptive
25 statement in any document connected with practice under
26 this Act.

1 (32) Aiding and abetting an individual not licensed
2 under this Act in the practice of a profession licensed
3 under this Act.

4 (33) Violating State or federal laws or regulations
5 relating to controlled substances, legend drugs, or
6 ephedra as defined in the Ephedra Prohibition Act.

7 (34) Failure to report to the Department any adverse
8 final action taken against them by another licensing
9 jurisdiction (any other state or any territory of the
10 United States or any foreign state or country), by any
11 peer review body, by any health care institution, by any
12 professional society or association related to practice
13 under this Act, by any governmental agency, by any law
14 enforcement agency, or by any court for acts or conduct
15 similar to acts or conduct which would constitute grounds
16 for action as defined in this Section.

17 (35) Failure to report to the Department surrender of
18 a license or authorization to practice as a medical
19 doctor, a doctor of osteopathy, a doctor of osteopathic
20 medicine, or doctor of chiropractic in another state or
21 jurisdiction, or surrender of membership on any medical
22 staff or in any medical or professional association or
23 society, while under disciplinary investigation by any of
24 those authorities or bodies, for acts or conduct similar
25 to acts or conduct which would constitute grounds for
26 action as defined in this Section.

1 (36) Failure to report to the Department any adverse
2 judgment, settlement, or award arising from a liability
3 claim related to acts or conduct similar to acts or
4 conduct which would constitute grounds for action as
5 defined in this Section.

6 (37) Failure to provide copies of medical records as
7 required by law.

8 (38) Failure to furnish the Department, or its
9 investigators or representatives, relevant information,
10 legally requested by the Department after consultation
11 with the Chief Medical Coordinator or the Deputy Medical
12 Coordinator.

13 (39) Violating the Health Care Worker Self-Referral
14 Act.

15 (40) (Blank).

16 (41) Failure to establish and maintain records of
17 patient care and treatment as required by this law.

18 (42) Entering into an excessive number of written
19 collaborative agreements with licensed advanced practice
20 registered nurses resulting in an inability to adequately
21 collaborate.

22 (43) Repeated failure to adequately collaborate with a
23 licensed advanced practice registered nurse.

24 (44) Violating the Compassionate Use of Medical
25 Cannabis Program Act.

26 (45) Entering into an excessive number of written

1 collaborative agreements with licensed prescribing
2 psychologists resulting in an inability to adequately
3 collaborate.

4 (46) Repeated failure to adequately collaborate with a
5 licensed prescribing psychologist.

6 (47) Willfully failing to report an instance of
7 suspected abuse, neglect, financial exploitation, or
8 self-neglect of an eligible adult as defined in and
9 required by the Adult Protective Services Act.

10 (48) Being named as an abuser in a verified report by
11 the Department on Aging under the Adult Protective
12 Services Act, and upon proof by clear and convincing
13 evidence that the licensee abused, neglected, or
14 financially exploited an eligible adult as defined in the
15 Adult Protective Services Act.

16 (49) Entering into an excessive number of written
17 collaborative agreements with licensed physician
18 assistants resulting in an inability to adequately
19 collaborate.

20 (50) Repeated failure to adequately collaborate with a
21 physician assistant.

22 Except for actions involving the ground numbered (26), all
23 proceedings to suspend, revoke, place on probationary status,
24 or take any other disciplinary action as the Department may
25 deem proper, with regard to a license on any of the foregoing
26 grounds, must be commenced within 5 years next after receipt

1 by the Department of a complaint alleging the commission of or
2 notice of the conviction order for any of the acts described
3 herein. Except for the grounds numbered (8), (9), (26), and
4 (29), no action shall be commenced more than 10 years after the
5 date of the incident or act alleged to have violated this
6 Section. For actions involving the ground numbered (26), a
7 pattern of practice or other behavior includes all incidents
8 alleged to be part of the pattern of practice or other behavior
9 that occurred, or a report pursuant to Section 23 of this Act
10 received, within the 10-year period preceding the filing of
11 the complaint. In the event of the settlement of any claim or
12 cause of action in favor of the claimant or the reduction to
13 final judgment of any civil action in favor of the plaintiff,
14 such claim, cause of action, or civil action being grounded on
15 the allegation that a person licensed under this Act was
16 negligent in providing care, the Department shall have an
17 additional period of 2 years from the date of notification to
18 the Department under Section 23 of this Act of such settlement
19 or final judgment in which to investigate and commence formal
20 disciplinary proceedings under Section 36 of this Act, except
21 as otherwise provided by law. The time during which the holder
22 of the license was outside the State of Illinois shall not be
23 included within any period of time limiting the commencement
24 of disciplinary action by the Department.

25 The entry of an order or judgment by any circuit court
26 establishing that any person holding a license under this Act

1 is a person in need of mental treatment operates as a
2 suspension of that license. That person may resume his or her
3 practice only upon the entry of a Departmental order based
4 upon a finding by the Medical Board that the person has been
5 determined to be recovered from mental illness by the court
6 and upon the Medical Board's recommendation that the person be
7 permitted to resume his or her practice.

8 The Department may refuse to issue or take disciplinary
9 action concerning the license of any person who fails to file a
10 return, or to pay the tax, penalty, or interest shown in a
11 filed return, or to pay any final assessment of tax, penalty,
12 or interest, as required by any tax Act administered by the
13 Illinois Department of Revenue, until such time as the
14 requirements of any such tax Act are satisfied as determined
15 by the Illinois Department of Revenue.

16 The Department, upon the recommendation of the Medical
17 Board, shall adopt rules which set forth standards to be used
18 in determining:

19 (a) when a person will be deemed sufficiently
20 rehabilitated to warrant the public trust;

21 (b) what constitutes dishonorable, unethical, or
22 unprofessional conduct of a character likely to deceive,
23 defraud, or harm the public;

24 (c) what constitutes immoral conduct in the commission
25 of any act, including, but not limited to, commission of
26 an act of sexual misconduct related to the licensee's

1 practice; and

2 (d) what constitutes gross negligence in the practice
3 of medicine.

4 However, no such rule shall be admissible into evidence in
5 any civil action except for review of a licensing or other
6 disciplinary action under this Act.

7 In enforcing this Section, the Medical Board, upon a
8 showing of a possible violation, may compel any individual who
9 is licensed to practice under this Act or holds a permit to
10 practice under this Act, or any individual who has applied for
11 licensure or a permit pursuant to this Act, to submit to a
12 mental or physical examination and evaluation, or both, which
13 may include a substance abuse or sexual offender evaluation,
14 as required by the Medical Board and at the expense of the
15 Department. The Medical Board shall specifically designate the
16 examining physician licensed to practice medicine in all of
17 its branches or, if applicable, the multidisciplinary team
18 involved in providing the mental or physical examination and
19 evaluation, or both. The multidisciplinary team shall be led
20 by a physician licensed to practice medicine in all of its
21 branches and may consist of one or more or a combination of
22 physicians licensed to practice medicine in all of its
23 branches, licensed chiropractic physicians, licensed clinical
24 psychologists, licensed clinical social workers, licensed
25 clinical professional counselors, and other professional and
26 administrative staff. Any examining physician or member of the

1 multidisciplinary team may require any person ordered to
2 submit to an examination and evaluation pursuant to this
3 Section to submit to any additional supplemental testing
4 deemed necessary to complete any examination or evaluation
5 process, including, but not limited to, blood testing,
6 urinalysis, psychological testing, or neuropsychological
7 testing. The Medical Board or the Department may order the
8 examining physician or any member of the multidisciplinary
9 team to provide to the Department or the Medical Board any and
10 all records, including business records, that relate to the
11 examination and evaluation, including any supplemental testing
12 performed. The Medical Board or the Department may order the
13 examining physician or any member of the multidisciplinary
14 team to present testimony concerning this examination and
15 evaluation of the licensee, permit holder, or applicant,
16 including testimony concerning any supplemental testing or
17 documents relating to the examination and evaluation. No
18 information, report, record, or other documents in any way
19 related to the examination and evaluation shall be excluded by
20 reason of any common law or statutory privilege relating to
21 communication between the licensee, permit holder, or
22 applicant and the examining physician or any member of the
23 multidisciplinary team. No authorization is necessary from the
24 licensee, permit holder, or applicant ordered to undergo an
25 evaluation and examination for the examining physician or any
26 member of the multidisciplinary team to provide information,

1 reports, records, or other documents or to provide any
2 testimony regarding the examination and evaluation. The
3 individual to be examined may have, at his or her own expense,
4 another physician of his or her choice present during all
5 aspects of the examination. Failure of any individual to
6 submit to mental or physical examination and evaluation, or
7 both, when directed, shall result in an automatic suspension,
8 without hearing, until such time as the individual submits to
9 the examination. If the Medical Board finds a physician unable
10 to practice following an examination and evaluation because of
11 the reasons set forth in this Section, the Medical Board shall
12 require such physician to submit to care, counseling, or
13 treatment by physicians, or other health care professionals,
14 approved or designated by the Medical Board, as a condition
15 for issued, continued, reinstated, or renewed licensure to
16 practice. Any physician, whose license was granted pursuant to
17 Section 9, 17, or 19 of this Act, or, continued, reinstated,
18 renewed, disciplined, or supervised, subject to such terms,
19 conditions, or restrictions who shall fail to comply with such
20 terms, conditions, or restrictions, or to complete a required
21 program of care, counseling, or treatment, as determined by
22 the Chief Medical Coordinator or Deputy Medical Coordinators,
23 shall be referred to the Secretary for a determination as to
24 whether the licensee shall have his or her license suspended
25 immediately, pending a hearing by the Medical Board. In
26 instances in which the Secretary immediately suspends a

1 license under this Section, a hearing upon such person's
2 license must be convened by the Medical Board within 15 days
3 after such suspension and completed without appreciable delay.
4 The Medical Board shall have the authority to review the
5 subject physician's record of treatment and counseling
6 regarding the impairment, to the extent permitted by
7 applicable federal statutes and regulations safeguarding the
8 confidentiality of medical records.

9 An individual licensed under this Act, affected under this
10 Section, shall be afforded an opportunity to demonstrate to
11 the Medical Board that he or she can resume practice in
12 compliance with acceptable and prevailing standards under the
13 provisions of his or her license.

14 The Medical Board, in determining mental capacity of an
15 individual licensed under this Act, shall consider the latest
16 recommendations of the Federation of State Medical Boards.

17 The Department may promulgate rules for the imposition of
18 fines in disciplinary cases, not to exceed \$10,000 for each
19 violation of this Act. Fines may be imposed in conjunction
20 with other forms of disciplinary action, but shall not be the
21 exclusive disposition of any disciplinary action arising out
22 of conduct resulting in death or injury to a patient. Any funds
23 collected from such fines shall be deposited in the Illinois
24 State Medical Disciplinary Fund.

25 All fines imposed under this Section shall be paid within
26 60 days after the effective date of the order imposing the fine

1 or in accordance with the terms set forth in the order imposing
2 the fine.

3 (B) The Department shall revoke the license or permit
4 issued under this Act to practice medicine of a chiropractic
5 physician who has been convicted a second time of committing
6 any felony under the Illinois Controlled Substances Act or the
7 Methamphetamine Control and Community Protection Act, or who
8 has been convicted a second time of committing a Class 1 felony
9 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A
10 person whose license or permit is revoked under this
11 subsection (B) shall be prohibited from practicing medicine or
12 treating human ailments without the use of drugs and without
13 operative surgery.

14 (C) The Department shall not revoke, suspend, place on
15 probation, reprimand, refuse to issue or renew, or take any
16 other disciplinary or non-disciplinary action against a
17 person's authorization to practice under this Act:

18 (1) based solely upon the recommendation of the person
19 to an eligible patient regarding, or prescription for, or
20 treatment with, an investigational drug, biological
21 product, or device;

22 (2) for experimental treatment for Lyme disease or
23 other tick-borne diseases, including, but not limited to,
24 the prescription of or treatment with long-term
25 antibiotics;

26 (3) based solely upon the person providing,

1 authorizing, recommending, aiding, assisting, referring
2 for, or otherwise participating in any health care
3 service, so long as the care was not unlawful under the
4 laws of this State, regardless of whether the patient was
5 a resident of this State or another state; or

6 (4) based upon the person's license, registration, or
7 permit being revoked or suspended, or the person being
8 otherwise disciplined, by any other state if that
9 revocation, suspension, or other form of discipline was
10 based solely on the person violating another state's laws
11 prohibiting the provision of, authorization of,
12 recommendation of, aiding or assisting in, referring for,
13 or participation in any health care service if that health
14 care service as provided would not have been unlawful
15 under the laws of this State and is consistent with the
16 applicable standard of conduct for the person practicing
17 in Illinois under this Act.

18 (D) (Blank).

19 (E) The conduct specified in subsection (C) shall not
20 trigger reporting requirements under Section 23, constitute
21 grounds for suspension under Section 25, or be included on the
22 physician's profile required under Section 10 of the Patients'
23 Right to Know Act.

24 (F) An applicant seeking licensure, certification, or
25 authorization pursuant to this Act and who has been subject to
26 disciplinary action by a duly authorized professional

1 disciplinary agency of another jurisdiction solely on the
2 basis of having provided, authorized, recommended, aided,
3 assisted, referred for, or otherwise participated in health
4 care shall not be denied such licensure, certification, or
5 authorization, unless the Department determines that the
6 action would have constituted professional misconduct in this
7 State; however, nothing in this Section shall be construed as
8 prohibiting the Department from evaluating the conduct of the
9 applicant and making a determination regarding the licensure,
10 certification, or authorization to practice a profession under
11 this Act.

12 (G) The Department may adopt rules to implement,
13 administer, and enforce this Section ~~Public Act 102-1117~~.

14 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;
15 104-432, eff. 1-1-26; revised 9-15-25.)

16 (225 ILCS 60/27) (from Ch. 111, par. 4400-27)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 27. It is unlawful and punishable under Section 59
19 for any person licensed under this Act to knowingly advertise
20 that the licensee will accept as payment for services rendered
21 by assignment from any third-party ~~third-party~~ payor the
22 amount the third-party ~~third-party~~ payor covers as payment in
23 full, if the effect is to give the impression of eliminating
24 the need of payment by the patient of any required deductible
25 or copayment applicable in the patient's health benefit plan.

1 As used in this Section, "advertise" means solicitation by
2 the licensee or through another by means of handbills,
3 posters, circulars, motion pictures, radio, newspapers,
4 television, or in any other manner.

5 (Source: P.A. 85-4; revised 6-24-25.)

6 (225 ILCS 60/51) (from Ch. 111, par. 4400-51)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 51. Any person who treats human ailments by the use of
9 drugs or operative surgery and has only a license to treat
10 human ailments without the use of drugs and without operative
11 surgery, shall be sentenced as provided in Section 59.

12 (Source: P.A. 85-4; revised 6-24-25.)

13 Section 605. The Nurse Practice Act is amended by changing
14 Sections 50-50 and 65-50 as follows:

15 (225 ILCS 65/50-50) (was 225 ILCS 65/10-5)

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

17 Sec. 50-50. Prohibited acts.

18 (a) No person shall:

19 (1) Practice as an advanced practice registered nurse
20 without a valid license as an advanced practice registered
21 nurse, except as provided in Section 50-15 of this Act;

22 (2) Practice professional nursing without a valid
23 license as a registered professional nurse, except as

1 provided in Section 50-15 of this Act;

2 (3) Practice practical nursing without a valid license
3 as a licensed practical nurse or practice practical
4 nursing, except as provided in Section 50-15 of this Act;

5 (4) Practice nursing under cover of any diploma,
6 license, or record illegally or fraudulently obtained or
7 signed or issued unlawfully or under fraudulent
8 representation;

9 (5) Practice nursing during the time her or his
10 license is suspended, revoked, expired, or on inactive
11 status;

12 (6) Use any words, abbreviations, figures, letters,
13 title, sign, card, or device tending to imply that she or
14 he is a registered professional nurse, including the
15 titles or initials, "Nurse", "Registered Nurse",
16 "Professional Nurse", "Registered Professional Nurse",
17 "Certified Nurse", "Trained Nurse", "Graduate Nurse",
18 "P.N.", ~~or~~ "R.N.", or "R.P.N.", or similar titles or
19 initials, with the intention of indicating practice
20 without a valid license as a registered professional
21 nurse;

22 (7) Use any words, abbreviations, figures, letters,
23 titles, signs, cards, or devices tending to imply that she
24 or he is an advanced practice registered nurse, including
25 the titles or initials "Advanced Practice Registered
26 Nurse", "A.P.R.N.", or similar titles or initials, with

1 the intention of indicating practice as an advanced
2 practice registered nurse without a valid license as an
3 advanced practice registered nurse under this Act. For
4 purposes of this provision, the terms "advanced practice
5 nurse" and "A.P.N." are considered to be similar titles or
6 initials protected by this subsection (a);

7 (8) Use any words, abbreviations, figures, letters,
8 title, sign, card, or device tending to imply that she or
9 he is a licensed practical nurse, including the titles or
10 initials "Practical Nurse", "Licensed Practical Nurse",
11 "P.N.", or "L.P.N.", or similar titles or initials, with
12 the intention of indicating ~~indicated~~ practice as a
13 licensed practical nurse without a valid license as a
14 licensed practical nurse under this Act;

15 (9) Advertise services regulated under this Act
16 without including in every advertisement his or her title
17 as it appears on the license or the initials authorized
18 under this Act;

19 (10) Obtain or furnish a license by or for money or any
20 other thing of value other than the fees required under
21 this Act, or by any fraudulent representation or act;

22 (11) Make any willfully false oath or affirmation
23 required by this Act;

24 (12) Conduct a nursing education program preparing
25 persons for licensure that has not been approved by the
26 Department;

1 (13) Represent that any school or course is approved
2 or accredited as a school or course for the education of
3 registered professional nurses or licensed practical
4 nurses unless such school or course is approved by the
5 Department under the provisions of this Act;

6 (14) Attempt or offer to do any of the acts enumerated
7 in this Section, or knowingly aid, abet, or assist in the
8 doing of any such acts or in the attempt of or offer to do
9 any ~~of~~ such acts;

10 (15) Employ persons not licensed under this Act to
11 practice professional nursing or practical nursing;

12 (16) (Blank);

13 (17) Retaliate against any nurse who reports unsafe,
14 unethical, or illegal health care practices or conditions;

15 (18) Be deemed a supervisor when delegating nursing
16 interventions or guiding the practice of a licensed
17 practical nurse as authorized under this Act; ~~and~~

18 (19) Discipline or take other adverse action against a
19 nurse who refused to delegate a nursing intervention based
20 on patient safety; and

21 (20) Otherwise intentionally violate any provision of
22 this Act.

23 (b) Any person, including a firm, association, or
24 corporation, who violates any provision of this Section shall
25 be guilty of a Class A misdemeanor.

26 (Source: P.A. 100-513, eff. 1-1-18; revised 6-24-25.)

1 (225 ILCS 65/65-50) (was 225 ILCS 65/15-30)

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

3 Sec. 65-50. APRN title.

4 (a) No person shall use any words, abbreviations, figures,
5 letters, title, sign, card, or device tending to imply that he
6 or she is an advanced practice registered nurse, including,
7 but not limited to, using the titles or initials "Advanced
8 Practice Registered Nurse", ~~"Advanced Practice Registered~~
9 ~~Nurse"~~, "Certified Nurse Midwife", "Certified Nurse
10 Practitioner", "Certified Registered Nurse Anesthetist",
11 "Clinical Nurse Specialist", "A.P.R.N.", "C.N.M.", "C.N.P.",
12 "C.R.N.A.", "C.N.S.", or similar titles or initials, with the
13 intention of indicating practice as an advanced practice
14 registered nurse without meeting the requirements of this Act.
15 For purposes of this provision, the terms "advanced practice
16 nurse" and "A.P.N." are considered to be similar titles or
17 initials protected by this subsection (a). No advanced
18 practice registered nurse licensed under this Act may use the
19 title "doctor" or "physician" in paid or approved advertising.
20 Any advertising must contain the appropriate advanced practice
21 registered nurse credentials.

22 (b) No advanced practice registered nurse shall indicate
23 to other persons that he or she is qualified to engage in the
24 practice of medicine.

25 (c) An advanced practice registered nurse shall verbally

1 identify himself or herself as an advanced practice registered
2 nurse, including specialty certification, to each patient. If
3 an advanced practice registered nurse has a doctorate degree,
4 when identifying himself or herself as "doctor" in a clinical
5 setting, the advanced practice registered nurse must clearly
6 state that his or her educational preparation is not in
7 medicine and that he or she is not a medical doctor or
8 physician.

9 (d) Nothing in this Act shall be construed to relieve an
10 advanced practice registered nurse of the professional or
11 legal responsibility for the care and treatment of persons
12 attended by him or her.

13 (Source: P.A. 100-513, eff. 1-1-18; revised 6-24-25.)

14 Section 610. The Pharmacy Practice Act is amended by
15 changing Section 3 as follows:

16 (225 ILCS 85/3)

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

18 Sec. 3. Definitions. For the purpose of this Act, except
19 where otherwise limited therein:

20 (a) "Pharmacy" or "drugstore" means and includes every
21 store, shop, pharmacy department, or other place where
22 pharmacist care is provided by a pharmacist (1) where drugs,
23 medicines, or poisons are dispensed, sold or offered for sale
24 at retail, or displayed for sale at retail; or (2) where

1 prescriptions of physicians, dentists, advanced practice
2 registered nurses, physician assistants, veterinarians,
3 podiatric physicians, or optometrists, within the limits of
4 their licenses, are compounded, filled, or dispensed; or (3)
5 which has upon it or displayed within it, or affixed to or used
6 in connection with it, a sign bearing the word or words
7 "Pharmacist", "Druggist", "Pharmacy", "Pharmaceutical Care",
8 "Apothecary", "Drugstore", "Medicine Store", "Prescriptions",
9 "Drugs", "Dispensary", "Medicines", or any word or words of
10 similar or like import, either in the English language or any
11 other language; or (4) where the characteristic prescription
12 sign (Rx) or a similar design is exhibited; or (5) any store,
13 ~~or~~ shop, or other place with respect to which any of the above
14 words, objects, signs, or designs are used in any
15 advertisement.

16 (b) "Drugs" means and includes (1) articles recognized in
17 the official United States Pharmacopoeia/National Formulary
18 (USP/NF), or any supplement thereto and being intended for and
19 having for their main use the diagnosis, cure, mitigation,
20 treatment, or prevention of disease in man or other animals,
21 as approved by the United States Food and Drug Administration,
22 but does not include devices or their components, parts, or
23 accessories; and (2) all other articles intended for and
24 having for their main use the diagnosis, cure, mitigation,
25 treatment, or prevention of disease in man or other animals,
26 as approved by the United States Food and Drug Administration,

1 but does not include devices or their components, parts, or
2 accessories; and (3) articles (other than food) having for
3 their main use and intended to affect the structure or any
4 function of the body of man or other animals; and (4) articles
5 having for their main use and intended for use as a component
6 or any articles specified in clause (1), (2), or (3); but does
7 not include devices or their components, parts, or
8 accessories.

9 (c) "Medicines" means and includes all drugs intended for
10 human or veterinary use approved by the United States Food and
11 Drug Administration.

12 (d) "Practice of pharmacy" means:

13 (1) the interpretation and the provision of assistance
14 in the monitoring, evaluation, and implementation of
15 prescription drug orders;

16 (2) the dispensing of prescription drug orders;

17 (3) participation in drug and device selection;

18 (4) drug administration limited to the administration
19 of oral, topical, injectable, intranasal, and inhalation
20 as follows:

21 (A) in the context of patient education on the
22 proper use or delivery of medications;

23 (B) vaccination of patients 3 years of age and
24 older pursuant to a valid prescription or standing
25 order, by a physician licensed to practice medicine in
26 all its branches, upon completion of appropriate

1 training, including how to address contraindications
2 and adverse reactions set forth by rule, with
3 notification to the patient's primary care provider
4 and appropriate record retention, or pursuant to
5 hospital pharmacy and therapeutics committee policies
6 and procedures. Eligible vaccines are those listed on
7 the U.S. Centers for Disease Control and Prevention
8 (CDC) Recommended Immunization Schedule, the CDC's
9 Health Information for International Travel, the U.S.
10 Food and Drug Administration's Vaccines Licensed and
11 Authorized for Use in the United States, or the State
12 Guidelines for Communicable Disease Prevention issued
13 by the Director of Public Health pursuant to Section
14 1.2 of the Communicable Disease Prevention Act, except
15 that a pharmacist shall not administer to patients
16 below the age of 7 any vaccine required to be
17 administered under 77 Ill. Adm. Code 665. All vaccines
18 administered in accordance with this subsection shall
19 be reported to the Department of Public Health's
20 Immunization Information System. As applicable to the
21 State's Medicaid program and other payers, vaccines
22 ordered and administered in accordance with this
23 subsection shall be covered and reimbursed at no less
24 than the rate that the vaccine is reimbursed when
25 ordered and administered by a physician;

26 (B-5) (blank);

1 (C) administration of injections of
2 alpha-hydroxyprogesterone caproate, pursuant to a
3 valid prescription, by a physician licensed to
4 practice medicine in all its branches, upon completion
5 of appropriate training, including how to address
6 contraindications and adverse reactions set forth by
7 rule, with notification to the patient's physician and
8 appropriate record retention, or pursuant to hospital
9 pharmacy and therapeutics committee policies and
10 procedures; and

11 (D) administration of long-acting injectables for
12 mental health or substance use disorders pursuant to a
13 valid prescription by the patient's physician licensed
14 to practice medicine in all its branches, advanced
15 practice registered nurse, or physician assistant upon
16 completion of appropriate training conducted by an
17 Accreditation Council of Pharmaceutical Education
18 accredited provider, including how to address
19 contraindications and adverse reactions set forth by
20 rule, with notification to the patient's physician and
21 appropriate record retention, or pursuant to hospital
22 pharmacy and therapeutics committee policies and
23 procedures;

24 (5) (blank);

25 (6) drug regimen review;

26 (7) drug or drug-related research;

1 (8) the provision of patient counseling;

2 (9) the practice of telepharmacy;

3 (10) the provision of those acts or services necessary
4 to provide pharmacist care;

5 (11) medication therapy management;

6 (12) the responsibility for compounding and labeling
7 of drugs and devices (except labeling by a manufacturer,
8 repackager, or distributor of non-prescription drugs and
9 commercially packaged legend drugs and devices), proper
10 and safe storage of drugs and devices, and maintenance of
11 required records;

12 (13) the assessment and consultation of patients and
13 dispensing of contraceptives, including emergency
14 contraception;

15 (14) the initiation, dispensing, or administration of
16 drugs, laboratory tests, assessments, referrals, and
17 consultations for human immunodeficiency virus
18 pre-exposure prophylaxis and human immunodeficiency virus
19 post-exposure prophylaxis under Section 43.5;

20 (15) without a valid prescription or standing order,
21 vaccination of patients 3 years of age and older for
22 COVID-19 or influenza intramuscularly or intranasally
23 pursuant to the following conditions:

24 (A) the vaccine must be authorized or licensed by
25 the United States Food and Drug Administration;

26 (B) the vaccine must be ordered and administered

1 according to the recommendations of the Advisory
2 Committee on Immunization Practices as adopted by the
3 United States Centers for Disease Control and
4 Prevention or the State Guidelines for Communicable
5 Disease Prevention issued by the Director of Public
6 Health pursuant to Section 1.2 of the Communicable
7 Disease Prevention Act;

8 (C) the pharmacist must complete a course of
9 training accredited by the Accreditation Council on
10 Pharmacy Education or a similar health authority or
11 professional body approved by the Division of
12 Professional Regulation;

13 (D) the pharmacist must have a current certificate
14 in basic cardiopulmonary resuscitation;

15 (E) the pharmacist must complete, during each
16 State licensing period, a minimum of 2 hours of
17 immunization-related continuing pharmacy education
18 approved by the Accreditation Council on Pharmacy
19 Education;

20 (F) the pharmacist must report all vaccines
21 administered to the Department of Public Health
22 Immunization Information System in addition to
23 complying with recordkeeping and reporting
24 requirements of the jurisdiction in which the
25 pharmacist administers vaccines, including informing
26 the patient's primary care ~~primary care~~ provider, when

1 available, and complying with requirements whereby the
2 person administering a vaccine must review the vaccine
3 registry or other vaccination records prior to
4 administering the vaccine; and

5 (G) the pharmacist must inform the pharmacist's
6 patients who are less than 18 years old, as well as the
7 adult caregiver accompanying the child, of the
8 importance of a well-child visit with a pediatrician
9 or other licensed primary care ~~primary care~~ provider
10 and must refer patients as appropriate;

11 (16) the ordering and administration of COVID-19
12 therapeutics subcutaneously, intramuscularly, or orally
13 with notification to the patient's physician and
14 appropriate record retention or pursuant to hospital
15 pharmacy and therapeutics committee policies and
16 procedures. Eligible therapeutics are those approved,
17 authorized, or licensed by the United States Food and Drug
18 Administration and must be administered subcutaneously,
19 intramuscularly, or orally in accordance with that
20 approval, authorization, or licensing; and

21 (17) the ordering and administration of point of care
22 tests, screenings, and treatments for (i) influenza, (ii)
23 SARS-CoV-2, (iii) Group A Streptococcus, (iv) respiratory
24 syncytial virus, (v) adult-stage head louse, and (vi)
25 health conditions identified by a statewide public health
26 emergency, as defined in the Illinois Emergency Management

1 Agency Act, with notification to the patient's physician,
2 if any, and appropriate record retention or pursuant to
3 hospital pharmacy and therapeutics committee policies and
4 procedures. Eligible tests and screenings are those
5 approved, authorized, or licensed by the United States
6 Food and Drug Administration and must be administered in
7 accordance with that approval, authorization, or
8 licensing.

9 A pharmacist who orders or administers tests or
10 screenings for health conditions described in this
11 paragraph may use a test that may guide clinical
12 decision-making for the health condition that is waived
13 under the federal Clinical Laboratory Improvement
14 Amendments of 1988 and regulations promulgated thereunder
15 or any established screening procedure that is established
16 under a statewide protocol.

17 A pharmacist may delegate the administrative and
18 technical tasks of performing a test for the health
19 conditions described in this paragraph to a registered
20 pharmacy technician or student pharmacist acting under the
21 supervision of the pharmacist.

22 The testing, screening, and treatment ordered under
23 this paragraph by a pharmacist shall not be denied
24 reimbursement under health benefit plans that are within
25 the scope of the pharmacist's license and shall be covered
26 as if the services or procedures were performed by a

1 physician, an advanced practice registered nurse, or a
2 physician assistant.

3 A pharmacy benefit manager, health carrier, health
4 benefit plan, or third-party payor shall not discriminate
5 against a pharmacy or a pharmacist with respect to
6 participation referral, reimbursement of a covered
7 service, or indemnification if a pharmacist is acting
8 within the scope of the pharmacist's license and the
9 pharmacy is operating in compliance with all applicable
10 laws and rules.

11 A pharmacist who performs any of the acts defined as the
12 practice of pharmacy in this State must be actively licensed
13 as a pharmacist under this Act.

14 (e) "Prescription" means and includes any written, oral,
15 facsimile, or electronically transmitted order for drugs or
16 medical devices, issued by a physician licensed to practice
17 medicine in all its branches, dentist, veterinarian, podiatric
18 physician, or optometrist, within the limits of his or her
19 license, by a physician assistant in accordance with
20 subsection (f) of Section 4, or by an advanced practice
21 registered nurse in accordance with subsection (g) of Section
22 4, containing the following: (1) name of the patient; (2) date
23 when prescription was issued; (3) name and strength of drug or
24 description of the medical device prescribed; ~~and~~ (4)
25 quantity; (5) directions for use; (6) prescriber's name,
26 address, and signature; and (7) DEA registration number where

1 required, for controlled substances. The prescription may, but
2 is not required to, list the illness, disease, or condition
3 for which the drug or device is being prescribed. DEA
4 registration numbers shall not be required on inpatient drug
5 orders. A prescription for medication other than controlled
6 substances shall be valid for up to 15 months from the date
7 issued for the purpose of refills, unless the prescription
8 states otherwise.

9 (f) "Person" means and includes a natural person,
10 partnership, association, corporation, government entity, or
11 any other legal entity.

12 (g) "Department" means the Department of Financial and
13 Professional Regulation.

14 (h) "Board of Pharmacy" or "Board" means the State Board
15 of Pharmacy of the Department of Financial and Professional
16 Regulation.

17 (i) "Secretary" means the Secretary of Financial and
18 Professional Regulation.

19 (j) "Drug product selection" means the interchange for a
20 prescribed pharmaceutical product in accordance with Section
21 25 of this Act and Section 3.14 of the Illinois Food, Drug and
22 Cosmetic Act.

23 (k) "Inpatient drug order" means an order issued by an
24 authorized prescriber for a resident or patient of a facility
25 licensed under the Nursing Home Care Act, the ID/DD Community
26 Care Act, the MC/DD Act, the Specialized Mental Health

1 Rehabilitation Act of 2013, the Hospital Licensing Act, or the
2 University of Illinois Hospital Act, or a facility which is
3 operated by the Department of Human Services (as successor to
4 the Department of Mental Health and Developmental
5 Disabilities) or the Department of Corrections.

6 (k-5) "Pharmacist" means an individual health care
7 professional and provider currently licensed by this State to
8 engage in the practice of pharmacy.

9 (1) "Pharmacist in charge" means the licensed pharmacist
10 whose name appears on a pharmacy license and who is
11 responsible for all aspects of the operation related to the
12 practice of pharmacy.

13 (m) "Dispense" or "dispensing" means the interpretation,
14 evaluation, and implementation of a prescription drug order,
15 including the preparation and delivery of a drug or device to a
16 patient or patient's agent in a suitable container
17 appropriately labeled for subsequent administration to or use
18 by a patient in accordance with applicable State and federal
19 laws and regulations. "Dispense" or "dispensing" does not mean
20 the physical delivery to a patient or a patient's
21 representative in a home or institution by a designee of a
22 pharmacist or by common carrier. "Dispense" or "dispensing"
23 also does not mean the physical delivery of a drug or medical
24 device to a patient or patient's representative by a
25 pharmacist's designee within a pharmacy or drugstore while the
26 pharmacist is on duty and the pharmacy is open.

1 (n) "Nonresident pharmacy" means a pharmacy that is
2 located in a state, commonwealth, or territory of the United
3 States, other than Illinois, that delivers, dispenses, or
4 distributes, through the United States Postal Service, a
5 commercially acceptable parcel delivery service, or other
6 common carrier, to Illinois residents, any substance which
7 requires a prescription.

8 (o) "Compounding" means the preparation and mixing of
9 components, excluding flavorings, (1) as the result of a
10 prescriber's prescription drug order or initiative based on
11 the prescriber-patient-pharmacist relationship in the course
12 of professional practice or (2) for the purpose of, or
13 incident to, research, teaching, or chemical analysis and not
14 for sale or dispensing. "Compounding" includes the preparation
15 of drugs or devices in anticipation of receiving prescription
16 drug orders based on routine, regularly observed dispensing
17 patterns. Commercially available products may be compounded
18 for dispensing to individual patients only if all of the
19 following conditions are met: (i) the commercial product is
20 not reasonably available from normal distribution channels in
21 a timely manner to meet the patient's needs and (ii) the
22 prescribing practitioner has requested that the drug be
23 compounded.

24 (p) (Blank).

25 (q) (Blank).

26 (r) "Patient counseling" means the communication between a

1 pharmacist or a student pharmacist under the supervision of a
2 pharmacist and a patient or the patient's representative about
3 the patient's medication or device for the purpose of
4 optimizing proper use of prescription medications or devices.

5 "Patient counseling" may include without limitation (1)
6 obtaining a medication history; (2) acquiring a patient's
7 allergies and health conditions; (3) facilitation of the
8 patient's understanding of the intended use of the medication;
9 (4) proper directions for use; (5) significant potential
10 adverse events; (6) potential food-drug interactions; and (7)
11 the need to be compliant with the medication therapy. A
12 pharmacy technician may only participate in the following
13 aspects of patient counseling under the supervision of a
14 pharmacist: (1) obtaining medication history; (2) providing
15 the offer for counseling by a pharmacist or student
16 pharmacist; and (3) acquiring a patient's allergies and health
17 conditions.

18 (s) "Patient profiles" or "patient drug therapy record"
19 means the obtaining, recording, and maintenance of patient
20 prescription information, including prescriptions for
21 controlled substances, and personal information.

22 (t) (Blank).

23 (u) "Medical device" or "device" means an instrument,
24 apparatus, implement, machine, contrivance, implant, in vitro
25 reagent, or other similar or related article, including any
26 component part or accessory, required under federal law to

1 bear the label "Caution: Federal law requires dispensing by or
2 on the order of a physician". A seller of goods and services
3 who, only for the purpose of retail sales, compounds, sells,
4 rents, or leases medical devices shall not, by reasons
5 thereof, be required to be a licensed pharmacy.

6 (v) "Unique identifier" means an electronic signature,
7 handwritten signature or initials, thumbprint, or other
8 acceptable biometric or electronic identification process as
9 approved by the Department.

10 (w) "Current usual and customary retail price" means the
11 price that a pharmacy charges to a non-third-party payor.

12 (x) "Automated pharmacy system" means a mechanical system
13 located within the confines of the pharmacy or remote location
14 that performs operations or activities, other than compounding
15 or administration, relative to the storage, packaging,
16 dispensing, or distribution of medication, and which collects,
17 controls, and maintains all transaction information.

18 (y) "Drug regimen review" means and includes the
19 evaluation of prescription drug orders and patient records for
20 (1) known allergies; (2) drug or potential therapy
21 contraindications; (3) reasonable dose, duration of use, and
22 route of administration, taking into consideration factors
23 such as age, gender, and contraindications; (4) reasonable
24 directions for use; (5) potential or actual adverse drug
25 reactions; (6) drug-drug interactions; (7) drug-food
26 interactions; (8) drug-disease contraindications; (9)

1 therapeutic duplication; (10) patient laboratory values when
2 authorized and available; (11) proper utilization (including
3 over or under utilization) and optimum therapeutic outcomes;
4 and (12) abuse and misuse.

5 (z) "Electronically transmitted prescription" means a
6 prescription that is created, recorded, or stored by
7 electronic means; issued and validated with an electronic
8 signature; and transmitted by electronic means directly from
9 the prescriber to a pharmacy. An electronic prescription is
10 not an image of a physical prescription that is transferred by
11 electronic means from computer to computer, facsimile to
12 facsimile, or facsimile to computer.

13 (aa) "Medication therapy management services" means a
14 distinct service or group of services offered by licensed
15 pharmacists, physicians licensed to practice medicine in all
16 its branches, advanced practice registered nurses authorized
17 in a written agreement with a physician licensed to practice
18 medicine in all its branches, or physician assistants
19 authorized in guidelines by a supervising physician that
20 optimize therapeutic outcomes for individual patients through
21 improved medication use. In a retail or other non-hospital
22 pharmacy, medication therapy management services shall consist
23 of the evaluation of prescription drug orders and patient
24 medication records to resolve conflicts with the following:

25 (1) known allergies;

26 (2) drug or potential therapy contraindications;

1 (3) reasonable dose, duration of use, and route of
2 administration, taking into consideration factors such as
3 age, gender, and contraindications;

4 (4) reasonable directions for use;

5 (5) potential or actual adverse drug reactions;

6 (6) drug-drug interactions;

7 (7) drug-food interactions;

8 (8) drug-disease contraindications;

9 (9) identification of therapeutic duplication;

10 (10) patient laboratory values when authorized and
11 available;

12 (11) proper utilization (including over or under
13 utilization) and optimum therapeutic outcomes; and

14 (12) drug abuse and misuse.

15 "Medication therapy management services" includes the
16 following:

17 (1) documenting the services delivered and
18 communicating the information provided to patients'
19 prescribers within an appropriate time frame, not to
20 exceed 48 hours;

21 (2) providing patient counseling designed to enhance a
22 patient's understanding and the appropriate use of his or
23 her medications; and

24 (3) providing information, support services, and
25 resources designed to enhance a patient's adherence with
26 his or her prescribed therapeutic regimens.

1 "Medication therapy management services" may also include
2 patient care functions authorized by a physician licensed to
3 practice medicine in all its branches for his or her
4 identified patient or groups of patients under specified
5 conditions or limitations in a standing order from the
6 physician.

7 "Medication therapy management services" in a licensed
8 hospital may also include the following:

9 (1) reviewing assessments of the patient's health
10 status; and

11 (2) following protocols of a hospital pharmacy and
12 therapeutics committee with respect to the fulfillment of
13 medication orders.

14 (bb) "Pharmacist care" means the provision by a pharmacist
15 of medication therapy management services, with or without the
16 dispensing of drugs or devices, intended to achieve outcomes
17 that improve patient health, quality of life, and comfort and
18 enhance patient safety.

19 (cc) "Protected health information" means individually
20 identifiable health information that, except as otherwise
21 provided, is:

22 (1) transmitted by electronic media;

23 (2) maintained in any medium set forth in the
24 definition of "electronic media" in the federal Health
25 Insurance Portability and Accountability Act; or

26 (3) transmitted or maintained in any other form or

1 medium.

2 "Protected health information" does not include
3 individually identifiable health information found in:

4 (1) education records covered by the federal Family
5 Educational Right and Privacy Act; or

6 (2) employment records held by a licensee in the
7 licensee's ~~its~~ role as an employer.

8 (dd) "Standing order" means a specific order for a patient
9 or group of patients issued by a physician licensed to
10 practice medicine in all its branches in Illinois.

11 (ee) "Address of record" means the designated address
12 recorded by the Department in the applicant's application file
13 or licensee's license file maintained by the Department's
14 licensure maintenance unit.

15 (ff) "Home pharmacy" means the location of a pharmacy's
16 primary operations.

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

21 (Source: P.A. 103-1, eff. 4-27-23; 103-593, eff. 6-7-24;
22 103-612, eff. 1-1-25; 104-312, eff. 1-1-26; 104-417, eff.
23 8-15-25; 104-439, eff. 12-2-25; revised 12-9-25.)

24 Section 615. The Physician Assistant Practice Act of 1987
25 is amended by changing Section 25 as follows:

1 (225 ILCS 95/25)

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

3 Sec. 25. Illinois Sexually Transmitted Infection Control
4 Act. No licensee under this Act may be disciplined for
5 providing expedited partner therapy in accordance with the
6 provisions of the Illinois Sexually Transmitted Infection
7 Control Act.

8 (Source: P.A. 103-1049, eff. 8-9-24; revised 6-24-25.)

9 Section 620. The Veterinary Medicine and Surgery Practice
10 Act of 2004 is amended by changing Sections 22, 25, and 27 as
11 follows:

12 (225 ILCS 115/22) (from Ch. 111, par. 7022)

13 (Section scheduled to be repealed on January 1, 2029)

14 Sec. 22. Nothing in this Act shall restrict registrants
15 from forming professional service corporations under the
16 provisions of the ~~"The Professional Service Corporation Act",~~
17 ~~approved September 15, 1969, as amended.~~

18 (Source: P.A. 83-1016; revised 6-24-25.)

19 (225 ILCS 115/25) (from Ch. 111, par. 7025)

20 (Section scheduled to be repealed on January 1, 2029)

21 Sec. 25. Disciplinary actions.

22 1. The Department may refuse to issue or renew, or may

1 revoke, suspend, place on probation, reprimand, or take other
2 disciplinary or non-disciplinary action as the Department may
3 deem appropriate, including imposing fines not to exceed
4 \$10,000 for each violation and the assessment of costs as
5 provided for in Section 25.3 of this Act, with regard to any
6 license or certificate for any one or combination of the
7 following:

8 A. Material misstatement in furnishing information to
9 the Department.

10 B. Violations of this Act⁷ or of the rules adopted
11 pursuant to this Act.

12 C. Conviction by plea of guilty or nolo contendere,
13 finding of guilt, jury verdict, or entry of judgment or by
14 sentencing of any crime, including, but not limited to,
15 convictions, preceding sentences of supervision,
16 conditional discharge, or first offender probation, under
17 the laws of any jurisdiction of the United States that is
18 (i) a felony or (ii) a misdemeanor, an essential element
19 of which is dishonesty, or that is directly related to the
20 practice of the profession.

21 D. Fraud or any misrepresentation in applying for or
22 procuring a license under this Act or in connection with
23 applying for renewal of a license under this Act.

24 E. Professional incompetence.

25 F. Malpractice.

26 G. Aiding or assisting another person in violating any

1 provision of this Act or rules.

2 H. Failing, within 60 days, to provide information in
3 response to a written request made by the Department.

4 I. Engaging in dishonorable, unethical, or
5 unprofessional conduct of a character likely to deceive,
6 defraud, or harm the public.

7 J. Habitual or excessive use or abuse of drugs defined
8 in law as controlled substances, alcohol, or any other
9 substance that results in the inability to practice with
10 reasonable judgment, skill, or safety.

11 K. Discipline by another state, a unit of government,
12 a government agency, the District of Columbia, a
13 territory, or a foreign nation, if at least one of the
14 grounds for the discipline is the same or substantially
15 equivalent to those set forth herein.

16 L. Charging for professional services not rendered,
17 including filing false statements for the collection of
18 fees for which services are not rendered.

19 M. A finding by the Board that the licensee or
20 certificate holder, after having his license or
21 certificate placed on probationary status, has violated
22 the terms of probation.

23 N. Willfully making or filing false records or reports
24 in his practice, including but not limited to false
25 records filed with State agencies or departments.

26 O. Physical illness, including but not limited to,

1 deterioration through the aging process, or loss of motor
2 skill which results in the inability to practice under
3 this Act with reasonable judgment, skill, or safety.

4 P. Solicitation of professional services other than
5 permitted advertising.

6 Q. Allowing one's license under this Act to be used by
7 an unlicensed person in violation of this Act.

8 R. Conviction of or cash compromise of a charge or
9 violation of the Harrison Act or the Illinois Controlled
10 Substances Act, regulating narcotics.

11 S. Fraud or dishonesty in applying, treating, or
12 reporting on tuberculin or other biological tests.

13 T. Failing to report, as required by law, or making a
14 false report of any contagious or infectious diseases.

15 U. Fraudulent use or misuse of any health certificate,
16 shipping certificate, brand inspection certificate, or
17 other blank forms used in practice that might lead to the
18 dissemination of disease or the transportation of diseased
19 animals dead or alive; or dilatory methods, willful
20 neglect, or misrepresentation in the inspection of milk,
21 meat, poultry, and the by-products thereof.

22 V. Conviction on a charge of cruelty to animals.

23 W. Failure to keep one's premises and all equipment
24 therein in a clean and sanitary condition.

25 X. Failure to provide satisfactory proof of having
26 participated in approved continuing education programs.

1 Y. Mental illness or disability that results in the
2 inability to practice under this Act with reasonable
3 judgment, skill, or safety.

4 Z. (Blank).

5 AA. Promotion of the sale of drugs, devices,
6 appliances, or goods provided for a patient in any manner
7 to exploit the client for financial gain of the
8 veterinarian.

9 BB. Gross, willful, or continued overcharging for
10 professional services.

11 CC. Practicing under a false or, except as provided by
12 law, an assumed name.

13 DD. Violating state or federal laws or regulations
14 relating to controlled substances or legend drugs.

15 EE. Cheating on or attempting to subvert the licensing
16 examination administered under this Act.

17 FF. Using, prescribing, or selling a prescription drug
18 or the extra-label use of a prescription drug by any means
19 in the absence of a valid veterinarian-client-patient
20 relationship.

21 GG. Failing to report a case of suspected aggravated
22 cruelty, torture, or animal fighting pursuant to Section
23 3.07 or 4.01 of the Humane Care for Animals Act or Section
24 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal
25 Code of 2012.

26 All fines imposed under this Section shall be paid within

1 60 days after the effective date of the order imposing the fine
2 or in accordance with the terms set forth in the order imposing
3 the fine.

4 2. The determination by a circuit court that a licensee or
5 certificate holder is subject to involuntary admission or
6 judicial admission as provided in the Mental Health and
7 Developmental Disabilities Code operates as an automatic
8 suspension. The suspension will end only upon a finding by a
9 court that the patient is no longer subject to involuntary
10 admission or judicial admission and issues an order so finding
11 and discharging the patient. In any case where a license is
12 suspended under this provision, the licensee shall file a
13 petition for restoration and shall include evidence acceptable
14 to the Department that the licensee can resume practice in
15 compliance with acceptable and prevailing standards of his or
16 her profession.

17 3. All proceedings to suspend, revoke, place on
18 probationary status, or take any other disciplinary action as
19 the Department may deem proper, with regard to a license or
20 certificate on any of the foregoing grounds, must be commenced
21 within 5 years after receipt by the Department of a complaint
22 alleging the commission of or notice of the conviction order
23 for any of the acts described in this Section. Except for
24 proceedings brought for violations of item ~~items~~ (CC), (DD),
25 or (EE), no action shall be commenced more than 5 years after
26 the date of the incident or act alleged to have violated this

1 Section. In the event of the settlement of any claim or cause
2 of action in favor of the claimant or the reduction to final
3 judgment of any civil action in favor of the plaintiff, the
4 claim, cause of action, or civil action being grounded on the
5 allegation that a person licensed or certified under this Act
6 was negligent in providing care, the Department shall have an
7 additional period of one year from the date of the settlement
8 or final judgment in which to investigate and begin formal
9 disciplinary proceedings under Section 25.2 of this Act,
10 except as otherwise provided by law. The time during which the
11 holder of the license or certificate was outside the State of
12 Illinois shall not be included within any period of time
13 limiting the commencement of disciplinary action by the
14 Department.

15 4. The Department may refuse to issue or may suspend
16 without hearing, as provided for in the ~~Illinois~~ Code of Civil
17 Procedure, the license of any person who fails to file a
18 return, to pay the tax, penalty, or interest shown in a filed
19 return, or to pay any final assessment of tax, penalty, or
20 interest as required by any tax Act administered by the
21 Illinois Department of Revenue, until such time as the
22 requirements of any such tax Act are satisfied in accordance
23 with subsection (g) of Section 2105-15 of the Civil
24 Administrative Code of Illinois.

25 5. In enforcing this Section, the Department, upon a
26 showing of a possible violation, may compel any individual who

1 is registered under this Act or any individual who has applied
2 for registration to submit to a mental or physical examination
3 or evaluation, or both, which may include a substance abuse or
4 sexual offender evaluation, at the expense of the Department.
5 The Department shall specifically designate the examining
6 physician licensed to practice medicine in all of its branches
7 or, if applicable, the multidisciplinary team involved in
8 providing the mental or physical examination and evaluation.
9 The multidisciplinary team shall be led by a physician
10 licensed to practice medicine in all of its branches and may
11 consist of one or more or a combination of physicians licensed
12 to practice medicine in all of its branches, licensed
13 chiropractic physicians, licensed clinical psychologists,
14 licensed clinical social workers, licensed clinical
15 professional counselors, and other professional and
16 administrative staff. Any examining physician or member of the
17 multidisciplinary team may require any person ordered to
18 submit to an examination and evaluation pursuant to this
19 Section to submit to any additional supplemental testing
20 deemed necessary to complete any examination or evaluation
21 process, including, but not limited to, blood testing,
22 urinalysis, psychological testing, or neuropsychological
23 testing.

24 The Department may order the examining physician or any
25 member of the multidisciplinary team to provide to the
26 Department any and all records, including business records,

1 that relate to the examination and evaluation, including any
2 supplemental testing performed. The Department may order the
3 examining physician or any member of the multidisciplinary
4 team to present testimony concerning this examination and
5 evaluation of the registrant or applicant, including testimony
6 concerning any supplemental testing or documents relating to
7 the examination and evaluation. No information, report,
8 record, or other documents in any way related to the
9 examination and evaluation shall be excluded by reason of any
10 common law or statutory privilege relating to communication
11 between the licensee or applicant and the examining physician
12 or any member of the multidisciplinary team. No authorization
13 is necessary from the registrant or applicant ordered to
14 undergo an evaluation and examination for the examining
15 physician or any member of the multidisciplinary team to
16 provide information, reports, records, or other documents or
17 to provide any testimony regarding the examination and
18 evaluation. The individual to be examined may have, at his or
19 her own expense, another physician of his or her choice
20 present during all aspects of the examination.

21 Failure of any individual to submit to mental or physical
22 examination or evaluation, or both, when directed, shall
23 result in an automatic suspension without hearing, until such
24 time as the individual submits to the examination. If the
25 Department finds a registrant unable to practice because of
26 the reasons set forth in this Section, the Department shall

1 require such registrant to submit to care, counseling, or
2 treatment by physicians approved or designated by the
3 Department as a condition for continued, reinstated, or
4 renewed registration.

5 In instances in which the Secretary immediately suspends a
6 registration under this Section, a hearing upon such person's
7 registration must be convened by the Department within 15 days
8 after such suspension and completed without appreciable delay.
9 The Department shall have the authority to review the
10 registrant's record of treatment and counseling regarding the
11 impairment to the extent permitted by applicable federal
12 statutes and regulations safeguarding the confidentiality of
13 medical records.

14 Individuals registered under this Act who are affected
15 under this Section~~7~~ shall be afforded an opportunity to
16 demonstrate to the Department that they can resume practice in
17 compliance with acceptable and prevailing standards under the
18 provisions of their registration.

19 6. (Blank).

20 7. In cases where the Department of Healthcare and Family
21 Services has previously determined a licensee or a potential
22 licensee is more than 30 days delinquent in the payment of
23 child support and has subsequently certified the delinquency
24 to the Department, the Department may refuse to issue or renew
25 or may revoke or suspend that person's license or may take
26 other disciplinary action against that person based solely

1 upon the certification of delinquency made by the Department
2 of Healthcare and Family Services in accordance with paragraph
3 (5) of subsection (a) of Section 2105-15 of the Civil
4 Administrative Code of Illinois.

5 (Source: P.A. 103-309, eff. 1-1-24; 103-505, eff. 1-1-24;
6 revised 6-25-25.)

7 (225 ILCS 115/27) (from Ch. 111, par. 7027)

8 (Section scheduled to be repealed on January 1, 2029)

9 Sec. 27. Illinois Administrative Procedure Act. The
10 Illinois Administrative Procedure Act is hereby expressly
11 adopted and incorporated into this Act as if all of the
12 provisions of that Act were included in this Act, except that
13 the provision of subsection (d) of Section 10-65 of the
14 Illinois Administrative Procedure Act that provides that at
15 hearings the licensee or certificate holder has the right to
16 show compliance with all lawful requirements for retention,
17 continuation, or renewal of the license or certificate is
18 specifically excluded. For the purpose of this Act, the notice
19 required under Section 10-25 of the Illinois Administrative
20 Procedure Act is considered sufficient when mailed to the last
21 known address of record or sent electronically to the last
22 known email address of record.

23 (Source: P.A. 103-309, eff. 1-1-24; 103-505, eff. 1-1-24;
24 revised 6-24-25.)

1 Section 625. The Landscape Architecture Registration Act
2 is amended by changing Sections 105 and 145 as follows:

3 (225 ILCS 316/105)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 105. Compelling testimony. Any court, upon the
6 application of the Department, designated hearing officer, or
7 the applicant or registrant against whom proceedings under
8 Section 85 of this Act are pending, may~~r~~ enter an order
9 requiring the attendance of witnesses and their testimony and
10 the production of documents, papers, files, books, and records
11 in connection with any hearing or investigation. The court may
12 compel obedience to its order by proceedings for contempt.

13 (Source: P.A. 102-284, eff. 8-6-21; revised 6-24-25.)

14 (225 ILCS 316/145)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 145. Illinois Administrative Procedure Act. The
17 Illinois Administrative Procedure Act is hereby expressly
18 adopted and incorporated herein as if all of the provisions of
19 that Act were included in this Act, except that the provision
20 of subsection (d) of Section 10-65 of the Illinois
21 Administrative Procedure Act that provides that at hearings
22 the registrant has the right to show compliance with all
23 lawful requirements for retention, continuation, or renewal of
24 the registration is specifically excluded. The Department

1 shall not be required to annually verify email addresses as
2 specified in paragraph (2) ~~(a)~~ of subsection (a) ~~(2)~~ of
3 Section 10-75 of the Illinois Administrative Procedure Act.
4 For the purposes of this Act, the notice required under
5 Section 10-25 of the Illinois Administrative Procedure Act is
6 deemed sufficient when mailed to the address of record or
7 emailed to the email address of record.

8 (Source: P.A. 102-284, eff. 8-6-21; revised 6-24-25.)

9 Section 630. The Auction License Act is amended by
10 changing Section 25-110 as follows:

11 (225 ILCS 407/25-110)

12 (Section scheduled to be repealed on January 1, 2030)

13 Sec. 25-110. Licensing of auction schools.

14 (a) Only an auction school licensed by the Department may
15 provide the continuing education courses required for
16 licensure under this Act.

17 (b) An auction school may also provide the course required
18 to obtain the real estate auction certification in Section
19 5-32 of the Real Estate License Act of 2000. The course shall
20 be approved by the Real Estate Administration and Disciplinary
21 Board pursuant to Section 25-10 of the Real Estate License Act
22 of 2000.

23 (c) A person or entity seeking to be licensed as an auction
24 school under this Act shall provide satisfactory evidence of

1 the following:

2 (1) a sound financial base for establishing,
3 promoting, and delivering the necessary courses;

4 (2) a sufficient number of qualified instructors;

5 (3) adequate support personnel to assist with
6 administrative matters and technical assistance;

7 (4) a qualified school administrator⁷ who is
8 responsible for the administration of the school, courses,
9 and the actions of the instructors;

10 (5) proof of good standing with the Secretary of State
11 and authority to conduct business in this State; and

12 (6) any other requirements provided by rule.

13 (d) All applicants for an auction school ~~schools~~ license
14 shall make initial application to the Department in a manner
15 prescribed by the Department and pay the appropriate fee as
16 provided by rule. In addition to any other information
17 required to be contained in the application as prescribed by
18 rule, every application for an original or renewed license
19 shall include the applicant's Taxpayer Identification Number.
20 The term, expiration date, and renewal of an auction school
21 ~~schools~~ license shall be established by rule.

22 (e) An auction school shall provide each successful course
23 participant with a certificate of completion signed by the
24 school administrator. The format and content of the
25 certificate shall be specified by rule.

26 (f) All auction schools shall provide to the Department a

1 roster of all successful course participants as provided by
2 rule.

3 (Source: P.A. 103-236, eff. 1-1-24; revised 6-24-25.)

4 Section 635. The Barber, Cosmetology, Esthetics, Hair
5 Braiding, and Nail Technology Act of 1985 is amended by
6 changing Sections 1-11, 3-1, 3A-1, 3B-10, 3B-16, and 4-7 as
7 follows:

8 (225 ILCS 410/1-11)

9 (Section scheduled to be repealed on January 1, 2031)

10 Sec. 1-11. Exceptions to Act.

11 (a) Nothing in this Act shall be construed to apply to the
12 educational activities conducted in connection with any
13 monthly, annual, or other special educational program of any
14 bona fide association of licensed cosmetologists,
15 estheticians, nail technicians, hair braiders, or barbers, or
16 licensed cosmetology, esthetics, nail technology, hair
17 braiding, or barber schools from which the general public is
18 excluded.

19 (b) Nothing in this Act shall be construed to apply to the
20 activities and services of registered nurses or licensed
21 practical nurses, as defined in the Nurse Practice Act, or to
22 personal care or health care services provided by individuals
23 in the performance of the individuals' duties as employed or
24 authorized by facilities or programs licensed or certified by

1 State agencies. As used in this subsection (b), "personal
2 care" means assistance with meals, dressing, movement,
3 bathing, or other personal needs or maintenance or general
4 supervision and oversight of the physical and mental
5 well-being of an individual who is incapable of maintaining a
6 private, independent residence or who is incapable of managing
7 the person whether or not a guardian has been appointed for
8 that individual. The definition of "personal care" as used in
9 this subsection (b) shall not otherwise be construed to negate
10 the requirements of this Act or its rules.

11 (c) Nothing in this Act shall be deemed to require
12 licensure of individuals employed by the motion picture, film,
13 television, stage play, or related industry for the purpose of
14 providing cosmetology or esthetics services to actors of that
15 industry while engaged in the practice of cosmetology or
16 esthetics as a part of that person's employment.

17 (d) Nothing in this Act shall be deemed to require
18 licensure of an inmate of the Department of Corrections who
19 performs barbering or cosmetology with the approval of the
20 Department of Corrections during the person's incarceration.

21 (e) Nothing in this Act shall be construed to limit the
22 ability of a licensed physician to practice medicine in all of
23 its branches.

24 (Source: P.A. 104-134, eff. 8-1-25; 104-153, eff. 1-1-26;
25 revised 11-21-25.)

1 (225 ILCS 410/3-1)

2 (Section scheduled to be repealed on January 1, 2031)

3 Sec. 3-1. Cosmetology defined. Any one or any combination
4 of the following practices constitutes the practice of
5 cosmetology when done for cosmetic or beautifying purposes and
6 not for the treatment of disease or of muscular or nervous
7 disorder: arranging, braiding, dressing, cutting, trimming,
8 curling, waving, chemical restructuring, shaping, singeing,
9 bleaching, coloring, or similar work, upon the hair of the
10 head or any cranial prosthesis; chemical restructuring,
11 lightening, coloring, cutting, or trimming facial hair of any
12 person; any practice of manicuring, pedicuring, decorating
13 nails, applying sculptured nails or otherwise artificial nails
14 by hand or with mechanical or electrical apparatus or
15 appliances, or in any way caring for the nails or the skin of
16 the hands or feet including massaging the hands, arms, elbows,
17 feet, lower legs, and knees of another person for other than
18 the treatment of medical disorders; any practice of epilation
19 or depilation of any person; any practice for the purpose of
20 cleansing, massaging or toning the skin of the scalp;
21 beautifying, massaging, cleansing, exfoliating, or stimulating
22 the stratum corneum of the epidermis by the use of cosmetic
23 preparations, including superficial exfoliants, body
24 treatments, body wraps, the use of hydrotherapy, or any
25 device, electrical, mechanical, or otherwise, including
26 microdermabrasion, hydrodermabrasion, and dermaplaning;

1 applying make-up or eyelashes to any person or chemical
2 restructuring or lightening or coloring hair on the body and
3 removing superfluous hair from the body of any person by the
4 use of depilatories, waxing, threading, or tweezers. The term
5 "cosmetology" does not include the services provided by an
6 electrologist. Nail technology is the practice and the study
7 of cosmetology only to the extent of manicuring, pedicuring,
8 decorating, and applying sculptured or otherwise artificial
9 nails, or in any way caring for the nail or the skin of the
10 hands or feet including massaging the hands, arms, elbows,
11 feet, lower legs, and knees. Cosmetologists are prohibited
12 from using any technique, product, or practice intended to
13 affect the living layers of the skin. The term cosmetology
14 includes rendering advice on what is cosmetically appealing,
15 but no person licensed under this Act shall render advice on
16 what is appropriate medical treatment for diseases of the
17 skin. Purveyors of cosmetics may demonstrate such cosmetic
18 products in conjunction with any sales promotion and shall not
19 be required to hold a license under this Act. Nothing in this
20 Act shall be construed to prohibit the shampooing of hair by
21 persons employed for that purpose and who perform that task
22 under the direct supervision of a licensed cosmetologist or
23 licensed cosmetology teacher.

24 (Source: P.A. 104-134, eff. 8-1-25; 104-153, eff. 1-1-26;
25 revised 11-21-25.)

1 (225 ILCS 410/3A-1)

2 (Section scheduled to be repealed on January 1, 2031)

3 Sec. 3A-1. Esthetics defined.

4 (A) Any one or combination of the following practices,
5 when done for cosmetic or beautifying purposes and not for the
6 treatment of disease or of a muscular or nervous disorder,
7 constitutes the practice of esthetics:

8 1. Beautifying, massaging, cleansing, exfoliating, or
9 stimulating the stratum corneum of the epidermis by the
10 use of cosmetic preparations, including superficial
11 exfoliants, body treatments, body wraps, hydrotherapy, or
12 any device, electrical, mechanical, or otherwise, for the
13 care of the skin except the scalp, including
14 microdermabrasion, hydrodermabrasion, and dermaplaning;

15 2. Applying make-up or eyelashes to any person or
16 chemical restructuring or lightening or coloring hair on
17 the body except the scalp; and

18 3. Removing superfluous hair from the body of any
19 person.

20 However, esthetics does not include the services provided
21 by a cosmetologist or electrologist. Estheticians are
22 prohibited from using techniques, products, and practices
23 intended to affect the living layers of the skin. The term
24 esthetics includes rendering advice on what is cosmetically
25 appealing, but no person licensed under this Act shall render
26 advice on what is appropriate medical treatment for diseases

1 of the skin.

2 (B) "Esthetician" means any person who, with hands or
3 mechanical or electrical apparatus or appliances, engages only
4 in the use of cosmetic preparations, body treatments, body
5 wraps, hydrotherapy, makeups, antiseptics, tonics, lotions,
6 creams, or other preparations or in the practice of massaging,
7 cleansing, exfoliating the stratum corneum of the epidermis,
8 stimulating, manipulating, beautifying, grooming, threading,
9 or similar work on the face, neck, arms, and hands or body in a
10 superficial mode, and not for the treatment of medical
11 disorders.

12 (Source: P.A. 104-134, eff. 8-1-25; 104-153, eff. 1-1-26;
13 revised 11-21-25.)

14 (225 ILCS 410/3B-10)

15 (Section scheduled to be repealed on January 1, 2031)

16 Sec. 3B-10. Requisites for ownership or operation of
17 school. No person, firm, or corporation may own, operate, or
18 conduct a school of barbering, cosmetology, esthetics, hair
19 braiding, or nail technology for the purpose of teaching
20 barbering, cosmetology, esthetics, hair braiding, or nail
21 technology for compensation unless licensed by the Department.
22 A licensed school is a postsecondary educational institution
23 authorized by the Department to provide a postsecondary
24 education program in compliance with the requirements of this
25 Act. An applicant shall apply to the Department on forms

1 provided by the Department, pay the required fees, and comply
2 with the following requirements:

3 1. The applicant must submit to the Department for
4 approval:

5 a. A floor plan, drawn to a scale specified on the
6 floor plan, showing every detail of the proposed
7 school; and

8 b. A lease commitment, agreement to use the space,
9 or proof of ownership for the location of the proposed
10 school; a lease commitment must provide for execution
11 of the lease upon the Department's approval of the
12 school's application and the lease or agreement must
13 be for a period of at least one year, and for schools
14 operated by a public high school, community college,
15 university, or other governmental institution, this
16 requirement is waived.

17 ~~c. (Blank).~~

18 2. An application to own or operate a school shall
19 include the following:

20 a. If the owner is a professional service
21 corporation or a corporation, a copy of the Articles
22 of Incorporation or, if the owner is a professional
23 limited liability company or a limited liability
24 company, a copy of the articles of organization;

25 b. If the owner is a partnership, a listing of all
26 partners and their current addresses;

1 c. If the applicant is an owner, a completed
2 attestation regarding the owner's financial ability to
3 operate the school for at least 3 months, and for
4 schools operated by a public high school, community
5 college, university, or other governmental
6 institution, this requirement is waived;

7 d. A copy of the official enrollment agreement or
8 student contract to be used by the school, which shall
9 be consistent with the requirements of this Act,
10 rules, and other applicable laws;

11 e. A listing of all teachers who will be in the
12 school's employ, including their teacher license
13 numbers;

14 f. A copy of the curricula that will be followed;

15 g. The names, addresses, and current licensure and
16 operating status of all schools in which the applicant
17 has previously owned any interest, and a declaration
18 as to whether any of these schools were ever denied
19 accreditation or licensing or lost accreditation or
20 licensing from any governmental body or accrediting
21 agency;

22 h. Each application for a certificate of approval
23 shall be signed and certified under oath by the
24 school's chief managing employee;

25 i. A copy of the school's official transcript;

26 j. The required fee; and~~—~~

1 k. A disclosure of all licenses issued by the
2 Department of all owners, partners, or members of the
3 school, including license numbers and the current
4 status of the license.

5 3. Each application for a license to operate a school
6 shall also contain the following commitments:

7 a. To conduct the school in accordance with this
8 Act and the standards~~7~~ and rules from time to time
9 adopted under this Act and to meet standards and
10 requirements at least as stringent as those required
11 by Part H of the Federal Higher Education Act of 1965;~~7~~

12 b. To permit the Department to inspect the school
13 or classes thereof from time to time with or without
14 notice; and to make available to the Department, at
15 any time when required to do so, information including
16 financial information pertaining to the activities of
17 the school required for the administration of this Act
18 and the standards and rules adopted under this Act;

19 c. To utilize only advertising and solicitation
20 which is free from misrepresentation, deception,
21 fraud, or other misleading or unfair trade practices;

22 d. To screen applicants to the school prior to
23 enrollment pursuant to the requirements of the
24 school's regional or national accrediting agency, if
25 any, and to maintain any and all records of such
26 screening. If the course of instruction is offered in

1 a language other than English, the screening shall
2 also be performed in that language;

3 e. To post in a conspicuous place a statement,
4 developed by the Department, of students' ~~student's~~
5 rights provided under this Act.

6 4. The applicant shall establish to the satisfaction
7 of the Department that the owner possesses sufficient
8 liquid assets to meet the prospective expenses of the
9 school for a period of 3 months. In the discretion of the
10 Department, additional proof of financial ability may be
11 required.

12 5. The applicant shall comply with all rules of the
13 Department determining the necessary curriculum and
14 equipment required for the conduct of the school.

15 6. The applicant must demonstrate employment of a
16 sufficient number of qualified teachers who are holders of
17 a current license issued by the Department.

18 7. A final inspection of the barber, cosmetology,
19 esthetics, hair braiding, or nail technology school shall
20 be made by the Department before the school may commence
21 classes.

22 8. A written inspection report must be made by the
23 State Fire Marshal or a local fire authority approving the
24 use of the proposed premises as a barber, cosmetology,
25 esthetics, hair braiding, or nail technology school.

26 (Source: P.A. 104-153, eff. 1-1-26; revised 12-12-25.)

1 (225 ILCS 410/3B-16)

2 (Section scheduled to be repealed on January 1, 2031)

3 Sec. 3B-16. Exceptions for public schools. The Secretary
4 may waive any requirement of this Act or of the rules enacted
5 by the Department pursuant to this Act pertaining to the
6 operation of a barber, cosmetology, esthetics, hair braiding,
7 or nail technology school owned or operated by the Department
8 of Corrections, Federal Bureau of Prisons, or a county jail or
9 county department of corrections and located in a correctional
10 facility to educate inmates that is inconsistent with the
11 mission or operations of the Department of Corrections,
12 Federal Bureau of Prisons, or a county jail or county
13 department of corrections or is detrimental to the safety and
14 security of any correctional facility or for any other reason
15 related to the operation of the facility. The Secretary may
16 waive any requirement of this Act or of the rules enacted by
17 the Department pursuant to this Act pertaining to the
18 operation of a barber, cosmetology, esthetics, hair braiding,
19 or nail technology school owned or operated by a public
20 Secondary School including a high school, a School for a
21 Designated Purpose, or an ~~a~~ Alternative High School under the
22 School Code, and located on the school's property to educate
23 students that is inconsistent with the mission or operations
24 of the public school or is detrimental to the safety and
25 security of the school, or any other reason related to the

1 operation of the school. Nothing in this Section 3B-16 exempts
2 the Department of Corrections, the Federal Bureau of Prisons,
3 a county jail or county department of corrections, or
4 Secondary Schools defined as high schools, Schools for a
5 Designated Purpose, and Alternative High Schools under the
6 School Code from the necessity of licensure.

7 (Source: P.A. 104-153, eff. 1-1-26; revised 12-12-25.)

8 (225 ILCS 410/4-7)

9 (Section scheduled to be repealed on January 1, 2031)

10 Sec. 4-7. Refusal, suspension, and revocation of licenses;
11 causes; disciplinary action.

12 (1) The Department may refuse to issue or renew, and may
13 suspend, revoke, place on probation, reprimand, or take any
14 other disciplinary or non-disciplinary action as the
15 Department may deem proper, including civil penalties not to
16 exceed \$500 for each violation, with regard to any license or
17 registration for any one, or any combination, of the following
18 causes:

19 a. For licensees, conviction of any crime under the
20 laws of the United States or any state or territory
21 thereof that is (i) a felony, (ii) a misdemeanor, an
22 essential element of which is dishonesty, or (iii) a crime
23 which is related to the practice of the profession and,
24 for initial applicants, convictions set forth in Section
25 4-6.1 of this Act.

1 b. Conviction of any of the violations listed in
2 Section 4-20.

3 c. Material misstatement in furnishing information to
4 the Department.

5 d. Making any misrepresentation for the purpose of
6 obtaining a license or violating any provision of this Act
7 or its rules.

8 e. Aiding or assisting another person in violating any
9 provision of this Act or its rules.

10 f. Failing, within 60 days, to provide information in
11 response to a written request made by the Department.

12 g. Discipline by another state, territory, or country
13 if at least one of the grounds for the discipline is the
14 same as or substantially equivalent to those set forth in
15 this Act.

16 h. Practice in the barber, nail technology, esthetics,
17 hair braiding, or cosmetology profession, or an attempt to
18 practice in those professions, by fraudulent
19 misrepresentation.

20 i. Gross malpractice or gross incompetency.

21 j. Continued practice by a person knowingly having an
22 infectious or contagious disease.

23 k. Solicitation of professional services by using
24 false or misleading advertising.

25 l. A finding by the Department that the licensee,
26 after having his or her license placed on probationary

1 status, has violated the terms of probation.

2 m. Directly or indirectly giving to or receiving from
3 any person, firm, corporation, professional service
4 corporation, partnership, limited liability company,
5 professional limited liability company, or association any
6 fee, commission, rebate, or other form of compensation for
7 any professional services not actually or personally
8 rendered.

9 n. Violating any of the provisions of this Act or
10 rules adopted pursuant to this Act.

11 o. Willfully making or filing false records or reports
12 relating to a licensee's practice, including, but not
13 limited to, false records filed with State agencies or
14 departments.

15 p. Habitual or excessive use or addiction to alcohol,
16 narcotics, stimulants, or any other chemical agent or drug
17 that results in the inability to practice with reasonable
18 judgment, skill, or safety.

19 q. Engaging in dishonorable, unethical, or
20 unprofessional conduct of a character likely to deceive,
21 defraud, or harm the public as may be defined by rules of
22 the Department, or violating the rules of professional
23 conduct which may be adopted by the Department.

24 r. Permitting any person to use for any unlawful or
25 fraudulent purpose one's diploma or license or certificate
26 of registration as a cosmetologist, nail technician,

1 esthetician, hair braider, or barber or cosmetology, nail
2 technology, esthetics, hair braiding, or barber teacher or
3 salon or shop or cosmetology clinic teacher or a school or
4 continuing education sponsor.

5 s. Being named as a perpetrator in an indicated report
6 by the Department of Children and Family Services under
7 the Abused and Neglected Child Reporting Act and upon
8 proof by clear and convincing evidence that the licensee
9 has caused a child to be an abused child or neglected child
10 as defined in the Abused and Neglected Child Reporting
11 Act.

12 t. Operating a school, salon, or shop without a valid
13 license or registration.

14 u. Failure to complete required continuing education
15 hours.

16 v. Using any technique, product, or practice intended
17 to affect the living layers of the skin.

18 w. ~~v.~~ Operating, owning, or managing a school, salon,
19 or shop that is cited for sanitary violations by the
20 Department.

21 (2) In rendering an order, the Secretary shall take into
22 consideration the facts and circumstances involving the type
23 of acts or omissions in paragraph (1) of this Section, including,
24 including, but not limited to:

25 (a) the extent to which public confidence in the
26 cosmetology, nail technology, esthetics, hair braiding, or

1 barbering profession was, might have been, or may be
2 injured;

3 (b) the degree of trust and dependence among the
4 involved parties;

5 (c) the character and degree of harm which did result
6 or might have resulted;

7 (d) the intent or mental state of the licensee at the
8 time of the acts or omissions.

9 (3) The Department may reissue the license or registration
10 upon certification by the Board that the disciplined licensee
11 or registrant has complied with all of the terms and
12 conditions set forth in the final order or has been
13 sufficiently rehabilitated to warrant the public trust.

14 (4) The Department shall refuse to issue or renew or
15 suspend without hearing the license or certificate of
16 registration of any person who fails to file a return, or to
17 pay the tax, penalty, or interest shown in a filed return, or
18 to pay any final assessment of tax, penalty, or interest, as
19 required by any tax Act administered by the Illinois
20 Department of Revenue, until such time as the requirements of
21 any such tax Act are satisfied as determined by the Department
22 of Revenue.

23 (5) (Blank).

24 (6) All fines imposed under this Section shall be paid
25 within 60 days after the effective date of the order imposing
26 the fine or in accordance with the terms set forth in the order

1 imposing the fine.

2 (Source: P.A. 104-134, eff. 8-1-25; 104-153, eff. 1-1-26;
3 revised 11-21-25.)

4 Section 640. The Cemetery Oversight Act is amended by
5 changing Section 25-115 as follows:

6 (225 ILCS 411/25-115)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 25-115. Illinois Administrative Procedure Act;
9 application. The Illinois Administrative Procedure Act is
10 expressly adopted and incorporated in this Act as if all of the
11 provisions of that Act were included in this Act, except that
12 the provision of paragraph (d) of Section 10-65 of the
13 Illinois Administrative Procedure Act, which provides that at
14 hearings the licensee has the right to show compliance with
15 all lawful requirements for retention, ~~or~~ continuation, or
16 renewal of the license, is specifically excluded. The
17 Department shall not be required to annually verify email
18 addresses as specified in paragraph (2) ~~(a)~~ of subsection (a)
19 ~~(2)~~ of Section 10-75 of the Illinois Administrative Procedure
20 Act. For the purpose of this Act, the notice required under
21 Section 10-25 of the Illinois Administrative Procedure Act is
22 considered sufficient when mailed to the address of record or
23 emailed to the email address of record.

24 (Source: P.A. 102-20, eff. 6-25-21; revised 6-24-25.)

1 Section 645. The Electrologist Licensing Act is amended by
2 changing Section 40 as follows:

3 (225 ILCS 412/40)

4 (Section scheduled to be repealed on January 1, 2029)

5 Sec. 40. Illinois Administrative Procedure Act. The
6 Illinois Administrative Procedure Act is hereby expressly
7 adopted and incorporated in this Act as if all of the
8 provisions of the Illinois Administrative Procedure Act were
9 ~~where~~ included in this Act, except that the provision of
10 paragraph (d) of Section 10-65 of the Illinois Administrative
11 Procedure Act, which provides that at hearings the licensee
12 has the right to show compliance with all lawful requirements
13 for retention, continuation, or renewal of the license, is
14 specifically excluded. For the purposes of this Act, the
15 notice required under Section 10-25 of the Illinois
16 Administrative Procedure Act is considered to be sufficient
17 when mailed to the licensee's address of record or email
18 address of record.

19 (Source: P.A. 103-309, eff. 1-1-24; revised 6-24-25.)

20 Section 650. The Highway Advertising Control Act of 1971
21 is amended by changing Section 8 as follows:

22 (225 ILCS 440/8) (from Ch. 121, par. 508)

1 Sec. 8. Within 90 days of July 1, 1972, or the owner being
2 notified of a new controlled route subject to this Act being
3 added, each sign, except signs described by Sections 4.01,
4 4.02, and 4.03, must be registered with the Department by the
5 owner of the sign, on forms obtained from the Department.
6 Within 90 days after October 1, 1975 (the effective date of
7 Public Act 79-1009) ~~this amendatory Act of 1975~~, each sign
8 located beyond 660 feet of the right-of-way located outside of
9 urban areas, visible from the main-traveled way of the highway
10 and erected with the purpose of the message being read from
11 such traveled way, must be registered with the Department by
12 the owner of the sign on forms obtained from the Department.
13 The Department shall adopt rules specifying the standards for
14 such registration, which may require reasonable information to
15 be furnished, including, but not limited to, the name of the
16 owner of the land on which the sign is located and a statement
17 that the owner has consented to the erection or maintenance of
18 the sign. Registration must be made of each sign and shall be
19 accompanied by a registration fee of \$5.

20 No sign, except signs described by Sections 4.01, 4.02,
21 and 4.03, may be erected after July 1, 1972 (the effective date
22 of this Act) without first obtaining a permit from the
23 Department. The application for permit shall be on a form
24 provided by the Department and shall contain such information
25 as the Department may reasonably require. Upon receipt of an
26 application and upon payment of the fee required under this

1 Section, the Department then issues a permit to the applicant
2 for the erection of the sign, provided such sign will not
3 violate any provision of this Act. The Department shall have
4 up to 45 days to complete its review and approve the permit
5 application or notify the applicant of any and all
6 deficiencies necessary for the Department's approval. The
7 applicant shall then have 45 days to correct the noted
8 deficiencies, and the Department shall have 30 days from
9 receipt of the notice of corrected deficiencies to make a
10 final determination. If the application for permit has been
11 denied, written notice of the decision shall cite the specific
12 federal law, State law, Illinois Administrative Code section,
13 or Code of Federal Regulations section related to the denial
14 and state in detail why the application was denied. The
15 application fee shall be as follows:

16 (1) for signs of less than 150 square feet, \$50;

17 (2) for signs of at least 150 but less than 300 square
18 feet, \$100; and

19 (3) for signs of 300 or more square feet, \$200.

20 If a permit application is for a sign within an area
21 subject to the Airport Zoning Act, the Department shall notify
22 the applicant in writing that the review process will exceed
23 the timelines set forth in the Section. Notwithstanding, the
24 Department shall complete its own review of the permit
25 application pending approval under the Airport Zoning Act.

26 In determining the appropriateness of issuing a permit for

1 a municipal network sign, the Department shall waive any
2 provision or requirement of this Act or administrative rule
3 adopted under the authority of this Act to the extent that the
4 waiver does not contravene the federal Highway Beautification
5 Act of 1965, 23 U.S.C. 131, and the regulations promulgated
6 under that Act by the Secretary of the United States
7 Department of Transportation. Any municipal network sign
8 applications pending on May 1, 2013 that are not affected by
9 compliance with the federal Highway Beautification Act of 1965
10 shall be issued within 10 days after July 5, 2013 (the
11 effective date of Public Act 98-56) ~~this amendatory Act of the~~
12 ~~98th General Assembly~~. The determination of the balance of
13 pending municipal network sign applications and issuance of
14 approved permits shall be completed within 30 days after July
15 5, 2013 (the effective date of Public Act 98-56) ~~this~~
16 ~~amendatory Act of the 98th General Assembly~~. To the extent
17 that the Secretary of the United States Department of
18 Transportation or any court finds any permit granted pursuant
19 to such a waiver to be inconsistent with or preempted by the
20 federal Highway Beautification Act of 1965, 23 U.S.C. 131, and
21 the regulations promulgated under that Act, that permit shall
22 be void.

23 Upon change of ownership of a sign permit or sign
24 registration, the new owner of the sign permit or sign
25 registration shall notify the Department to confirm the change
26 of ownership and supply the necessary information in writing

1 or on a form provided by the Department to transfer the permit
2 or registration for such sign at no cost within 120 days after
3 the change of ownership. The Department shall acknowledge to
4 the new sign owner, in writing or by electronic communication,
5 the receipt of such request within 14 calendar days after
6 receiving the necessary information and shall complete the
7 transfer and record the transferee as the new owner within 60
8 days after receiving the necessary information. Failure of the
9 new sign owner to submit the necessary information to transfer
10 the name of sign ownership on a sign permit within 120 calendar
11 days may subject the permit to revocation. The Department
12 shall issue a notice to the sign owner of failure to notify and
13 inform the transferee of ownership that the transferee has 30
14 calendar days from receipt of notice to provide the necessary
15 information required for the transfer of ownership.

16 Owners of registered signs shall be issued an identifying
17 tag, which must remain securely affixed to the front face of
18 the sign or sign structure in a conspicuous position by the
19 owner within 60 days after receipt of the tag; owners of signs
20 erected by permit shall be issued an identifying tag which
21 must remain securely affixed to the front face of the sign or
22 sign structure in a conspicuous position by the owner upon
23 completion of the sign erection or within 10 days after
24 receipt of the tag, whichever is ~~the~~ later.

25 When a sign owner intends to upgrade an existing legally
26 ~~legal~~ permitted sign to a multiple message sign with a digital

1 display, the Department shall not require a new sign permit. A
2 permit addendum application requesting authorization for the
3 upgrade shall be made on a form provided by the Department and
4 shall be accompanied by a \$200 fee, which shall not be subject
5 to return upon rejection of the permit addendum application.
6 As part of the permit addendum application, the Department
7 shall not require a new land survey or other documentation
8 that has previously been submitted and approved and is on file
9 for the existing permit of the legally ~~legal~~ permitted sign.
10 Upon receipt of the permit addendum application, the
11 Department shall have up to 30 days to complete its initial
12 review and either approve the addendum to the existing permit
13 or notify the applicant of any and all deficiencies necessary
14 for the Department's approval. The applicant shall have 30
15 days to correct the noted deficiencies, upon which the
16 Department shall have 30 days after receipt of the notice of
17 corrected deficiencies to make a final determination. If the
18 permit application addendum is denied, written notice of the
19 decision shall cite the specific federal law, State law,
20 Illinois Administrative Code section, or Code of Federal
21 Regulations section related to the denial and state in detail
22 why the application was denied. For purposes of this Section,
23 legal nonconforming sign structures are not eligible for this
24 upgrade.

25 A person aggrieved by any action of the Department in
26 denying an application, revoking a permit or registration, or

1 failing to act upon any permit within the designated time
2 limit under this Act or the rules adopted by the Department may
3 appeal such action to the Department. The appeal shall be
4 filed within 30 days after receipt of the notice of denial or
5 revocation or 30 days after the expiration of any deadline for
6 action by the Department. Proceedings for the appeal shall
7 commence within 30 days after the receipt of the appeal
8 request unless the time limit is extended by agreement of the
9 parties or granted by the administrative law judge upon a
10 showing of good cause. If an appeal is filed due to the
11 Department's failure to act upon a permit or other request
12 within the designated time limit, the application or other
13 request for action shall be denied and any other determination
14 shall be adverse to the party seeking a decision under the Act.
15 The record that is reviewed in cases of the Department's
16 failure to act timely shall be limited to the communications
17 between the parties, any documentation submitted or exchanged,
18 and testimony of the parties. The administrative law judge's
19 proposal may (i) remand the decision back to the Department
20 for a decision to be made not inconsistent with the
21 administrative law judge's findings and rulings or (ii)
22 propose a final decision on the action requested.

23 (Source: P.A. 103-471, eff. 8-4-23; 104-199, eff. 8-15-25;
24 revised 10-10-25.)

25 Section 655. The Home Inspector License Act is amended by

1 changing Section 15-10 as follows:

2 (225 ILCS 441/15-10)

3 (Section scheduled to be repealed on January 1, 2027)

4 Sec. 15-10. Grounds for disciplinary action.

5 (a) The Department may refuse to issue or renew, or may
6 revoke, suspend, place on probation, reprimand, or take other
7 disciplinary or non-disciplinary action as the Department may
8 deem appropriate, including imposing fines not to exceed
9 \$25,000 for each violation upon any licensee or applicant
10 under this Act or any person or entity who holds oneself out as
11 an applicant or licensee, for any one or combination of the
12 following:

13 (1) Fraud or misrepresentation in applying for, or
14 procuring a license under this Act or in connection with
15 applying for renewal of a license under this Act.

16 (2) Failing to meet the minimum qualifications for
17 licensure as a home inspector established by this Act.

18 (3) Paying money, other than for the fees provided for
19 by this Act, or anything of value to an employee of the
20 Department to procure licensure under this Act.

21 (4) Conviction of, or plea of guilty or nolo
22 contendere, or finding as enumerated in subsection (c) of
23 Section 5-10, under the laws of any jurisdiction of the
24 United States: (i) that is a felony, misdemeanor, or
25 administrative sanction, or (ii) that is a crime that

1 subjects the licensee to compliance with the requirements
2 of the Sex Offender Registration Act.

3 (5) Committing an act or omission involving
4 dishonesty, fraud, or misrepresentation with the intent to
5 substantially benefit the licensee or another person or
6 with the intent to substantially injure another person.

7 (6) Violating a provision or standard for the
8 development or communication of home inspections as
9 provided in Section 10-5 of this Act or as defined in the
10 rules.

11 (7) Failing or refusing to exercise reasonable
12 diligence in the development, reporting, or communication
13 of a home inspection report, as defined by this Act or the
14 rules.

15 (8) Violating a provision of this Act or the rules.

16 (9) Having been disciplined by another state, the
17 District of Columbia, a territory, a foreign nation, a
18 governmental agency, or any other entity authorized to
19 impose discipline if at least one of the grounds for that
20 discipline is the same as or substantially equivalent to
21 one of the grounds for which a licensee may be disciplined
22 under this Act.

23 (10) Engaging in dishonorable, unethical, or
24 unprofessional conduct of a character likely to deceive,
25 defraud, or harm the public.

26 (11) Accepting an inspection assignment when the

1 employment itself is contingent upon the home inspector
2 reporting a predetermined analysis or opinion, or when the
3 fee to be paid is contingent upon the analysis, opinion,
4 or conclusion reached or upon the consequences resulting
5 from the home inspection assignment.

6 (12) Developing home inspection opinions or
7 conclusions based on the race, color, religion, sex,
8 national origin, ancestry, age, marital status, family
9 status, physical or mental disability, military status,
10 unfavorable discharge from military status, sexual
11 orientation, order of protection status, pregnancy, or any
12 other protected class as defined under the Illinois Human
13 Rights Act, of the prospective or present owners or
14 occupants of the area or property under home inspection.

15 (13) Being adjudicated liable in a civil proceeding on
16 grounds of fraud, misrepresentation, or deceit. In a
17 disciplinary proceeding based upon a finding of civil
18 liability, the home inspector shall be afforded an
19 opportunity to present mitigating and extenuating
20 circumstances, but may not collaterally attack the civil
21 adjudication.

22 (14) Being adjudicated liable in a civil proceeding
23 for violation of a State or federal fair housing law.

24 (15) Engaging in misleading or untruthful advertising
25 or using a trade name or insignia of membership in a home
26 inspection organization of which the licensee is not a

1 member.

2 (16) Failing, within 30 days, to provide information
3 in response to a written request made by the Department.

4 (17) Failing to include within the home inspection
5 report the home inspector's license number and the date of
6 expiration of the license. The names of (i) all persons
7 who conducted the home inspection; and (ii) all persons
8 who prepared the subsequent written evaluation or any part
9 thereof must be disclosed in the report. It is a violation
10 of this Act for a home inspector to sign a home inspection
11 report knowing that the names of all such persons have not
12 been disclosed in the home inspection report.

13 (18) Advising a client as to whether the client should
14 or should not engage in a transaction regarding the
15 residential real property that is the subject of the home
16 inspection.

17 (19) Performing a home inspection in a manner that
18 damages or alters the residential real property that is
19 the subject of the home inspection without the consent of
20 the owner.

21 (20) Performing a home inspection when the home
22 inspector is providing or may also provide other services
23 in connection with the residential real property or
24 transaction, or has an interest in the residential real
25 property, without providing prior written notice of the
26 potential or actual conflict and obtaining the prior

1 consent of the client as provided by rule.

2 (21) Aiding or assisting another person in violating
3 any provision of this Act or rules adopted under this Act.

4 (22) Inability to practice with reasonable judgment,
5 skill, or safety as a result of habitual or excessive use
6 or addiction to alcohol, narcotics, stimulants, or any
7 other chemical agent or drug.

8 (23) A finding by the Department that the licensee,
9 after having the license placed on probationary status,
10 has violated the terms of probation.

11 (24) Willfully making or filing false records or
12 reports related to the practice of home inspection,
13 including, but not limited to, false records filed with
14 State agencies or departments.

15 (25) Charging for professional services not rendered,
16 including filing false statements for the collection of
17 fees for which services are not rendered.

18 (26) Practicing under a false or, except as provided
19 by law, an assumed name.

20 (27) Cheating on or attempting to subvert the
21 licensing examination administered under this Act.

22 (28) Engaging in any of the following prohibited
23 fraudulent, false, deceptive, or misleading advertising
24 practices:

25 (i) advertising as a home inspector or operating a
26 home inspection business entity unless there is a duly

1 licensed home inspector responsible for all inspection
2 activities and all inspections;

3 (ii) advertising that contains a misrepresentation
4 of facts or false statements regarding the licensee's
5 professional achievements, degrees, training, skills,
6 or qualifications in the home inspection profession or
7 any other profession requiring licensure;

8 (iii) advertising that makes only a partial
9 disclosure of relevant facts related to pricing or
10 home inspection services; and

11 (iv) advertising that claims this State or any of
12 its political subdivisions endorse the home inspection
13 report or its contents.

14 (29) Disclosing, except as otherwise required by law,
15 inspection results or client information obtained without
16 the client's written consent. A home inspector shall not
17 deliver a home inspection report to any person other than
18 the client of the home inspector without the client's
19 written consent.

20 (30) Providing fees, gifts, waivers of liability, or
21 other forms of compensation or gratuities to persons
22 licensed under any real estate professional licensing Act
23 ~~act~~ in this State as consideration or inducement for the
24 referral of business.

25 (31) Violating the terms of any order issued by the
26 Department.

1 (b) The Department may suspend, revoke, or refuse to issue
2 or renew an education provider's license, may reprimand, place
3 on probation, or otherwise discipline an education provider
4 licensee, and may suspend or revoke the course approval of any
5 course offered by an education provider, for any of the
6 following:

7 (1) Procuring or attempting to procure licensure by
8 knowingly making a false statement, submitting false
9 information, making any form of fraud or
10 misrepresentation, or refusing to provide complete
11 information in response to a question in an application
12 for licensure.

13 (2) Failing to comply with the covenants certified to
14 on the application for licensure as an education provider.

15 (3) Committing an act or omission involving
16 dishonesty, fraud, or misrepresentation or allowing any
17 such act or omission by any employee or contractor under
18 the control of the education provider.

19 (4) Engaging in misleading or untruthful advertising.

20 (5) Failing to retain competent instructors in
21 accordance with rules adopted under this Act.

22 (6) Failing to meet the topic or time requirements for
23 course approval as the provider of a pre-license
24 curriculum course or a continuing education course.

25 (7) Failing to administer an approved course using the
26 course materials, syllabus, and examinations submitted as

1 the basis of the course approval.

2 (8) Failing to provide an appropriate classroom
3 environment for presentation of courses, with
4 consideration for student comfort, acoustics, lighting,
5 seating, workspace, and visual aid material.

6 (9) Failing to maintain student records in compliance
7 with the rules adopted under this Act.

8 (10) Failing to provide a certificate, transcript, or
9 other student record to the Department or to a student as
10 may be required by rule.

11 (11) Failing to fully cooperate with a Department
12 investigation by knowingly making a false statement,
13 submitting false or misleading information, or refusing to
14 provide complete information in response to written
15 interrogatories or a written request for documentation
16 within 30 days of the request.

17 (c) (Blank).

18 (d) The Department may refuse to issue or may suspend
19 without hearing, as provided for in the Code of Civil
20 Procedure, the license of any person who fails to file a tax
21 return, to pay the tax, penalty, or interest shown in a filed
22 tax return, or to pay any final assessment of tax, penalty, or
23 interest, as required by any tax Act administered by the
24 Illinois Department of Revenue, until such time as the
25 requirements of the tax Act are satisfied in accordance with
26 subsection (g) of Section 2105-15 of the Civil Administrative

1 Code of Illinois.

2 (e) (Blank).

3 (f) In cases where the Department of Healthcare and Family
4 Services has previously determined that a licensee or a
5 potential licensee is more than 30 days delinquent in the
6 payment of child support and has subsequently certified the
7 delinquency to the Department, the Department may refuse to
8 issue or renew or may revoke or suspend that person's license
9 or may take other disciplinary action against that person
10 based solely upon the certification of delinquency made by the
11 Department of Healthcare and Family Services in accordance
12 with item (5) of subsection (a) of Section 2105-15 of the Civil
13 Administrative Code of Illinois.

14 (g) The determination by a circuit court that a licensee
15 is subject to involuntary admission or judicial admission, as
16 provided in the Mental Health and Developmental Disabilities
17 Code, operates as an automatic suspension. The suspension will
18 end only upon a finding by a court that the patient is no
19 longer subject to involuntary admission or judicial admission
20 and the issuance of a court order so finding and discharging
21 the patient.

22 (h) (Blank).

23 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24;
24 revised 6-25-25.)

25 Section 660. The Private Detective, Private Alarm, Private

1 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
2 amended by changing Sections 20-20 and 25-20 as follows:

3 (225 ILCS 447/20-20)

4 (Section scheduled to be repealed on January 1, 2029)

5 Sec. 20-20. Training; private alarm contractor and
6 employees.

7 (a) Registered employees of the private alarm contractor
8 agency who carry a firearm and respond to alarm systems shall
9 complete, within 30 days of their employment, a minimum of 20
10 hours of classroom training provided by a qualified instructor
11 that ~~and~~ shall include all of the following subjects:

12 (1) The law regarding arrest and search and seizure as
13 it applies to the private alarm industry.

14 (2) Civil and criminal liability for acts related to
15 the private alarm industry.

16 (3) The use of force, including, but not limited to,
17 the use of nonlethal force (i.e., disabling spray, baton,
18 stun gun ~~stungun~~, or similar weapon).

19 (4) Arrest and control techniques.

20 (5) The offenses under the Criminal Code of 2012 that
21 are directly related to the protection of persons and
22 property.

23 (6) The law on private alarm forces and on reporting
24 to law enforcement agencies.

25 (7) Fire prevention, fire equipment, and fire safety.

1 (8) Civil rights and public relations.

2 (9) The identification of terrorists, acts of
3 terrorism, and terrorist organizations, as defined by
4 federal and State statutes.

5 Pursuant to directives set forth by the U.S. Department of
6 Homeland Security and the provisions set forth by the National
7 Fire Protection Association in the National Fire Alarm Code
8 and the Life Safety Code, training may include the
9 installation, repair, and maintenance of emergency
10 communication systems and mass notification systems.

11 (b) All other employees of a private alarm contractor
12 agency shall complete a minimum of 20 hours of basic training
13 provided by a qualified instructor within 30 days of their
14 employment. The training may be provided in a classroom or
15 seminar setting or via Internet-based online learning
16 programs. The substance of the training shall be related to
17 the work performed by the registered employee.

18 (c) It is the responsibility of the employer to certify,
19 on forms provided by the Department, that the employee has
20 successfully completed the training. The original form or a
21 copy shall be a permanent record of training completed by the
22 employee and shall be placed in the employee's file with the
23 employer for the term the employee is retained by the
24 employer. A private alarm contractor agency may place a copy
25 of the Department form in lieu of the original into the
26 permanent employee registration card file. The original form

1 or a copy shall be returned to the employee when the employee's
2 employment is terminated. Failure to return the original form
3 or a copy to the employee is grounds for discipline. The
4 employee shall not be required to complete the training
5 required under this Act once the employee has been issued a
6 form.

7 (d) Nothing in this Act prevents any employer from
8 providing or requiring additional training beyond the required
9 20 hours that the employer feels is necessary and appropriate
10 for competent job performance.

11 (e) Any certification of completion of the 20-hour basic
12 training issued under the Private Detective, Private Alarm,
13 Private Security, and Locksmith Act of 1993 or any prior Act
14 shall be accepted as proof of training under this Act.

15 (Source: P.A. 102-152, eff. 1-1-22; 103-309, eff. 1-1-24;
16 revised 6-25-25.)

17 (225 ILCS 447/25-20)

18 (Section scheduled to be repealed on January 1, 2029)

19 Sec. 25-20. Training; private security contractor and
20 employees.

21 (a) Registered employees of the private security
22 contractor agency who provide traditional guarding or other
23 private security related functions or who respond to alarm
24 systems shall complete, within 30 days of their employment, a
25 minimum of 20 hours of basic training, which may be provided in

1 a classroom or seminar setting or via Internet-based online
2 learning programs, ~~and~~ shall be provided by a qualified
3 instructor, and ~~which~~ shall include the following subjects:

4 (1) The law regarding arrest and search and seizure as
5 it applies to private security.

6 (2) Civil and criminal liability for acts related to
7 private security.

8 (3) The use of force, including, but not limited to,
9 the use of nonlethal force (i.e., disabling spray, baton,
10 stun gun ~~stungun~~, taser, or similar weapon).

11 (4) Verbal communication skills.

12 (5) The offenses under the Criminal Code of 2012 that
13 are directly related to the protection of persons and
14 property.

15 (6) Private security officers and the criminal justice
16 system.

17 (7) Fire prevention, fire equipment, and fire safety.

18 (8) Report writing and observation techniques.

19 (9) Customer service, civil rights, and public
20 relations.

21 (10) The identification of terrorists, acts of
22 terrorism, and terrorist organizations, as defined by
23 federal and State statutes.

24 (b) All other employees of a private security contractor
25 agency shall complete a minimum of 20 hours of basic training
26 provided by the qualified instructor within 30 days of their

1 employment. The training may be provided in a classroom or
2 seminar setting or via Internet-based online learning
3 programs. The substance of the training shall be related to
4 the work performed by the registered employee.

5 (c) Registered employees of the private security
6 contractor agency who provide guarding or other private
7 security related functions, in addition to the basic training
8 required under subsection (a), within 6 months of their
9 employment, shall complete an additional 8 hours of training
10 on subjects to be determined by the employer, which training
11 may be site-specific and may be conducted on the job. The
12 training may be provided in a classroom or seminar setting or
13 via Internet-based online learning programs.

14 (d) In addition to the basic training provided for in
15 subsections (a) and (c), registered employees of the private
16 security contractor agency who provide guarding or other
17 private security related functions shall complete an
18 additional 8 hours of refresher training on subjects to be
19 determined by the employer each calendar year commencing with
20 the calendar year following the employee's first employment
21 anniversary date, which refresher training may be
22 site-specific and may be conducted on the job.

23 (e) It is the responsibility of the employer to certify,
24 on a form provided by the Department, that the employee has
25 successfully completed the basic and refresher training. The
26 original form or a copy shall be a permanent record of training

1 completed by the employee and shall be placed in the
2 employee's file with the employer for the period the employee
3 remains with the employer. The original form or a copy shall be
4 given to the employee when the employee's employment is
5 terminated. Failure to return the original form or a copy to
6 the employee is grounds for disciplinary action. The employee
7 shall not be required to repeat the required training once the
8 employee has been issued the form. An employer may provide or
9 require additional training.

10 (f) (Blank).

11 (g) All private security contractors shall complete a
12 minimum of 4 hours of annual training on a topic of their
13 choosing, provided that the subject matter of the training is
14 reasonably related to their private security contractor
15 practice. The training may be provided in a classroom setting
16 or seminar setting or via Internet-based online learning
17 programs. The Department shall adopt rules to administer this
18 subsection.

19 (h) It shall be the responsibility of the private security
20 contractor to keep and maintain a personal log of all training
21 hours earned along with sufficient documentation necessary for
22 the Department to verify the annual training completed for at
23 least 5 years. The personal training log and documentation
24 shall be provided to the Department in the same manner as other
25 documentation and records required under this Act.

26 (i) If the private security contractor owns or is employed

1 by a private security contractor agency, the private security
2 contractor agency shall maintain a record of the annual
3 training. The private security contractor agency must make the
4 record of annual training available to the Department upon
5 request.

6 (j) Recognizing the diverse professional practices of
7 private security contractors licensed under this Act, it is
8 the intent of the training requirements in this Section to
9 allow for a broad interpretation of the coursework, seminar
10 subjects, or class topics to be considered reasonably related
11 to the practice of any profession licensed under this Act.

12 (k) Notwithstanding any other professional license a
13 private security contractor holds under this Act, no more than
14 4 hours of annual training shall be required for any one year.

15 (l) The annual training requirements for private security
16 contractors shall not apply until the calendar year following
17 the issuance of the private security contractor license.

18 (Source: P.A. 102-152, eff. 1-1-22; 103-309, eff. 1-1-24;
19 revised 6-24-25.)

20 Section 665. The Real Estate License Act of 2000 is
21 amended by changing Sections 5-50 and 10-25 as follows:

22 (225 ILCS 454/5-50)

23 (Section scheduled to be repealed on January 1, 2030)

24 Sec. 5-50. Expiration and renewal of managing broker,

1 broker, or residential leasing agent license; sponsoring
2 broker; register of licensees.

3 (a) The expiration date and renewal period for each
4 license issued under this Act shall be set by rule. Except as
5 otherwise provided in this Section, the holder of a license
6 may renew the license within 90 days preceding the expiration
7 date thereof by completing the continuing education required
8 by this Act and paying the fees specified by rule.

9 (b) An individual whose first license is that of a broker
10 received on or after August 9, 2019 (the effective date of
11 Public Act 101-357) ~~this amendatory Act of the 101st General~~
12 ~~Assembly~~, must provide evidence of having completed 45 hours
13 of post-license education presented in a classroom or a live,
14 interactive webinar, or an online distance education course,
15 and which shall require passage of a final examination.

16 The Board may recommend, and the Department shall approve,
17 45 hours of post-license education, consisting of 3 ~~three~~
18 15-hour post-license courses, one each that covers applied
19 brokerage principles, risk management/discipline, and
20 transactional issues. Each of the courses shall require its
21 own 50-question final examination, which shall be administered
22 by the education provider that delivers the course.

23 Individuals whose first license is that of a broker
24 received on or after August 9, 2019 (the effective date of
25 Public Act 101-357) ~~this amendatory Act of the 101st General~~
26 ~~Assembly~~, must complete all 3 ~~three~~ 15-hour courses and

1 successfully pass a course final examination for each course
2 prior to the date of the next broker renewal deadline, except
3 for those individuals who receive their first license within
4 the 180 days preceding the next broker renewal deadline, who
5 must complete all 3 ~~three~~ 15-hour courses and successfully
6 pass a course final examination for each course prior to the
7 second broker renewal deadline that follows the receipt of
8 their license.

9 (c) Any managing broker, broker, or residential leasing
10 agent whose license under this Act has expired shall be
11 eligible to renew the license during the 2-year period
12 following the expiration date, provided the managing broker,
13 broker, or residential leasing agent pays the fees as
14 prescribed by rule and completes continuing education and
15 other requirements provided for by this ~~the~~ Act or by rule. A
16 managing broker, broker, or residential leasing agent whose
17 license has been expired for more than 2 years but less than 5
18 years may have it restored by (i) applying to the Department,
19 (ii) paying the required fee, (iii) completing the continuing
20 education requirements for the most recent term of licensure
21 that ended prior to the date of the application for
22 reinstatement, and (iv) filing acceptable proof of fitness to
23 have the license restored, as set by rule. A managing broker,
24 broker, or residential leasing agent whose license has been
25 expired for more than 5 years shall be required to meet the
26 requirements for a new license.

1 (d) Notwithstanding any other provisions of this Act to
2 the contrary, any managing broker, broker, or residential
3 leasing agent whose license expired while the licensee was (i)
4 on active duty with the Armed Forces of the United States or
5 called into service or training by the state militia, (ii)
6 engaged in training or education under the supervision of the
7 United States preliminary to induction into military service,
8 or (iii) serving as the Coordinator of Real Estate in the State
9 of Illinois or as an employee of the Department may have the
10 license renewed, reinstated, or restored without paying any
11 lapsed renewal fees, and without completing the continuing
12 education requirements for that licensure period if, within 2
13 years after the termination of the service, training, or
14 education, the licensee furnishes the Department with
15 satisfactory evidence of service, training, or education and
16 termination under honorable conditions.

17 (e) Each licensee shall carry on one's person the license
18 or an electronic version thereof.

19 (f) The Department shall provide to the sponsoring broker
20 a notice of renewal for all sponsored licensees by mailing the
21 notice to the sponsoring broker's address of record, or, at
22 the Department's discretion, emailing the notice to the
23 sponsoring broker's email address of record.

24 (g) Upon request from the sponsoring broker, the
25 Department shall make available to the sponsoring broker, by
26 electronic means at the discretion of the Department, a

1 listing of licensees under this Act who, according to the
2 records of the Department, are sponsored by that broker. Every
3 licensee associated with or employed by a broker whose license
4 is revoked, suspended, or expired shall be considered inactive
5 until such time as the sponsoring broker's license is
6 reinstated or renewed, or a new valid sponsorship is
7 registered with the Department as set forth in subsection (b)
8 of Section 5-40 of this Act.

9 (h) The Department shall not issue or renew a license if
10 the applicant or licensee has an unpaid fine or fee from a
11 disciplinary matter or from a non-disciplinary action imposed
12 by the Department until the fine or fee is paid to the
13 Department or the applicant or licensee has entered into a
14 payment plan and is current on the required payments.

15 (i) The Department shall not issue or renew a license if
16 the applicant or licensee has an unpaid fine or civil penalty
17 imposed by the Department for unlicensed practice until the
18 fine or civil penalty is paid to the Department or the
19 applicant or licensee has entered into a payment plan and is
20 current on the required payments.

21 (Source: P.A. 102-970, eff. 5-27-22; 103-236, eff. 1-1-24;
22 revised 6-24-25.)

23 (225 ILCS 454/10-25)

24 (Section scheduled to be repealed on January 1, 2030)

25 Sec. 10-25. Expiration of brokerage agreement. No licensee

1 shall obtain any written brokerage agreement that does not
2 ~~either~~ provide for automatic expiration within a definite
3 period of time, and, if longer than one year, provide the
4 client with a right to terminate the agreement annually by
5 giving no more than 30 days' prior written notice. Any written
6 brokerage agreement not containing such a provision shall be
7 void. When the license of any sponsoring broker is suspended
8 or revoked, any brokerage agreement with the sponsoring broker
9 shall be deemed to expire upon the effective date of the
10 suspension or revocation.

11 (Source: P.A. 103-236, eff. 1-1-24; revised 6-25-25.)

12 Section 670. The Real Estate Appraiser Licensing Act of
13 2002 is amended by changing Sections 15-10 and 15-15 as
14 follows:

15 (225 ILCS 458/15-10)

16 (Section scheduled to be repealed on January 1, 2027)

17 Sec. 15-10. Grounds for disciplinary action.

18 (a) The Department may suspend, revoke, refuse to issue,
19 renew, or restore a license and may reprimand, place on
20 probation or administrative supervision, or take any
21 disciplinary or non-disciplinary action, including imposing
22 conditions limiting the scope, nature, or extent of the real
23 estate appraisal practice of a licensee or reducing the
24 appraisal rank of a licensee, and may impose an administrative

1 fine not to exceed \$25,000 for each violation upon a licensee
2 or applicant under this Act or any person who holds oneself out
3 as an applicant or licensee for any one or combination of the
4 following:

5 (1) Procuring or attempting to procure a license by
6 knowingly making a false statement, submitting false
7 information, engaging in any form of fraud or
8 misrepresentation, or refusing to provide complete
9 information in response to a question in an application
10 for licensure.

11 (2) Failing to meet the minimum qualifications for
12 licensure as an appraiser established by this Act.

13 (3) Paying money, other than for the fees provided for
14 by this Act, or anything of value to a member or employee
15 of the Board or the Department to procure licensure under
16 this Act.

17 (4) Conviction of, or plea of guilty or nolo
18 contendere, as enumerated in subsection (e) of Section
19 5-22, under the laws of any jurisdiction of the United
20 States to: (i) ~~that is~~ a felony, misdemeanor, or
21 administrative sanction or (ii) ~~that is~~ a crime that
22 subjects the licensee to compliance with the requirements
23 of the Sex Offender Registration Act.

24 (5) Committing an act or omission involving
25 dishonesty, fraud, or misrepresentation with the intent to
26 substantially benefit the licensee or another person or

1 with intent to substantially injure another person as
2 defined by rule.

3 (6) Violating a provision or standard for the
4 development or communication of real estate appraisals as
5 provided in Section 10-10 of this Act or as defined by
6 rule.

7 (7) Failing or refusing without good cause to exercise
8 reasonable diligence in developing, reporting, or
9 communicating an appraisal, as defined by this Act or by
10 rule.

11 (8) Violating a provision of this Act or the rules
12 adopted pursuant to this Act.

13 (9) Having been disciplined by another state, the
14 District of Columbia, a territory, a foreign nation, a
15 governmental agency, or any other entity authorized to
16 impose discipline if at least one of the grounds for that
17 discipline is the same as or the equivalent of one of the
18 grounds for which a licensee may be disciplined under this
19 Act.

20 (10) Engaging in dishonorable, unethical, or
21 unprofessional conduct of a character likely to deceive,
22 defraud, or harm the public.

23 (11) Accepting an appraisal assignment when the
24 employment itself is contingent upon the appraiser
25 reporting a predetermined estimate, analysis, or opinion
26 or when the fee to be paid is contingent upon the opinion,

1 conclusion, or valuation reached or upon the consequences
2 resulting from the appraisal assignment.

3 (12) Developing valuation conclusions based on the
4 race, color, religion, sex, national origin, ancestry,
5 age, marital status, family status, physical or mental
6 disability, sexual orientation, pregnancy, order of
7 protection status, military status, unfavorable military
8 discharge, source of income, or any other protected class,
9 as defined under the Illinois Human Rights Act, of the
10 prospective or present owners or occupants of the area or
11 property under appraisal.

12 (13) Violating the confidential nature of government
13 records to which the licensee gained access through
14 employment or engagement as an appraiser by a government
15 agency.

16 (14) Being adjudicated liable in a civil proceeding on
17 grounds of fraud, misrepresentation, or deceit. In a
18 disciplinary proceeding based upon a finding of civil
19 liability, the appraiser shall be afforded an opportunity
20 to present mitigating and extenuating circumstances, but
21 may not collaterally attack the civil adjudication.

22 (15) Being adjudicated liable in a civil proceeding
23 for violation of a state or federal fair housing law.

24 (16) Engaging in misleading or untruthful advertising
25 or using a trade name or insignia of membership in a real
26 estate appraisal or real estate organization of which the

1 licensee is not a member.

2 (17) Failing to fully cooperate with a Department
3 investigation by knowingly making a false statement,
4 submitting false or misleading information, or refusing to
5 provide complete information in response to written
6 interrogatories or a written request for documentation
7 within 30 days of the request.

8 (18) Failing to include within the certificate of
9 appraisal for all written appraisal reports the
10 appraiser's license number and licensure title. All
11 appraisers providing significant contribution to the
12 development and reporting of an appraisal must be
13 disclosed in the appraisal report. It is a violation of
14 this Act for an appraiser to sign a report, transmittal
15 letter, or appraisal certification knowing that a person
16 providing a significant contribution to the report has not
17 been disclosed in the appraisal report.

18 (19) Violating the terms of a disciplinary order or
19 Consent ~~consent~~ to Administrative Supervision
20 ~~administrative supervision~~ order.

21 (20) Habitual or excessive use or addiction to
22 alcohol, narcotics, stimulants, or any other chemical
23 agent or drug that results in a licensee's inability to
24 practice with reasonable judgment, skill, or safety.

25 (21) A physical or mental illness or disability which
26 results in the inability to practice under this Act with

1 reasonable judgment, skill, or safety.

2 (22) Gross negligence in developing an appraisal or in
3 communicating an appraisal or failing to observe one or
4 more of the Uniform Standards of Professional Appraisal
5 Practice.

6 (23) A pattern of practice or other behavior that
7 demonstrates incapacity or incompetence to practice under
8 this Act.

9 (24) Using or attempting to use the seal, certificate,
10 or license of another as one's own; falsely impersonating
11 any duly licensed appraiser; using or attempting to use an
12 inactive, expired, suspended, or revoked license; or
13 aiding or abetting any of the foregoing.

14 (25) Solicitation of professional services by using
15 false, misleading, or deceptive advertising.

16 (26) Making a material misstatement in furnishing
17 information to the Department.

18 (27) Failure to furnish information to the Department
19 upon written request.

20 (b) The Department may reprimand suspend, revoke, or
21 refuse to issue or renew an education provider's license, may
22 reprimand, place on probation, or otherwise discipline an
23 education provider, and may suspend or revoke the course
24 approval of any course offered by an education provider and
25 may impose an administrative fine not to exceed \$25,000 upon
26 an education provider, for any of the following:

1 (1) Procuring or attempting to procure licensure by
2 knowingly making a false statement, submitting false
3 information, engaging in any form of fraud or
4 misrepresentation, or refusing to provide complete
5 information in response to a question in an application
6 for licensure.

7 (2) Failing to comply with the covenants certified to
8 on the application for licensure as an education provider.

9 (3) Committing an act or omission involving
10 dishonesty, fraud, or misrepresentation or allowing any
11 such act or omission by any employee or contractor under
12 the control of the provider.

13 (4) Engaging in misleading or untruthful advertising.

14 (5) Failing to retain competent instructors in
15 accordance with rules adopted under this Act.

16 (6) Failing to meet the topic or time requirements for
17 course approval as the provider of a qualifying curriculum
18 course or a continuing education course.

19 (7) Failing to administer an approved course using the
20 course materials, syllabus, and examinations submitted as
21 the basis of the course approval.

22 (8) Failing to provide an appropriate classroom
23 environment for presentation of courses, with
24 consideration for student comfort, acoustics, lighting,
25 seating, workspace, and visual aid material.

26 (9) Failing to maintain student records in compliance

1 with the rules adopted under this Act.

2 (10) Failing to provide a certificate, transcript, or
3 other student record to the Department or to a student as
4 may be required by rule.

5 (11) Failing to fully cooperate with an investigation
6 by the Department by knowingly making a false statement,
7 submitting false or misleading information, or refusing to
8 provide complete information in response to written
9 interrogatories or a written request for documentation
10 within 30 days of the request.

11 (c) In appropriate cases, the Department may resolve a
12 complaint against a licensee through the issuance of a Consent
13 to Administrative Supervision order. A licensee subject to a
14 Consent to Administrative Supervision order shall be
15 considered by the Department as an active licensee in good
16 standing. This order shall not be reported or considered by
17 the Department to be a discipline of the licensee. The records
18 regarding an investigation and a Consent to Administrative
19 Supervision order shall be considered confidential and shall
20 not be released by the Department except as mandated by law.

21 (Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24;
22 revised 6-24-25.)

23 (225 ILCS 458/15-15)

24 (Section scheduled to be repealed on January 1, 2027)

25 Sec. 15-15. Investigation; notice; hearing.

1 (a) Upon the motion of the Department or the Board or upon
2 a complaint in writing of a person setting forth facts that, if
3 proven, would constitute grounds for suspension, revocation,
4 or other disciplinary action, the Department shall investigate
5 the actions or qualifications of any person who is a licensee,
6 applicant for licensure, unlicensed person, person rendering
7 or offering to render appraisal services, or person holding or
8 claiming to hold a license under this Act. If, upon
9 investigation, the Department believes that there may be cause
10 for suspension, revocation, or other disciplinary action, the
11 Department shall use the services of a State certified general
12 real estate appraiser, a State certified residential real
13 estate appraiser, or the Coordinator to assist in determining
14 whether grounds for disciplinary action exist prior to
15 commencing formal disciplinary proceedings.

16 (b) Formal disciplinary proceedings shall commence upon
17 the issuance of a written complaint describing the charges
18 that are the basis of the disciplinary action and delivery of
19 the detailed complaint to the address of record of the person
20 charged. For an associate real estate trainee appraiser, a
21 copy shall also be sent to the licensee's supervising
22 appraiser of record. The Department shall notify the person to
23 file a verified written answer within 20 days after the
24 service of the notice and complaint. The notification shall
25 inform the person of the right to be heard in person or by
26 legal counsel; that the hearing will be afforded not sooner

1 than 20 days after service of the complaint; that failure to
2 file an answer will result in a default being entered against
3 the person; that the license may be suspended, revoked, or
4 placed on probationary status; and that other disciplinary
5 action may be taken pursuant to this Act, including limiting
6 the scope, nature, or extent of the licensee's practice. If
7 the person fails to file an answer after service of notice, the
8 respective license may, at the discretion of the Department,
9 be suspended, revoked, or placed on probationary status and
10 the Department may take whatever disciplinary action it deems
11 proper, including limiting the scope, nature, or extent of the
12 person's practice, without a hearing.

13 (c) At the time and place fixed in the notice, the Board
14 shall conduct a hearing of the charges, providing both the
15 person charged and the complainant ample opportunity to
16 present in person or by counsel such statements, testimony,
17 evidence, and argument as may be pertinent to the charges or to
18 a defense thereto.

19 (d) The Board shall present to the Secretary a written
20 report of its findings of fact and recommendations. A copy of
21 the report shall be served upon the person either by mail or,
22 at the discretion of the Department, by electronic means. For
23 associate real estate trainee appraisers, a copy shall also be
24 sent to the licensee's supervising appraiser of record. Within
25 20 days after the service, the person may present the
26 Secretary with a motion in writing for a rehearing and shall

1 specify the particular grounds for the request. If the person
2 orders a transcript of the record as provided in this Act, the
3 time elapsing thereafter and before the transcript is ready
4 for delivery to the person shall not be counted as part of the
5 20 days. If the Secretary is not satisfied that substantial
6 justice has been done, the Secretary may order a rehearing by
7 the Board or other special committee appointed by the
8 Secretary, may remand the matter to the Board for its
9 reconsideration of the matter based on the pleadings and
10 evidence presented to the Board, or may enter a final order in
11 contravention of the Board's recommendation. Notwithstanding a
12 person's failure to file a motion for rehearing, the Secretary
13 shall have the right to take any of the actions specified in
14 this subsection (d). Upon the suspension or revocation of a
15 license, the licensee shall be required to surrender the
16 respective license to the Department, and upon failure or
17 refusal to do so, the Department shall have the right to seize
18 the license.

19 (e) The Department has the power to issue subpoenas and
20 subpoenas duces tecum to bring before it any person in this
21 State, to take testimony, or to require production of any
22 records relevant to an inquiry or hearing by the Board in the
23 same manner as prescribed by law in judicial proceedings in
24 the courts of this State. In a case of refusal of a witness to
25 attend, testify, or to produce books or papers concerning a
26 matter upon which the witness might be lawfully examined, the

1 circuit court of the county where the hearing is held, upon
2 application of the Department or any party to the proceeding,
3 may compel obedience by proceedings as for contempt.

4 (f) Any license that is revoked may not be restored for a
5 minimum period of 3 years.

6 (g) In addition to the provisions of this Section
7 concerning the conduct of hearings and the recommendations for
8 discipline, the Department has the authority to negotiate
9 disciplinary and non-disciplinary settlement agreements
10 concerning any license issued under this Act. All such
11 agreements shall be recorded as Consent Orders or Consent to
12 Administrative Supervision Orders.

13 (h) The Secretary shall have the authority to appoint an
14 attorney duly licensed to practice law in the State of
15 Illinois to serve as the hearing officer in any action to
16 suspend, revoke, or otherwise discipline any license issued by
17 the Department. The hearing officer ~~Hearing Officer~~ shall have
18 full authority to conduct the hearing.

19 (i) The Department, at its expense, shall preserve a
20 record of all formal hearings of any contested case involving
21 the discipline of a license. At all hearings or pre-hearing
22 conferences, the Department and the licensee shall be entitled
23 to have the proceedings transcribed by a certified shorthand
24 reporter. A copy of the transcribed proceedings shall be made
25 available to the licensee by the certified shorthand reporter
26 upon payment of the prevailing contract copy rate.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22;
103-236, eff. 1-1-24; revised 6-24-25.)

Section 675. The Appraisal Management Company Registration
Act is amended by changing Section 65 as follows:

(225 ILCS 459/65)

Sec. 65. Disciplinary actions.

(a) The Department may refuse to issue or renew, or may
revoke, suspend, place on probation, reprimand, or take other
disciplinary or non-disciplinary action as the Department may
deem appropriate, including imposing fines not to exceed
\$25,000 for each violation upon any registrant or applicant
under this Act or entity who holds oneself or itself out as an
applicant or registrant, for any one or combination of the
following:

(1) Material misstatement in furnishing information to
the Department.

(2) Violations of this Act or of the rules adopted
under this Act.

(3) Conviction of or entry of a plea of guilty or nolo
contendere to any crime that is a felony under the laws of
the United States or any state or territory thereof or
that is a misdemeanor of which an essential element is
dishonesty, or any crime that is directly related to the
practice of the profession.

1 (4) Making any misrepresentation for the purpose of
2 obtaining registration or violating any provision of this
3 Act or the rules adopted under this Act pertaining to
4 advertising.

5 (5) Professional incompetence.

6 (6) Gross malpractice.

7 (7) Aiding or assisting another person in violating
8 any provision of this Act or rules adopted under this Act.

9 (8) Failing, within 30 days after requested, to
10 provide information in response to a written request made
11 by the Department.

12 (9) Engaging in dishonorable, unethical, or
13 unprofessional conduct of a character likely to deceive,
14 defraud, or harm the public.

15 (10) Discipline by another state, the District of
16 Columbia, a territory, or a foreign nation, if at least
17 one of the grounds for the discipline is the same or
18 substantially equivalent to those set forth in this
19 Section.

20 (11) A finding by the Department that the registrant,
21 after having the registrant's registration placed on
22 probationary status, has violated the terms of probation.

23 (12) Willfully making or filing false records or
24 reports in the registrant's practice, including, but not
25 limited to, false records filed with State agencies or
26 departments.

1 (13) Filing false statements for collection of fees
2 for which services are not rendered.

3 (14) Practicing under a false or, except as provided
4 by law, an assumed name.

5 (15) Fraud or misrepresentation in applying for, or
6 procuring, a registration under this Act or in connection
7 with applying for renewal of a registration under this
8 Act.

9 (16) Being adjudicated liable in a civil proceeding
10 for violation of a state or federal fair housing law.

11 (17) Failure to obtain or maintain the bond required
12 under Section 50 of this Act.

13 (18) Failure to pay appraiser panel fees or appraisal
14 management company national registry fees.

15 (19) Violating the terms of any order issued by the
16 Department.

17 (b) The Department may refuse to issue or may suspend
18 without hearing as provided for in the Civil Administrative
19 Code of Illinois the registration of any person who fails to
20 file a return, or to pay the tax, penalty, or interest shown in
21 a filed return, or to pay any final assessment of the tax,
22 penalty, or interest as required by any tax Act administered
23 by the Illinois Department of Revenue, until such time as the
24 requirements of any such tax Act are satisfied.

25 (c) An appraisal management company shall not be
26 registered or included on the national registry if the

1 company, in whole or in part, directly or indirectly, is owned
2 by a person who has had an appraiser license or certificate
3 refused, denied, canceled, surrendered in lieu of revocation,
4 or revoked under the Real Estate Appraiser Licensing Act of
5 2002 or the rules adopted under that Act, or similar
6 discipline by another state, the District of Columbia, a
7 territory, a foreign nation, a governmental agency, or an
8 entity authorized to impose discipline if at least one of the
9 grounds for that discipline is the same as or the equivalent of
10 one of the grounds for which a licensee may be disciplined as
11 set forth under this Section.

12 (Source: P.A. 103-236, eff. 1-1-24; revised 6-24-25.)

13 Section 680. The Private Employment Agency Act is amended
14 by changing Sections 1.5 and 10 as follows:

15 (225 ILCS 515/1.5)

16 Sec. 1.5. Application for license; application fees;
17 disclosure of fees, charges, and commissions; investigation of
18 applicants; renewal of license; changes in structure and
19 management of licensees.

20 (a) The applicant for a license shall furnish to the
21 Department the following:

22 (1) An affidavit stating that he has never been a
23 party to any fraud, has no jail or prison record, belongs
24 to no subversive societies, is of good moral character,

1 has business integrity, and is financially responsible. In
2 determining moral character and qualification for
3 licensing, the Department may take into consideration any
4 criminal conviction of the applicant, but such a
5 conviction shall not operate as a bar to licensing.

6 (2) A completed application, on a form provided by the
7 Department, that includes the name of the person,
8 corporation, or other entity applying for the license; the
9 location at which the person intends to conduct business;
10 the type of employment services provided; and a disclosure
11 of any other pecuniary interests held by the entity
12 applying for the license.

13 (3) An application fee. The Director shall adopt rules
14 to establish a schedule of fees for application for a
15 license. The application fee is nonrefundable.

16 (4) A schedule of fees, charges, and commissions,
17 which the employment agency intends to charge and collect
18 for its services, together with a copy of all forms and
19 contracts that the agency intends to be used in the
20 operation of the agency. Such schedule of fees, charges,
21 and commissions may thereafter be changed by filing with
22 the Department an amended or supplemental schedule showing
23 such changes at least 15 days before such change is to
24 become effective. Any change in forms or contracts must be
25 filed with the Department of Labor at least 15 days before
26 such change is going to become effective. Such schedule of

1 fees to be charged shall be posted in a conspicuous place
2 in each room of such an agency where applicants are
3 interviewed, in not less than 30 point bold-faced type.
4 Agencies which deal exclusively with employer-paid
5 ~~employer-paid~~ fees shall not be required to post said
6 schedule of fees. The Department may by rule require
7 contracts to contain definitions of terms used in such
8 contracts to eliminate ambiguity.

9 It shall be unlawful for any employment agency to charge,
10 collect, or receive a greater compensation for any service
11 performed by it than is specified in the schedule filed with
12 the Department. It shall be unlawful for any employment agency
13 to collect or attempt to collect any compensation for any
14 service not specified in the schedule of fees filed with the
15 Department.

16 (b) Upon the filing of such application and supporting
17 documentation, the Department shall cause an investigation to
18 be made as to the character and the business integrity and
19 financial responsibility of the applicant and those mentioned
20 in the application. The application shall be rejected if the
21 Department finds that any of the persons named in the
22 application fail to demonstrate good moral character, business
23 integrity and financial responsibility, or if there is any
24 good and sufficient reason within the meaning and purpose of
25 this Act for rejecting such application. Unless the
26 application shall be rejected for one or more of the causes

1 specified above, it shall be granted. A detailed report of
2 such investigation and the action taken thereon shall be made
3 in writing, signed by the investigator, and become a part of
4 the official records of the Department. When, at the time of
5 filing the application, the applicant or any person mentioned
6 in the application is employed as an employment counselor by a
7 licensed employment agency in this State, the Department shall
8 notify the agency of this fact.

9 (c) Once issued, a license may be renewed annually by
10 furnishing the Department the required application fee, a
11 letter from a surety stating that a sufficient bond is in
12 force, and other documents necessary to complete the renewal.
13 Failure to renew a license at its expiration date shall cause
14 the license to lapse and it may only be reinstated by a new
15 application.

16 (d) No license shall be transferable ~~transferrable~~, but a
17 licensee may, with the approval of the Department, make
18 changes in the structure of the business entity operating the
19 agency, but no licensee shall permit any person not mentioned
20 in the original application for a license to become a partner
21 if such agency is a partnership, or an officer of the
22 corporation if such agency is a corporation, unless the
23 written consent of the Department of Labor shall first be
24 obtained. Such consent may be withheld for any reason for
25 which an original application might have been rejected, if the
26 person in question had been mentioned therein. No such change

1 shall be permitted until the written consent of the surety or
2 sureties on the bond required to be filed by Section 2 of this
3 Act, to such change, is filed with the original bond. The
4 Department shall be notified immediately of any change in the
5 management of the agency so that at all times the identity of
6 the person charged with the general management of the agency
7 shall be known by the Department. A licensee may promote
8 persons within its agency or change the titles and duties of
9 existing agency personnel, other than the general manager,
10 without notice to the Department.

11 (Source: P.A. 99-422, eff. 1-1-16; 100-278, eff. 8-22-17;
12 revised 6-24-25.)

13 (225 ILCS 515/10) (from Ch. 111, par. 910)

14 Sec. 10. Licensee prohibitions. No licensee shall send or
15 cause to be sent any female help or servants, inmate, or
16 performer to enter any questionable place, or place of bad
17 repute, house of ill-fame, or assignation house, or to any
18 house or place of amusement kept for immoral purposes, or
19 place resorted to for the purpose of prostitution or gambling
20 house, the character of which licensee knows either actually
21 or by reputation.

22 No licensee shall permit questionable characters, persons
23 engaged in the sex trade, gamblers, intoxicated persons, or
24 procurers to frequent the agency.

25 No licensee shall accept any application for employment

1 made by or on behalf of any child, or shall place or assist in
2 placing any such child in any employment whatever, in
3 violation of the Child Labor Law of 2024. A violation of any
4 provision of this Section shall be a Class A misdemeanor.

5 No licensee shall publish or cause to be published any
6 fraudulent or misleading notice or advertisement of its
7 employment agencies by means of cards, circulars, or signs, or
8 in newspapers or other publications; and all letterheads,
9 receipts, and blanks shall contain the full name and address
10 of the employment agency and licensee shall state in all
11 notices and advertisements the fact that licensee is, or
12 conducts, a private employment agency.

13 No licensee shall print, publish, or paint on any sign or
14 window, or insert in any newspaper or publication, a name
15 similar to that of the Illinois Public Employment Office.

16 No licensee shall print or stamp on any receipt or on any
17 contract used by that agency any part of this Act, unless the
18 entire Section from which that part is taken is printed or
19 stamped thereon.

20 All written communications sent out by any licensee,
21 directly or indirectly, to any person or firm with regard to
22 employees or employment shall contain therein definite
23 information that such person is a private employment agency.

24 No licensee or his or her employees shall knowingly give
25 any false or misleading information, or make any false or
26 misleading promise to any applicant who shall apply for

1 employment or employees.

2 (Source: P.A. 103-721, eff. 1-1-25; 103-1071, eff. 7-1-25;
3 revised 6-11-25.)

4 Section 685. The Animal Welfare Act is amended by changing
5 Section 3.15 as follows:

6 (225 ILCS 605/3.15)

7 Sec. 3.15. Disclosures for dogs and cats being sold by pet
8 shops.

9 (a) Prior to the time of sale, every pet shop operator
10 must, to the best of his or her knowledge, provide to the
11 consumer the following information on any dog or cat being
12 offered for sale:

13 (1) The retail price of the dog or cat, including any
14 additional fees or charges.

15 (2) The breed or breeds, if known, age, date of birth,
16 sex, and color of the dog or cat.

17 (3) The date and description of any inoculation or
18 medical treatment that the dog or cat received while under
19 the possession of the pet shop operator, and any
20 inoculation or medical treatment that the dog or cat
21 received while under the possession of the animal control
22 facility or animal shelter that the pet shop operator is
23 aware of.

24 (4) Sourcing information required in subsection (b) of

1 Section 3.8.

2 (5) (Blank).

3 (6) (Blank).

4 (7) If the dog or cat was returned by a customer, then
5 the date and reason for the return.

6 (8) A copy of the pet shop's policy regarding
7 warranties, refunds, or returns and an explanation of the
8 remedy under subsections (f) through (m) of this Section
9 in addition to any other remedies available at law.

10 (9) The pet shop operator's license number issued by
11 the Illinois Department of Agriculture.

12 (10) Disclosure that the dog or cat has been
13 microchipped and the microchip has been enrolled in a
14 nationally searchable database. Pet stores must also
15 disclose that the purchaser has the option to list the pet
16 store as a secondary contact on the microchip.

17 (a-5) All dogs and cats shall be microchipped by a pet shop
18 operator prior to sale.

19 (b) The information required in subsection (a) shall be
20 provided to the customer in written form by the pet shop
21 operator and shall have an acknowledgment ~~acknowledgement~~ of
22 disclosures form, which must be signed by the customer and the
23 pet shop operator at the time of sale. The acknowledgment
24 ~~acknowledgement~~ of disclosures form shall include the
25 following:

26 (1) A blank space for the dated signature and printed

1 name of the pet shop operator, which shall be immediately
2 beneath the following statement: "I hereby attest that all
3 of the above information is true and correct to the best of
4 my knowledge."

5 (2) A blank space for the customer to sign and print
6 his or her name and the date, which shall be immediately
7 beneath the following statement: "I hereby attest that
8 this disclosure was posted on or near the cage of the dog
9 or cat for sale and that I have read all of the
10 disclosures. I further understand that I am entitled to
11 keep a signed copy of this disclosure."

12 (c) A copy of the disclosures and the signed
13 acknowledgment ~~acknowledgement~~ of disclosures form shall be
14 provided to the customer at the time of sale and the original
15 copy shall be maintained by the pet shop operator for a period
16 of 2 years from the date of sale. A copy of the pet store
17 operator's policy regarding warranties, refunds, or returns
18 shall be provided to the customer.

19 (d) A pet shop operator shall post in writing on the cage
20 of any dog or cat available for sale the information required
21 by subsection (a) of this Section 3.15.

22 (e) If there is an outbreak of distemper, parvovirus, or
23 any other contagious and potentially life-threatening disease,
24 the pet shop operator shall notify the Department immediately
25 upon becoming aware of the disease. If the Department issues a
26 quarantine, the pet shop operator shall notify, in writing and

1 within 2 business days of the quarantine, each customer who
2 purchased a dog or cat during the 2-week period prior to the
3 outbreak and quarantine.

4 (f) A customer who purchased a dog or cat from a pet shop
5 is entitled to a remedy under this Section if:

6 (1) within 21 days after the date of sale, a licensed
7 veterinarian states in writing that at the time of sale

8 (A) the dog or cat was unfit for purchase due to illness or
9 disease, the presence of symptoms of a contagious or
10 infectious disease, or obvious signs of severe parasitism
11 that are extreme enough to influence the general health of
12 the animal, excluding fleas or ticks, or (B) the dog or cat
13 has died from a disease that existed in the dog or cat on
14 or before the date of delivery to the customer; or

15 (2) within one year after the date of sale, a licensed
16 veterinarian states in writing that the dog or cat
17 possesses a congenital or hereditary condition that
18 adversely affects the health of the dog or cat or requires
19 either hospitalization or a non-elective surgical
20 procedure or has died of a congenital or hereditary
21 condition. Internal or external parasites may not be
22 considered to adversely affect the health of the dog
23 unless the presence of the parasites makes the dog or cat
24 clinically ill. The veterinarian's statement shall
25 include:

26 (A) the customer's name and address;

1 (B) a statement that the veterinarian examined the
2 dog or cat;

3 (C) the date or dates that the dog or cat was
4 examined;

5 (D) the breed and age of the dog or cat, if known;

6 (E) a statement that the dog or cat has or had a
7 disease, illness, or congenital or hereditary
8 condition that is subject to remedy; and

9 (F) the findings of the examination or necropsy,
10 including any lab results or copies of the results.

11 (g) A customer entitled to a remedy under subsection (f)
12 of this Section may:

13 (1) return the dog or cat to the pet shop for a full
14 refund of the purchase price;

15 (2) exchange the dog or cat for another dog or cat of
16 comparable value chosen by the customer;

17 (3) retain the dog or cat and be reimbursed for
18 reasonable veterinary fees for diagnosis and treatment of
19 the dog or cat, not to exceed the purchase price of the dog
20 or cat; or

21 (4) if the dog or cat is deceased, be reimbursed for
22 the full purchase price of the dog or cat plus reasonable
23 veterinary fees associated with the diagnosis and
24 treatment of the dog or cat, not to exceed one times the
25 purchase price of the dog or cat.

26 For the purposes of this subsection (g), veterinary fees

1 shall be considered reasonable if (i) the services provided
2 are appropriate for the diagnosis and treatment of the
3 disease, illness, or congenital or hereditary condition and
4 (ii) the cost of the services is comparable to that charged for
5 similar services by other licensed veterinarians located in
6 close proximity to the treating veterinarian.

7 (h) Unless the pet shop contests a reimbursement required
8 under subsection (g) of this Section, the reimbursement shall
9 be made to the customer no later than 10 business days after
10 the pet shop operator receives the veterinarian's statement
11 under subsection (f) of this Section.

12 (i) To obtain a remedy under this Section, a customer
13 shall:

14 (1) notify the pet shop as soon as reasonably possible
15 and not to exceed 3 business days after a diagnosis by a
16 licensed veterinarian of a disease, illness, or congenital
17 or hereditary condition of the dog or cat for which the
18 customer is seeking a remedy;

19 (2) provide to the pet shop a written statement
20 provided for under subsection (f) of this Section by a
21 licensed veterinarian within 5 business days after a
22 diagnosis by the veterinarian;

23 (3) upon request of the pet shop, take the dog or cat
24 for an examination by a second licensed veterinarian; the
25 customer may either choose the second licensed
26 veterinarian or allow the pet shop to choose the second

1 veterinarian, if the pet shop agrees to do so. The party
2 choosing the second veterinarian shall assume the cost of
3 the resulting examination; and

4 (4) if the customer requests a reimbursement of
5 veterinary fees, provide to the pet shop an itemized bill
6 for the disease, illness, or congenital or hereditary
7 condition of the dog or cat for which the customer is
8 seeking a remedy.

9 (j) A customer is not entitled to a remedy under this
10 Section if:

11 (1) the illness or death resulted from: (A)
12 maltreatment or neglect by the customer; (B) an injury
13 sustained after the delivery of the dog or cat to the
14 customer; or (C) an illness or disease contracted after
15 the delivery of the dog or cat to the customer;

16 (2) the customer does not carry out the recommended
17 treatment prescribed by the veterinarian who made the
18 diagnosis; or

19 (3) the customer does not return to the pet shop all
20 documents provided to register the dog or cat, unless the
21 documents have already been sent to the registry
22 organization.

23 (k) A pet shop may contest a remedy under this Section by
24 having the dog or cat examined by a second licensed
25 veterinarian pursuant to paragraph (3) of subsection (i) of
26 this Section if the dog or cat is still living. If the dog or

1 cat is deceased, the pet shop may choose to have the second
2 veterinarian review any records provided by the veterinarian
3 who examined or treated the dog or cat for the customer before
4 its death.

5 If the customer and the pet shop have not reached an
6 agreement within 10 business days after the examination of the
7 medical records and the dog or cat, if alive, or the dog's or
8 cat's medical records, if deceased, by the second
9 veterinarian, then:

10 (1) the customer may bring suit in a court of
11 competent jurisdiction to resolve the dispute; or

12 (2) if the customer and the pet shop agree in writing,
13 the parties may submit the dispute to binding arbitration.

14 If the court or arbiter finds that either party acted in
15 bad faith in seeking or denying the requested remedy, then the
16 offending party may be required to pay reasonable attorney's
17 fees and court costs of the adverse party.

18 (1) This Section shall not apply to any adoption of dogs or
19 cats, including those in which a pet shop or other
20 organization rents or donates space to facilitate the
21 adoption.

22 (m) If a pet shop offers its own warranty on a pet, a
23 customer may choose to waive the remedies provided under
24 subsection (f) of this Section in favor of choosing the
25 warranty provided by the pet shop. If a customer waives the
26 rights provided by subsection (f), the only remedies available

1 to the customer are those provided by the pet shop's warranty.
2 For the statement to be an effective waiver of the customer's
3 right to refund or exchange the animal under subsection (f),
4 the pet shop must provide, in writing, a statement of the
5 remedy under subsection (f) that the customer is waiving as
6 well as a written copy of the pet shop's warranty. For the
7 statement to be an effective waiver of the customer's right to
8 refund or exchange the animal under subsection (f), it shall
9 be substantially similar to the following language:

10 "I have agreed to accept the warranty provided by the
11 pet shop in lieu of the remedies under subsection (f) of
12 Section 3.15 of the Animal Welfare Act. I have received a
13 copy of the pet shop's warranty and a statement of the
14 remedies provided under subsection (f) of Section 3.15 of
15 the Animal Welfare Act. This is a waiver pursuant to
16 subsection (m) of Section 3.15 of the Animal Welfare Act
17 whereby I, the customer, relinquish any and all right to
18 return the animal for congenital and hereditary disorders
19 provided by subsection (f) of Section 3.15 of the Animal
20 Welfare Act. I agree that my exclusive remedy is the
21 warranty provided by the pet shop at the time of sale.".

22 (Source: P.A. 102-586, eff. 2-23-22; revised 6-24-25.)

23 Section 690. The Animal Mortality Act is amended by
24 changing Section 17.1 as follows:

1 (225 ILCS 610/17.1)

2 Sec. 17.1. Mass animal mortality event.

3 (a) The Director, at his or her discretion, may declare a
4 mass animal mortality event. The Director shall notify the
5 Illinois Emergency Management Agency of the declaration. The
6 notification shall be made without delay, but no later than 24
7 hours following the declaration.

8 (b) The Department shall create and file with the Illinois
9 Emergency Management Agency a mass animal mortality event
10 plan. The plan must include and describe, at a minimum, the
11 following options of disposal:

12 (1) burial, which may include methods and procedures
13 for above-ground burial;

14 (2) rendering;

15 (3) transfer to a landfill;

16 (4) composting, which may be conducted on the site
17 where the death of the animals occurred or by transporting
18 the bodies to a licensed landfill or to a centralized
19 off-site location determined at the time of the mass
20 animal mortality event;

21 (5) incineration; and

22 (6) any other acceptable method as determined by the
23 Director.

24 (c) ~~(b)~~ Notwithstanding any other provision of this Act,
25 following the Director's declaration of a mass animal
26 mortality event, the Department shall implement the most

1 recent mass animal mortality event plan on file with the
2 Illinois Emergency Management Agency.

3 (Source: P.A. 102-216, eff. 1-1-22; revised 6-24-25.)

4 Section 695. The Hydraulic Fracturing Regulatory Act is
5 amended by changing the heading of Article 99 as follows:

6 (225 ILCS 732/Art. 99 heading)

7 ARTICLE 99 ~~9~~.

8 (Source: P.A. 98-22, eff. 6-17-13; revised 7-28-25.)

9 Section 700. The Illinois Horse Racing Act of 1975 is
10 amended by changing Section 28.1 as follows:

11 (230 ILCS 5/28.1)

12 Sec. 28.1. Payments.

13 (a) Beginning on January 1, 2000, moneys collected by the
14 Board pursuant to Section 26 or Section 27 of this Act shall be
15 deposited into the Horse Racing Fund, which is hereby created
16 as a special fund in the State Treasury.

17 (b) Appropriations, as approved by the General Assembly,
18 may be made from the Horse Racing Fund to the Board to pay the
19 salaries of the Board members, secretary, stewards, directors
20 of mutuels, veterinarians, representatives, accountants,
21 clerks, stenographers, inspectors, and other employees of the
22 Board, and all expenses of the Board incident to the

1 administration of this Act, including, but not limited to, all
2 expenses and salaries incident to the taking of saliva and
3 urine samples in accordance with the rules and regulations of
4 the Board.

5 (c) (Blank).

6 (d) Beginning January 1, 2000, payments to all programs in
7 existence on June 25, 1999 (the effective date of Public Act
8 91-040) ~~this amendatory Act of 1999~~ that are identified in
9 Sections 26(c), 26(f), 26(h) (11) (C), and 28, subsections (a),
10 (b), (c), (d), (e), (f), (g), and (h) of Section 30, and
11 subsections (a), (b), (c), (d), (e), (f), (g), and (h) of
12 Section 31 shall be made from the General Revenue Fund at the
13 funding levels determined by amounts paid under this Act in
14 calendar year 1998. Beginning on August 6, 2004 (the effective
15 date of Public Act 93-869) ~~this amendatory Act of the 93rd~~
16 ~~General Assembly~~, payments to the Peoria Park District shall
17 be made from the General Revenue Fund at the funding level
18 determined by amounts paid to that park district for museum
19 purposes under this Act in calendar year 1994.

20 If an inter-track wagering location licensee's facility
21 changes its location, then the payments associated with that
22 facility under this subsection (d) for museum purposes shall
23 be paid to the park district in the area where the facility
24 relocates, and the payments shall be used for museum purposes.
25 If the facility does not relocate to a park district, then the
26 payments shall be paid to the taxing district that is

1 responsible for park or museum expenditures.

2 (e) Beginning July 1, 2006, the payment authorized under
3 subsection (d) to museums and aquariums located in park
4 districts of over 500,000 population shall be paid to museums,
5 aquariums, and zoos in amounts determined by Museums in the
6 Park, an association of museums, aquariums, and zoos located
7 on Chicago Park District property.

8 (f) Beginning July 1, 2007, the Children's Discovery
9 Museum in Normal, Illinois shall receive payments from the
10 General Revenue Fund at the funding level determined by the
11 amounts paid to the Miller Park Zoo in Bloomington, Illinois
12 under this Section in calendar year 2006.

13 (g) On July 3, 2024, the Comptroller shall order
14 transferred and the Treasurer shall transfer \$3,200,000 from
15 the Horse Racing Fund to the Horse Racing Purse Equity Fund.

16 (h) On July 3, 2025, the Comptroller shall order
17 transferred and the Treasurer shall transfer \$2,000,000 from
18 the Horse Racing Fund to the Horse Racing Purse Equity Fund.

19 (Source: P.A. 103-8, eff. 7-1-23; 103-588, eff. 7-1-24; 104-2,
20 eff. 6-16-25; 104-185, eff. 8-15-25; revised 9-12-25.)

21 Section 705. The Illinois Gambling Act is amended by
22 changing Section 7 as follows:

23 (230 ILCS 10/7) (from Ch. 120, par. 2407)

24 Sec. 7. Owners licenses.

1 (a) The Board shall issue owners licenses to persons or
2 entities that apply for such licenses upon payment to the
3 Board of the non-refundable license fee as provided in
4 subsection (e) or (e-5) and upon a determination by the Board
5 that the applicant is eligible for an owners license pursuant
6 to this Act and the rules of the Board. From December 15, 2008
7 (the effective date of Public Act 95-1008) until (i) 3 years
8 after December 15, 2008 (the effective date of Public Act
9 95-1008), (ii) the date any organization licensee begins to
10 operate a slot machine or video game of chance under the
11 Illinois Horse Racing Act of 1975 or this Act, (iii) the date
12 that payments begin under subsection (c-5) of Section 13 of
13 this Act, (iv) the wagering tax imposed under Section 13 of
14 this Act is increased by law to reflect a tax rate that is at
15 least as stringent or more stringent than the tax rate
16 contained in subsection (a-3) of Section 13, or (v) when an
17 owners licensee holding a license issued pursuant to Section
18 7.1 of this Act begins conducting gaming, whichever occurs
19 first, as a condition of licensure and as an alternative
20 source of payment for those funds payable under subsection
21 (c-5) of Section 13 of this Act, any owners licensee that holds
22 or receives its owners license on or after May 26, 2006 (the
23 effective date of Public Act 94-804), other than an owners
24 licensee operating a riverboat with adjusted gross receipts in
25 calendar year 2004 of less than \$200,000,000, must pay into
26 the Horse Racing Equity Trust Fund, in addition to any other

1 payments required under this Act, an amount equal to 3% of the
2 adjusted gross receipts received by the owners licensee. The
3 payments required under this Section shall be made by the
4 owners licensee to the State Treasurer no later than 3:00
5 ~~o'clock~~ p.m. of the day after the day when the adjusted gross
6 receipts were received by the owners licensee. A person or
7 entity is ineligible to receive an owners license if:

8 (1) the person has been convicted of a felony under
9 the laws of this State, any other state, or the United
10 States;

11 (2) the person has been convicted of any violation of
12 Article 28 of the Criminal Code of 1961 or the Criminal
13 Code of 2012, or substantially similar laws of any other
14 jurisdiction;

15 (3) the person has submitted an application for a
16 license under this Act which contains false information;

17 (4) the person is a member of the Board;

18 (5) a person defined in (1), (2), (3), or (4) is an
19 officer, director, or managerial employee of the entity;

20 (6) the entity employs a person defined in (1), (2),
21 (3), or (4) who participates in the management or
22 operation of gambling operations authorized under this
23 Act;

24 (7) (blank); or

25 (8) a license of the person or entity issued under
26 this Act, or a license to own or operate gambling

1 facilities in any other jurisdiction, has been revoked.

2 The Board is expressly prohibited from making changes to
3 the requirement that licensees make payment into the Horse
4 Racing Equity Trust Fund without the express authority of the
5 Illinois General Assembly and making any other rule to
6 implement or interpret Public Act 95-1008. For the purposes of
7 this paragraph, "rules" is given the meaning given to that
8 term in Section 1-70 of the Illinois Administrative Procedure
9 Act.

10 (b) In determining whether to grant an owners license to
11 an applicant, the Board shall consider:

12 (1) the character, reputation, experience, and
13 financial integrity of the applicants and of any other or
14 separate person that either:

15 (A) controls, directly or indirectly, such
16 applicant; or

17 (B) is controlled, directly or indirectly, by such
18 applicant or by a person which controls, directly or
19 indirectly, such applicant;

20 (2) the facilities or proposed facilities for the
21 conduct of gambling;

22 (3) the highest prospective total revenue to be
23 derived by the State from the conduct of gambling;

24 (4) the extent to which the ownership of the applicant
25 reflects the diversity of the State by including minority
26 persons, women, and persons with a disability and the good

1 faith affirmative action plan of each applicant to
2 recruit, train, and upgrade minority persons, women, and
3 persons with a disability in all employment
4 classifications; the Board shall further consider granting
5 an owners license and giving preference to an applicant
6 under this Section to applicants in which minority persons
7 and women hold ownership interest of at least 16% and 4%,
8 respectively;

9 (4.5) the extent to which the ownership of the
10 applicant includes veterans of service in the armed forces
11 of the United States, and the good faith affirmative
12 action plan of each applicant to recruit, train, and
13 upgrade veterans of service in the armed forces of the
14 United States in all employment classifications;

15 (5) the financial ability of the applicant to purchase
16 and maintain adequate liability and casualty insurance;

17 (6) whether the applicant has adequate capitalization
18 to provide and maintain, for the duration of a license, a
19 riverboat or casino;

20 (7) the extent to which the applicant exceeds or meets
21 other standards for the issuance of an owners license
22 which the Board may adopt by rule;

23 (8) the amount of the applicant's license bid;

24 (9) the extent to which the applicant or the proposed
25 host municipality plans to enter into revenue sharing
26 agreements with communities other than the host

1 municipality;

2 (10) the extent to which the ownership of an applicant
3 includes the most qualified number of minority persons,
4 women, and persons with a disability; and

5 (11) whether the applicant has entered into a fully
6 executed construction project labor agreement with the
7 applicable local building trades council.

8 (c) Each owners license shall specify the place where the
9 casino shall operate or the riverboat shall operate and dock.

10 (d) Each applicant shall submit with his or her
11 application, on forms provided by the Board, 2 sets of his or
12 her fingerprints.

13 (e) In addition to any licenses authorized under
14 subsection (e-5) of this Section, the Board may issue up to 10
15 licenses authorizing the holders of such licenses to own
16 riverboats. In the application for an owners license, the
17 applicant shall state the dock at which the riverboat is based
18 and the water on which the riverboat will be located. The Board
19 shall issue 5 licenses to become effective not earlier than
20 January 1, 1991. Three of such licenses shall authorize
21 riverboat gambling on the Mississippi River, or, with approval
22 by the municipality in which the riverboat was docked on
23 August 7, 2003 and with Board approval, be authorized to
24 relocate to a new location, in a municipality that (1) borders
25 on the Mississippi River or is within 5 miles of the city
26 limits of a municipality that borders on the Mississippi River

1 and (2) on August 7, 2003, had a riverboat conducting
2 riverboat gambling operations pursuant to a license issued
3 under this Act; one of which shall authorize riverboat
4 gambling from a home dock in the city of East St. Louis; and
5 one of which shall authorize riverboat gambling from a home
6 dock in the City of Alton. One other license shall authorize
7 riverboat gambling on the Illinois River in the City of East
8 Peoria or, with Board approval, shall authorize land-based
9 gambling operations anywhere within the corporate limits of
10 the City of Peoria. The Board shall issue one additional
11 license to become effective not earlier than March 1, 1992,
12 which shall authorize riverboat gambling on the Des Plaines
13 River in Will County. The Board may issue 4 additional
14 licenses to become effective not earlier than March 1, 1992.
15 In determining the water upon which riverboats will operate,
16 the Board shall consider the economic benefit which riverboat
17 gambling confers on the State~~7~~ and shall seek to ensure ~~assure~~
18 that all regions of the State share in the economic benefits of
19 riverboat gambling.

20 In granting all licenses, the Board may give favorable
21 consideration to economically depressed areas of the State, to
22 applicants presenting plans which provide for significant
23 economic development over a large geographic area, and to
24 applicants who currently operate non-gambling riverboats in
25 Illinois. The Board shall review all applications for owners
26 licenses~~7~~ and shall inform each applicant of the Board's

1 decision. The Board may grant an owners license to an
2 applicant that has not submitted the highest license bid, but
3 if it does not select the highest bidder, the Board shall issue
4 a written decision explaining why another applicant was
5 selected and identifying the factors set forth in this Section
6 that favored the winning bidder. The fee for issuance or
7 renewal of a license pursuant to this subsection (e) shall be
8 \$250,000.

9 (e-5) In addition to licenses authorized under subsection
10 (e) of this Section:

11 (1) the Board may issue one owners license authorizing
12 the conduct of casino gambling in the City of Chicago;

13 (2) the Board may issue one owners license authorizing
14 the conduct of riverboat gambling in the City of Danville;

15 (3) the Board may issue one owners license authorizing
16 the conduct of riverboat gambling in the City of Waukegan;

17 (4) the Board may issue one owners license authorizing
18 the conduct of riverboat gambling in the City of Rockford;

19 (5) the Board may issue one owners license authorizing
20 the conduct of riverboat gambling in a municipality that
21 is wholly or partially located in one of the following
22 townships of Cook County: Bloom, Bremen, Calumet, Rich,
23 Thornton, or Worth Township; and

24 (6) the Board may issue one owners license authorizing
25 the conduct of riverboat gambling in the unincorporated
26 area of Williamson County adjacent to the Big Muddy River.

1 Except for the license authorized under paragraph (1),
2 each application for a license pursuant to this subsection
3 (e-5) shall be submitted to the Board no later than 120 days
4 after June 28, 2019 (the effective date of Public Act 101-31).
5 All applications for a license under this subsection (e-5)
6 shall include the nonrefundable application fee and the
7 nonrefundable background investigation fee as provided in
8 subsection (d) of Section 6 of this Act. In the event that an
9 applicant submits an application for a license pursuant to
10 this subsection (e-5) prior to June 28, 2019 (the effective
11 date of Public Act 101-31), such applicant shall submit the
12 nonrefundable application fee and background investigation fee
13 as provided in subsection (d) of Section 6 of this Act no later
14 than 6 months after June 28, 2019 (the effective date of Public
15 Act 101-31).

16 The Board shall consider issuing a license pursuant to
17 paragraphs (1) through (6) of this subsection only after the
18 corporate authority of the municipality or the county board of
19 the county in which the riverboat or casino shall be located
20 has certified to the Board the following:

21 (i) that the applicant has negotiated with the
22 corporate authority or county board in good faith;

23 (ii) that the applicant and the corporate authority or
24 county board have mutually agreed on the permanent
25 location of the riverboat or casino;

26 (iii) that the applicant and the corporate authority

1 or county board have mutually agreed on the temporary
2 location of the riverboat or casino;

3 (iv) that the applicant and the corporate authority or
4 the county board have mutually agreed on the percentage of
5 revenues that will be shared with the municipality or
6 county, if any;

7 (v) that the applicant and the corporate authority or
8 county board have mutually agreed on any zoning,
9 licensing, public health, or other issues that are within
10 the jurisdiction of the municipality or county;

11 (vi) that the corporate authority or county board has
12 passed a resolution or ordinance in support of the
13 riverboat or casino in the municipality or county;

14 (vii) that the applicant for a license under paragraph
15 (1) has made a public presentation concerning its casino
16 proposal; and

17 (viii) that the applicant for a license under
18 paragraph (1) has prepared a summary of its casino
19 proposal and such summary has been posted on a public
20 website of the municipality or the county.

21 At least 7 days before the corporate authority of a
22 municipality or county board of the county submits a
23 certification to the Board concerning items (i) through (viii)
24 of this subsection, it shall hold a public hearing to discuss
25 items (i) through (viii), as well as any other details
26 concerning the proposed riverboat or casino in the

1 municipality or county. The corporate authority or county
2 board must subsequently memorialize the details concerning the
3 proposed riverboat or casino in a resolution that must be
4 adopted by a majority of the corporate authority or county
5 board before any certification is sent to the Board. The Board
6 shall not alter, amend, change, or otherwise interfere with
7 any agreement between the applicant and the corporate
8 authority of the municipality or county board of the county
9 regarding the location of any temporary or permanent facility.

10 In addition, within 10 days after June 28, 2019 (the
11 effective date of Public Act 101-31), the Board, with consent
12 and at the expense of the City of Chicago, shall select and
13 retain the services of a nationally recognized casino gaming
14 feasibility consultant. Within 45 days after June 28, 2019
15 (the effective date of Public Act 101-31), the consultant
16 shall prepare and deliver to the Board a study concerning the
17 feasibility of, and the ability to finance, a casino in the
18 City of Chicago. The feasibility study shall be delivered to
19 the Mayor of the City of Chicago, the Governor, the President
20 of the Senate, and the Speaker of the House of
21 Representatives. Ninety days after receipt of the feasibility
22 study, the Board shall make a determination, based on the
23 results of the feasibility study, whether to recommend to the
24 General Assembly that the terms of the license under paragraph
25 (1) of this subsection (e-5) should be modified. The Board may
26 begin accepting applications for the owners license under

1 paragraph (1) of this subsection (e-5) upon the determination
2 to issue such an owners license.

3 In addition, prior to the Board issuing the owners license
4 authorized under paragraph (4) of this subsection (e-5), an
5 impact study shall be completed to determine what location in
6 the city will provide the greater impact to the region,
7 including the creation of jobs and the generation of tax
8 revenue.

9 (e-10) The licenses authorized under subsection (e-5) of
10 this Section shall be issued within 12 months after the date
11 the license application is submitted. If the Board does not
12 issue the licenses within that time period, then the Board
13 shall give a written explanation to the applicant as to why it
14 has not reached a determination and when it reasonably expects
15 to make a determination. The fee for the issuance or renewal of
16 a license issued pursuant to this subsection (e-10) shall be
17 \$250,000. Additionally, a licensee located outside of Cook
18 County shall pay a minimum initial fee of \$17,500 per gaming
19 position, and a licensee located in Cook County shall pay a
20 minimum initial fee of \$30,000 per gaming position. The
21 initial fees payable under this subsection (e-10) shall be
22 deposited into the Rebuild Illinois Projects Fund. If at any
23 point after June 1, 2020 there are no pending applications for
24 a license under subsection (e-5) and not all licenses
25 authorized under subsection (e-5) have been issued, then the
26 Board shall reopen the license application process for those

1 licenses authorized under subsection (e-5) that have not been
2 issued. The Board shall follow the licensing process provided
3 in subsection (e-5) with all time frames tied to the last date
4 of a final order issued by the Board under subsection (e-5)
5 rather than the effective date of the amendatory Act.

6 (e-15) Each licensee of a license authorized under
7 subsection (e-5) of this Section shall make a reconciliation
8 payment 3 years after the date the licensee begins operating
9 in an amount equal to 75% of the adjusted gross receipts for
10 the most lucrative 12-month period of operations, minus an
11 amount equal to the initial payment per gaming position paid
12 by the specific licensee. Each licensee shall pay a
13 \$15,000,000 reconciliation fee upon issuance of an owners
14 license. If this calculation results in a negative amount,
15 then the licensee is not entitled to any reimbursement of fees
16 previously paid. This reconciliation payment may be made in
17 installments over a period of no more than 6 years.

18 All payments by licensees under this subsection (e-15)
19 shall be deposited into the Rebuild Illinois Projects Fund.

20 (e-20) In addition to any other revocation powers granted
21 to the Board under this Act, the Board may revoke the owners
22 license of a licensee which fails to begin conducting gambling
23 within 15 months of receipt of the Board's approval of the
24 application if the Board determines that license revocation is
25 in the best interests of the State.

26 (f) The first 10 owners licenses issued under this Act

1 shall permit the holder to own up to 2 riverboats and equipment
2 thereon for a period of 3 years after the effective date of the
3 license. Holders of the first 10 owners licenses must pay the
4 annual license fee for each of the 3 years during which they
5 are authorized to own riverboats.

6 (g) Upon the termination, expiration, or revocation of
7 each of the first 10 licenses, which shall be issued for a
8 3-year period, all licenses are renewable annually upon
9 payment of the fee and a determination by the Board that the
10 licensee continues to meet all of the requirements of this Act
11 and the Board's rules. However, for licenses renewed on or
12 after June 10, 2021 (the effective date of Public Act 102-13)
13 ~~this amendatory Act of the 102nd General Assembly~~, renewal
14 shall be for a period of 4 years.

15 (h) An owners license, except for an owners license issued
16 under subsection (e-5) of this Section, shall entitle the
17 licensee to own up to 2 riverboats.

18 An owners licensee of a casino or riverboat that is
19 located in the City of Chicago pursuant to paragraph (1) of
20 subsection (e-5) of this Section shall limit the number of
21 gaming positions to 4,000 for such owner. An owners licensee
22 authorized under subsection (e) or paragraph (2), (3), (4), or
23 (5) of subsection (e-5) of this Section shall limit the number
24 of gaming positions to 2,000 for any such owners license. An
25 owners licensee authorized under paragraph (6) of subsection
26 (e-5) of this Section shall limit the number of gaming

1 positions to 1,200 for such owner. The initial fee for each
2 gaming position obtained on or after June 28, 2019 (the
3 effective date of Public Act 101-31) shall be a minimum of
4 \$17,500 for licensees not located in Cook County and a minimum
5 of \$30,000 for licensees located in Cook County, in addition
6 to the reconciliation payment, as set forth in subsection
7 (e-15) of this Section. The fees under this subsection (h)
8 shall be deposited into the Rebuild Illinois Projects Fund.
9 The fees under this subsection (h) that are paid by an owners
10 licensee authorized under subsection (e) shall be paid by July
11 1, 2021.

12 Each owners licensee under subsection (e) of this Section
13 shall reserve its gaming positions within 30 days after June
14 28, 2019 (the effective date of Public Act 101-31). The Board
15 may grant an extension to this 30-day period, provided that
16 the owners licensee submits a written request and explanation
17 as to why it is unable to reserve its positions within the
18 30-day period.

19 Each owners licensee under subsection (e-5) of this
20 Section shall reserve its gaming positions within 30 days
21 after issuance of its owners license. The Board may grant an
22 extension to this 30-day period, provided that the owners
23 licensee submits a written request and explanation as to why
24 it is unable to reserve its positions within the 30-day
25 period.

26 A licensee may operate both of its riverboats

1 concurrently, provided that the total number of gaming
2 positions on both riverboats does not exceed the limit
3 established pursuant to this subsection. Riverboats licensed
4 to operate on the Mississippi River and the Illinois River
5 south of Marshall County shall have an authorized capacity of
6 at least 500 persons. Any other riverboat licensed under this
7 Act shall have an authorized capacity of at least 400 persons.

8 (h-5) An owners licensee who conducted gambling operations
9 prior to January 1, 2012 and obtains positions pursuant to
10 Public Act 101-31 shall make a reconciliation payment 3 years
11 after any additional gaming positions begin operating in an
12 amount equal to 75% of the owners licensee's average gross
13 receipts for the most lucrative 12-month period of operations
14 minus an amount equal to the initial fee that the owners
15 licensee paid per additional gaming position. For purposes of
16 this subsection (h-5), "average gross receipts" means (i) the
17 increase in adjusted gross receipts for the most lucrative
18 12-month period of operations over the adjusted gross receipts
19 for 2019, multiplied by (ii) the percentage derived by
20 dividing the number of additional gaming positions that an
21 owners licensee had obtained by the total number of gaming
22 positions operated by the owners licensee. If this calculation
23 results in a negative amount, then the owners licensee is not
24 entitled to any reimbursement of fees previously paid. This
25 reconciliation payment may be made in installments over a
26 period of no more than 6 years. These reconciliation payments

1 shall be deposited into the Rebuild Illinois Projects Fund.

2 (i) A licensed owner is authorized to apply to the Board
3 for and, if approved therefor, to receive all licenses from
4 the Board necessary for the operation of a riverboat or
5 casino, including a liquor license, a license to prepare and
6 serve food for human consumption, and other necessary
7 licenses. All use, occupation, and excise taxes which apply to
8 the sale of food and beverages in this State and all taxes
9 imposed on the sale or use of tangible personal property apply
10 to such sales aboard the riverboat or in the casino.

11 (j) The Board may issue or re-issue a license authorizing
12 a riverboat to dock in a municipality or approve a relocation
13 under Section 11.2 only if, prior to the issuance or
14 re-issuance of the license or approval, the governing body of
15 the municipality in which the riverboat will dock has by a
16 majority vote approved the docking of riverboats in the
17 municipality. The Board may issue or re-issue a license
18 authorizing a riverboat to dock in areas of a county outside
19 any municipality or approve a relocation under Section 11.2
20 only if, prior to the issuance or re-issuance of the license or
21 approval, the governing body of the county has by a majority
22 vote approved of the docking of riverboats within such areas.

23 (k) An owners licensee may conduct land-based gambling
24 operations upon approval by the Board and payment of a fee of
25 \$250,000, which shall be deposited into the State Gaming Fund.

26 (l) An owners licensee may conduct gaming at a temporary

1 facility pending the construction of a permanent facility or
2 the remodeling or relocation of an existing facility to
3 accommodate gaming participants for up to 24 months after the
4 temporary facility begins to conduct gaming. Upon request by
5 an owners licensee and upon a showing of good cause by the
6 owners licensee: (i) for a licensee authorized under paragraph
7 (3) of subsection (e-5), the Board shall extend the period
8 during which the licensee may conduct gaming at a temporary
9 facility by up to 30 months; and (ii) for all other licensees,
10 the Board shall extend the period during which the licensee
11 may conduct gaming at a temporary facility by up to 12 months.
12 The Board shall make rules concerning the conduct of gaming
13 from temporary facilities.

14 (Source: P.A. 102-13, eff. 6-10-21; 102-558, eff. 8-20-21;
15 103-574, eff. 12-8-23; revised 6-26-25.)

16 Section 710. The Charitable Games Act is amended by
17 changing Section 7 as follows:

18 (230 ILCS 30/7) (from Ch. 120, par. 1127)

19 Sec. 7. Ineligible persons. The following are ineligible
20 for any license under this Act:

21 (a) any person convicted of any felony within the last
22 5 years where such conviction will impair the person's
23 ability to engage in the position for which a license is
24 sought;

1 (b) any person convicted of a violation of Article 28
2 of the Criminal Code of 1961 or the Criminal Code of 2012
3 who has not been sufficiently rehabilitated following the
4 conviction;

5 (c) any person who has had a bingo, pull tabs and jar
6 games, or charitable games license revoked by the
7 Department;

8 (d) any person who is or has been a professional
9 gambler;

10 (d-1) any person found gambling in a manner not
11 authorized by this Act, the Illinois Pull Tabs and Jar
12 Games Act, or the Bingo License and Tax Act participating
13 in such gambling, or knowingly permitting such gambling on
14 premises where an authorized charitable games event is
15 authorized to be conducted or has been conducted;

16 (e) any organization in which a person defined in item
17 (a), (b), (c), (d), or (d-1) has a proprietary, equitable,
18 or credit interest, or in which the person is active or
19 employed;

20 (f) any organization in which a person defined in item
21 (a), (b), (c), (d), or (d-1) is an officer, director, or
22 employee, whether compensated or not;

23 (g) any organization in which a person defined in item
24 (a), (b), (c), (d), or (d-1) is to participate in the
25 management or operation of charitable games.

26 The Illinois State Police shall provide the criminal

1 background of any person requested by the Department of
2 Revenue.

3 (Source: P.A. 102-538, eff. 8-20-21; revised 7-2-25.)

4 Section 715. The Sports Wagering Act is amended by
5 changing Section 25-50 as follows:

6 (230 ILCS 45/25-50)

7 Sec. 25-50. Supplier license.

8 (a) The Board may issue a supplier license to a person to
9 sell or lease sports wagering equipment, systems, or other
10 gaming items to conduct sports wagering and offer services
11 related to the equipment or other gaming items and data to a
12 master sports wagering licensee while the license is active.

13 (b) The Board may adopt rules establishing additional
14 requirements for a supplier and any system or other equipment
15 utilized for sports wagering. The Board may accept licensing
16 by another jurisdiction that it specifically determines to
17 have similar licensing requirements as evidence the applicant
18 meets supplier licensing requirements.

19 (c) An applicant for a supplier license shall demonstrate
20 that the equipment, system, or services that the applicant
21 plans to offer to the master sports wagering licensee conforms
22 to standards established by the Board and applicable State
23 law. The Board may accept approval by another jurisdiction
24 that it specifically determines to have similar equipment

1 standards as evidence the applicant meets the standards
2 established by the Board and applicable State law.

3 (d) Applicants shall pay to the Board a nonrefundable
4 license and application fee in the amount of \$150,000. Except
5 as provided by Section 8.1 of the Illinois Gambling Act, the
6 initial supplier license shall be issued for 4 years unless
7 sooner canceled or terminated. After the initial period, the
8 Board shall renew supplier licenses for additional 4-year
9 periods unless sooner canceled or terminated. Renewal of a
10 supplier license shall be granted to a renewal applicant who
11 has continued to comply with all applicable statutory and
12 regulatory requirements. Beginning 4 years after issuance of
13 the initial supplier license, a holder of a supplier license
14 shall pay a \$150,000 annual license fee.

15 (e) A supplier shall submit to the Board a list of all
16 sports wagering equipment and services sold, delivered, or
17 offered to a master sports wagering licensee in this State, as
18 required by the Board, all of which must be tested and approved
19 by an independent testing laboratory approved by the Board. A
20 master sports wagering licensee may continue to use supplies
21 acquired from a licensed supplier, even if a supplier's
22 license expires or is otherwise canceled, unless the Board
23 finds a defect in the supplies.

24 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21;
25 revised 7-2-25.)

1 Section 720. The Liquor Control Act of 1934 is amended by
2 changing Section 5-1 as follows:

3 (235 ILCS 5/5-1)

4 (Text of Section before amendment by P.A. 104-451, Section
5 5)

6 Sec. 5-1. Licenses issued by the Illinois Liquor Control
7 Commission shall be of the following classes:

8 (a) Manufacturer's license - Class 1. Distiller, Class 2.
9 Rectifier, Class 3. Brewer, Class 4. First Class Wine
10 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
11 6. First Class Winemaker, Class 7. Second Class Winemaker,
12 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,
13 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
14 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
15 Class 14. Class 3 Brewer,

16 (b) Distributor's license,

17 (c) Importing Distributor's license,

18 (d) Retailer's license,

19 (e) Special Event Retailer's license (not-for-profit),

20 (f) Railroad license,

21 (g) Boat license,

22 (h) Non-Beverage User's license,

23 (i) Wine-maker's premises license,

24 (j) Airplane license,

25 (k) Foreign importer's license,

- 1 (l) Broker's license,
- 2 (m) Non-resident dealer's license,
- 3 (n) Brew Pub license,
- 4 (o) Auction liquor license,
- 5 (p) Caterer retailer license,
- 6 (q) Special use permit license,
- 7 (r) Winery shipper's license,
- 8 (s) Craft distiller tasting permit,
- 9 (t) Brewer warehouse permit,
- 10 (u) Distilling pub license,
- 11 (v) Craft distiller warehouse permit,
- 12 (w) Beer showcase permit.

13 No person, firm, partnership, corporation, or other legal
14 business entity that is engaged in the manufacturing of wine
15 may concurrently obtain and hold a wine-maker's license and a
16 wine manufacturer's license.

17 (a) A manufacturer's license shall allow the manufacture,
18 importation in bulk, storage, distribution and sale of
19 alcoholic liquor to persons without the State, as may be
20 permitted by law, and to licensees in this State as follows:

21 Class 1. A Distiller may make sales and deliveries of
22 alcoholic liquor to distillers, rectifiers, importing
23 distributors, distributors, and non-beverage users and to no
24 other licensees.

25 Class 2. A Rectifier, who is not a distiller, as defined
26 herein, may make sales and deliveries of alcoholic liquor to

1 rectifiers, importing distributors, distributors, retailers,
2 and non-beverage users and to no other licensees.

3 Class 3. A Brewer may make sales and deliveries of beer to
4 importing distributors and distributors and may make sales as
5 authorized under subsection (e) of Section 6-4 of this Act,
6 including any alcoholic liquor that subsection (e) of Section
7 6-4 authorizes a brewer to sell in its original package only to
8 a non-licensee for pick-up by a non-licensee either within the
9 interior of the brewery premises or outside of the brewery
10 premises at a curb-side or parking lot adjacent to the brewery
11 premises, subject to any local ordinance.

12 Class 4. A first class wine-manufacturer may make sales
13 and deliveries of up to 50,000 gallons of wine to
14 manufacturers, importing distributors and distributors, and to
15 no other licensees. If a first-class wine-manufacturer
16 manufactures beer, it shall also obtain and shall only be
17 eligible for, in addition to any current license, a class 1
18 brewer license, shall not manufacture more than 930,000
19 gallons of beer per year, and shall not be a member of or
20 affiliated with, directly or indirectly, a manufacturer that
21 produces more than 930,000 gallons of beer per year. If the
22 first-class wine-manufacturer manufactures spirits, it shall
23 also obtain and shall only be eligible for, in addition to any
24 current license, a class 1 craft distiller license, shall not
25 manufacture more than 50,000 gallons of spirits per year, and
26 shall not be a member of or affiliated with, directly or

1 indirectly, a manufacturer that produces more than 50,000
2 gallons of spirits per year. A first-class wine-manufacturer
3 shall be permitted to sell wine manufactured at the
4 first-class wine-manufacturer premises to non-licensees.

5 Class 5. A second class wine manufacturer may make sales
6 and deliveries of more than 50,000 gallons of wine to
7 manufacturers, importing distributors and distributors and to
8 no other licensees.

9 Class 6. A first-class wine-maker's license shall allow
10 the manufacture of up to 50,000 gallons of wine per year and
11 the storage and sale of such wine to distributors in the State
12 and to persons without the State, as may be permitted by law. A
13 person who, prior to June 1, 2008 (the effective date of Public
14 Act 95-634), is a holder of a first-class wine-maker's license
15 and annually produces more than 25,000 gallons of its own wine
16 and who distributes its wine to licensed retailers shall cease
17 this practice on or before July 1, 2008 in compliance with
18 Public Act 95-634. If a first-class wine-maker manufactures
19 beer, it shall also obtain and shall only be eligible for, in
20 addition to any current license, a class 1 brewer license,
21 shall not manufacture more than 930,000 gallons of beer per
22 year, and shall not be a member of or affiliated with, directly
23 or indirectly, a manufacturer that produces more than 930,000
24 gallons of beer per year. If the first-class wine-maker
25 manufactures spirits, it shall also obtain and shall only be
26 eligible for, in addition to any current license, a class 1

1 craft distiller license, shall not manufacture more than
2 50,000 gallons of spirits per year, and shall not be a member
3 of or affiliated with, directly or indirectly, a manufacturer
4 that produces more than 50,000 gallons of spirits per year. A
5 first-class wine-maker holding a class 1 brewer license or a
6 class 1 craft distiller license shall not be eligible for a
7 wine-maker's premises license but shall be permitted to sell
8 wine manufactured at the first-class wine-maker premises to
9 non-licensees.

10 Class 7. A second-class wine-maker's license shall allow
11 the manufacture of up to 150,000 gallons of wine per year, and
12 the storage and sale of such wine to distributors in this State
13 and to persons without the State, as may be permitted by law. A
14 person who, prior to June 1, 2008 (the effective date of Public
15 Act 95-634), is a holder of a second-class wine-maker's
16 license and annually produces more than 25,000 gallons of its
17 own wine and who distributes its wine to licensed retailers
18 shall cease this practice on or before July 1, 2008 in
19 compliance with Public Act 95-634. If a second-class
20 wine-maker manufactures beer, it shall also obtain and shall
21 only be eligible for, in addition to any current license, a
22 class 2 brewer license, shall not manufacture more than
23 3,720,000 gallons of beer per year, and shall not be a member
24 of or affiliated with, directly or indirectly, a manufacturer
25 that produces more than 3,720,000 gallons of beer per year. If
26 a second-class wine-maker manufactures spirits, it shall also

1 obtain and shall only be eligible for, in addition to any
2 current license, a class 2 craft distiller license, shall not
3 manufacture more than 100,000 gallons of spirits per year, and
4 shall not be a member of or affiliated with, directly or
5 indirectly, a manufacturer that produces more than 100,000
6 gallons of spirits per year.

7 Class 8. A limited wine-manufacturer may make sales and
8 deliveries not to exceed 40,000 gallons of wine per year to
9 distributors, and to non-licensees in accordance with the
10 provisions of this Act.

11 Class 9. A craft distiller license, which may only be held
12 by a class 1 craft distiller licensee or class 2 craft
13 distiller licensee but not held by both a class 1 craft
14 distiller licensee and a class 2 craft distiller licensee,
15 shall grant all rights conveyed by either: (i) a class 1 craft
16 distiller license if the craft distiller holds a class 1 craft
17 distiller license; or (ii) a class 2 craft distiller licensee
18 if the craft distiller holds a class 2 craft distiller
19 license.

20 Class 10. A class 1 craft distiller license, which may
21 only be issued to a licensed craft distiller or licensed
22 non-resident dealer, shall allow the manufacture of up to
23 50,000 gallons of spirits per year provided that the class 1
24 craft distiller licensee does not manufacture more than a
25 combined 50,000 gallons of spirits per year and is not a member
26 of or affiliated with, directly or indirectly, a manufacturer

1 that produces more than 50,000 gallons of spirits per year. If
2 a class 1 craft distiller manufactures beer, it shall also
3 obtain and shall only be eligible for, in addition to any
4 current license, a class 1 brewer license, shall not
5 manufacture more than 930,000 gallons of beer per year, and
6 shall not be a member of or affiliated with, directly or
7 indirectly, a manufacturer that produces more than 930,000
8 gallons of beer per year. If a class 1 craft distiller
9 manufactures wine, it shall also obtain and shall only be
10 eligible for, in addition to any current license, a
11 first-class wine-manufacturer license or a first-class
12 wine-maker's license, shall not manufacture more than 50,000
13 gallons of wine per year, and shall not be a member of or
14 affiliated with, directly or indirectly, a manufacturer that
15 produces more than 50,000 gallons of wine per year. A class 1
16 craft distiller licensee may make sales and deliveries to
17 importing distributors and distributors and to retail
18 licensees in accordance with the conditions set forth in
19 paragraph (19) of subsection (a) of Section 3-12 of this Act.
20 However, the aggregate amount of spirits sold to non-licensees
21 and sold or delivered to retail licensees may not exceed 5,000
22 gallons per year.

23 A class 1 craft distiller licensee may sell up to 5,000
24 gallons of such spirits to non-licensees to the extent
25 permitted by any exemption approved by the State Commission
26 pursuant to Section 6-4 of this Act. A class 1 craft distiller

1 license holder may store such spirits at a non-contiguous
2 licensed location, but at no time shall a class 1 craft
3 distiller license holder directly or indirectly produce in the
4 aggregate more than 50,000 gallons of spirits per year.

5 A class 1 craft distiller licensee may hold more than one
6 class 1 craft distiller's license. However, a class 1 craft
7 distiller that holds more than one class 1 craft distiller
8 license shall not manufacture, in the aggregate, more than
9 50,000 gallons of spirits by distillation per year and shall
10 not sell, in the aggregate, more than 5,000 gallons of such
11 spirits to non-licensees in accordance with an exemption
12 approved by the State Commission pursuant to Section 6-4 of
13 this Act.

14 Class 11. A class 2 craft distiller license, which may
15 only be issued to a licensed craft distiller or licensed
16 non-resident dealer, shall allow the manufacture of up to
17 100,000 gallons of spirits per year provided that the class 2
18 craft distiller licensee does not manufacture more than a
19 combined 100,000 gallons of spirits per year and is not a
20 member of or affiliated with, directly or indirectly, a
21 manufacturer that produces more than 100,000 gallons of
22 spirits per year. If a class 2 craft distiller manufactures
23 beer, it shall also obtain and shall only be eligible for, in
24 addition to any current license, a class 2 brewer license,
25 shall not manufacture more than 3,720,000 gallons of beer per
26 year, and shall not be a member of or affiliated with, directly

1 or indirectly, a manufacturer that produces more than
2 3,720,000 gallons of beer per year. If a class 2 craft
3 distiller manufactures wine, it shall also obtain and shall
4 only be eligible for, in addition to any current license, a
5 second-class wine-maker's license, shall not manufacture more
6 than 150,000 gallons of wine per year, and shall not be a
7 member of or affiliated with, directly or indirectly, a
8 manufacturer that produces more than 150,000 gallons of wine
9 per year. A class 2 craft distiller licensee may make sales and
10 deliveries to importing distributors and distributors, but
11 shall not make sales or deliveries to any other licensee. If
12 the State Commission provides prior approval, a class 2 craft
13 distiller licensee may annually transfer up to 100,000 gallons
14 of spirits manufactured by that class 2 craft distiller
15 licensee to the premises of a licensed class 2 craft distiller
16 wholly owned and operated by the same licensee. A class 2 craft
17 distiller may transfer spirits to a distilling pub wholly
18 owned and operated by the class 2 craft distiller subject to
19 the following limitations and restrictions: (i) the transfer
20 shall not annually exceed more than 5,000 gallons; (ii) the
21 annual amount transferred shall reduce the distilling pub's
22 annual permitted production limit; (iii) all spirits
23 transferred shall be subject to Article VIII of this Act; (iv)
24 a written record shall be maintained by the distiller and
25 distilling pub specifying the amount, date of delivery, and
26 receipt of the product by the distilling pub; and (v) the

1 distilling pub shall be located no farther than 80 miles from
2 the class 2 craft distiller's licensed location.

3 A class 2 craft distiller shall, prior to transferring
4 spirits to a distilling pub wholly owned by the class 2 craft
5 distiller, furnish a written notice to the State Commission of
6 intent to transfer spirits setting forth the name and address
7 of the distilling pub and shall annually submit to the State
8 Commission a verified report identifying the total gallons of
9 spirits transferred to the distilling pub wholly owned by the
10 class 2 craft distiller.

11 A class 2 craft distiller license holder may store such
12 spirits at a non-contiguous licensed location, but at no time
13 shall a class 2 craft distiller license holder directly or
14 indirectly produce in the aggregate more than 100,000 gallons
15 of spirits per year.

16 Class 12. A class 1 brewer license, which may only be
17 issued to a licensed brewer or licensed non-resident dealer,
18 shall allow the manufacture of up to 930,000 gallons of beer
19 per year provided that the class 1 brewer licensee does not
20 manufacture more than a combined 930,000 gallons of beer per
21 year and is not a member of or affiliated with, directly or
22 indirectly, a manufacturer that produces more than 930,000
23 gallons of beer per year. If a class 1 brewer manufactures
24 spirits, it shall also obtain and shall only be eligible for,
25 in addition to any current license, a class 1 craft distiller
26 license, shall not manufacture more than 50,000 gallons of

1 spirits per year, and shall not be a member of or affiliated
2 with, directly or indirectly, a manufacturer that produces
3 more than 50,000 gallons of spirits per year. If a class 1
4 craft brewer manufactures wine, it shall also obtain and shall
5 only be eligible for, in addition to any current license, a
6 first-class wine-manufacturer license or a first-class
7 wine-maker's license, shall not manufacture more than 50,000
8 gallons of wine per year, and shall not be a member of or
9 affiliated with, directly or indirectly, a manufacturer that
10 produces more than 50,000 gallons of wine per year. A class 1
11 brewer licensee may make sales and deliveries to importing
12 distributors and distributors and to retail licensees in
13 accordance with the conditions set forth in paragraph (18) of
14 subsection (a) of Section 3-12 of this Act. If the State
15 Commission provides prior approval, a class 1 brewer may
16 annually transfer up to 930,000 gallons of beer manufactured
17 by that class 1 brewer to the premises of a licensed class 1
18 brewer wholly owned and operated by the same licensee.

19 Class 13. A class 2 brewer license, which may only be
20 issued to a licensed brewer or licensed non-resident dealer,
21 shall allow the manufacture of up to 3,720,000 gallons of beer
22 per year provided that the class 2 brewer licensee does not
23 manufacture more than a combined 3,720,000 gallons of beer per
24 year and is not a member of or affiliated with, directly or
25 indirectly, a manufacturer that produces more than 3,720,000
26 gallons of beer per year. If a class 2 brewer manufactures

1 spirits, it shall also obtain and shall only be eligible for,
2 in addition to any current license, a class 2 craft distiller
3 license, shall not manufacture more than 100,000 gallons of
4 spirits per year, and shall not be a member of or affiliated
5 with, directly or indirectly, a manufacturer that produces
6 more than 100,000 gallons of spirits per year. If a class 2
7 craft distiller manufactures wine, it shall also obtain and
8 shall only be eligible for, in addition to any current
9 license, a second-class wine-maker's license, shall not
10 manufacture more than 150,000 gallons of wine per year, and
11 shall not be a member of or affiliated with, directly or
12 indirectly, a manufacturer that produces more than 150,000
13 gallons of wine a year. A class 2 brewer licensee may make
14 sales and deliveries to importing distributors and
15 distributors, but shall not make sales or deliveries to any
16 other licensee. If the State Commission provides prior
17 approval, a class 2 brewer licensee may annually transfer up
18 to 3,720,000 gallons of beer manufactured by that class 2
19 brewer licensee to the premises of a licensed class 2 brewer
20 wholly owned and operated by the same licensee.

21 A class 2 brewer may transfer beer to a brew pub wholly
22 owned and operated by the class 2 brewer subject to the
23 following limitations and restrictions: (i) the transfer shall
24 not annually exceed more than 31,000 gallons; (ii) the annual
25 amount transferred shall reduce the brew pub's annual
26 permitted production limit; (iii) all beer transferred shall

1 be subject to Article VIII of this Act; (iv) a written record
2 shall be maintained by the brewer and brew pub specifying the
3 amount, date of delivery, and receipt of the product by the
4 brew pub; and (v) the brew pub shall be located no farther than
5 80 miles from the class 2 brewer's licensed location.

6 A class 2 brewer shall, prior to transferring beer to a
7 brew pub wholly owned by the class 2 brewer, furnish a written
8 notice to the State Commission of intent to transfer beer
9 setting forth the name and address of the brew pub and shall
10 annually submit to the State Commission a verified report
11 identifying the total gallons of beer transferred to the brew
12 pub wholly owned by the class 2 brewer.

13 Class 14. A class 3 brewer license, which may be issued to
14 a brewer or a non-resident dealer, shall allow the manufacture
15 of no more than 465,000 gallons of beer per year and no more
16 than 155,000 gallons at a single brewery premises, and shall
17 allow the sale of no more than 6,200 gallons of beer from each
18 in-state or out-of-state class 3 brewery premises, or 18,600
19 gallons in the aggregate, to retail licensees, class 1
20 brewers, class 2 brewers, and class 3 brewers as long as the
21 class 3 brewer licensee does not manufacture more than a
22 combined 465,000 gallons of beer per year and is not a member
23 of or affiliated with, directly or indirectly, a manufacturer
24 that produces more than 465,000 gallons of beer per year to
25 make sales to importing distributors, distributors, retail
26 licensees, brewers, class 1 brewers, class 2 brewers, and

1 class 3 brewers in accordance with the conditions set forth in
2 paragraph (20) of subsection (a) of Section 3-12. If the State
3 Commission provides prior approval, a class 3 brewer may
4 annually transfer up to 155,000 gallons of beer manufactured
5 by that class 3 brewer to the premises of a licensed class 3
6 brewer wholly owned and operated by the same licensee. A class
7 3 brewer shall manufacture beer at the brewer's class 3
8 designated licensed premises, and may sell beer as otherwise
9 provided in this Act.

10 (a-1) A manufacturer that is licensed in this State to
11 make sales or deliveries of alcoholic liquor to licensed
12 distributors or importing distributors and which enlists
13 agents, representatives, or individuals acting on its behalf
14 who contact licensed retailers on a regular and continual
15 basis in this State must register those agents,
16 representatives, or persons acting on its behalf with the
17 State Commission.

18 Registration of agents, representatives, or persons acting
19 on behalf of a manufacturer is fulfilled by submitting a form
20 to the State Commission. The form shall be developed by the
21 State Commission and shall include the name and address of the
22 applicant, the name and address of the manufacturer he or she
23 represents, the territory or areas assigned to sell to or
24 discuss pricing terms of alcoholic liquor, and any other
25 questions deemed appropriate and necessary. All statements in
26 the forms required to be made by law or by rule shall be deemed

1 material, and any person who knowingly misstates any material
2 fact under oath in an application is guilty of a Class B
3 misdemeanor. Fraud, misrepresentation, false statements,
4 misleading statements, evasions, or suppression of material
5 facts in the securing of a registration are grounds for
6 suspension or revocation of the registration. The State
7 Commission shall post a list of registered agents on the State
8 Commission's website.

9 (b) A distributor's license shall allow (i) the wholesale
10 purchase and storage of alcoholic liquors and sale of
11 alcoholic liquors to licensees in this State and to persons
12 without the State, as may be permitted by law; (ii) the sale of
13 beer, cider, mead, or any combination thereof to brewers,
14 class 1 brewers, and class 2 brewers that, pursuant to
15 subsection (e) of Section 6-4 of this Act, sell beer, cider,
16 mead, or any combination thereof to non-licensees at their
17 breweries; (iii) the sale of vermouth to class 1 craft
18 distillers and class 2 craft distillers that, pursuant to
19 subsection (e) of Section 6-4 of this Act, sell spirits,
20 vermouth, or both spirits and vermouth to non-licensees at
21 their distilleries; or (iv) as otherwise provided in this Act.
22 No person licensed as a distributor shall be granted a
23 non-resident dealer's license.

24 (c) An importing distributor's license may be issued to
25 and held by those only who are duly licensed distributors,
26 upon the filing of an application by a duly licensed

1 distributor, with the State Commission and the State
2 Commission shall, without the payment of any fee, immediately
3 issue such importing distributor's license to the applicant,
4 which shall allow the importation of alcoholic liquor by the
5 licensee into this State from any point in the United States
6 outside this State, and the purchase of alcoholic liquor in
7 barrels, casks, or other bulk containers and the bottling of
8 such alcoholic liquors before resale thereof, but all bottles
9 or containers so filled shall be sealed, labeled, stamped, and
10 otherwise made to comply with all provisions, rules, and
11 regulations governing manufacturers in the preparation and
12 bottling of alcoholic liquors. The importing distributor's
13 license shall permit such licensee to purchase alcoholic
14 liquor from Illinois licensed non-resident dealers and foreign
15 importers only. No person licensed as an importing distributor
16 shall be granted a non-resident dealer's license.

17 (d) A retailer's license shall allow the licensee to sell
18 and offer for sale at retail, in or from the premises specified
19 in the license, alcoholic liquor for use or consumption, but
20 not for resale in any form except as otherwise provided in this
21 Act. Except as provided in Section 6-16, 6-29, or 6-29.1,
22 nothing in this Act shall deny, limit, remove, or restrict the
23 ability of a holder of a retailer's license to transfer or ship
24 alcoholic liquor to the purchaser for use or consumption
25 subject to any applicable local law or ordinance. For the
26 purposes of this Section, "shipping" means the movement of

1 alcoholic liquor from a licensed retailer to a consumer via a
2 common carrier. Except as provided in Section 6-16, 6-29, or
3 6-29.1, nothing in this Act shall deny, limit, remove, or
4 restrict the ability of a holder of a retailer's license to
5 deliver alcoholic liquor to the purchaser for use or
6 consumption. The delivery shall be made only within 12 hours
7 from the time the alcoholic liquor leaves the licensed
8 premises of the retailer for delivery. For the purposes of
9 this Section, "delivery" means the movement of alcoholic
10 liquor purchased from a licensed retailer to a consumer
11 through the following methods:

12 (1) delivery within licensed retailer's parking lot,
13 including curbside, for pickup by the consumer;

14 (2) delivery by an owner, officer, director,
15 shareholder, or employee of the licensed retailer; or

16 (3) delivery by a third-party contractor, independent
17 contractor, or agent with whom the licensed retailer has
18 contracted to make deliveries of alcoholic liquors.

19 Under paragraph (1), (2), or (3), delivery shall not
20 include the use of common carriers.

21 A retail licensee may use any website, mobile application,
22 or similar platform that facilitates the sale or delivery of
23 food, beverages, or goods and is owned or operated by the
24 retail licensee, third-party contractor, an independent
25 contractor, or an agent with whom the licensed retailer has
26 contracted to facilitate deliveries or sales of alcoholic

1 liquors under this Section. The use of any website, mobile
2 application, or similar platform to facilitate deliveries or
3 sales of alcoholic liquors shall not be considered an illegal
4 sale, resale, transfer, barter, or exchange of alcohol under
5 this Act.

6 Any retail license issued to a manufacturer shall only
7 permit the manufacturer to sell beer at retail on the premises
8 actually occupied by the manufacturer. For the purpose of
9 further describing the type of business conducted at a retail
10 licensed premises, a retailer's licensee may be designated by
11 the State Commission as (i) an on premise consumption
12 retailer, (ii) an off premise sale retailer, or (iii) a
13 combined on premise consumption and off premise sale retailer.

14 Except for a municipality with a population of more than
15 1,000,000 inhabitants, a home rule unit may not regulate the
16 delivery of alcoholic liquor or require a retail licensee to
17 obtain a separate or additional license for the delivery of
18 alcoholic liquor. This paragraph is a limitation under
19 subsection (i) of Section 6 of Article VII of the Illinois
20 Constitution on the concurrent exercise by home rule units of
21 powers and functions exercised by the State. A non-home rule
22 municipality may not regulate the delivery of alcoholic liquor
23 or require a retail licensee to obtain a separate or
24 additional license for the delivery of alcoholic liquor.

25 Notwithstanding any other provision of this subsection
26 (d), a retail licensee may sell alcoholic liquors to a special

1 event retailer licensee for resale to the extent permitted
2 under subsection (e).

3 The requirements in subsection (b-5) of Section 6-29 apply
4 only to a winery shipper licensee that ships wine via common
5 carrier and do not apply to a winery shipper licensee or a
6 retail licensee that delivers, or causes to be delivered,
7 alcohol pursuant to the methods outlined in item (1), (2), or
8 (3) of this subsection.

9 Except as provided in this Section, for a manufacturer
10 with a retail license, nothing in this Section shall be
11 construed to prohibit an on-premises consumption retailer,
12 off-premises sale retailer, or combined on-premises
13 consumption and off-premises sale retailer from delivering
14 alcohol pursuant to this Section.

15 A retail licensee shall contract only with a third-party
16 contractor, independent contractor, or agent to facilitate or
17 make deliveries of alcoholic liquors that has a policy to
18 verify the age of the person to whom the alcoholic liquor is
19 being delivered based on the person's valid proof of identity
20 indicating the person is age 21 or over. A retail licensee
21 shall not be civilly liable for sales or deliveries made to
22 intoxicated persons or persons under the age of 21 if the
23 delivery of alcoholic liquor was conducted by a third-party
24 contractor, independent contractor, or agent with whom the
25 licensed retailer has contracted to make deliveries of
26 alcoholic liquor.

1 (e) A special event retailer's license (not-for-profit)
2 shall permit the licensee to purchase alcoholic liquors from
3 an Illinois licensed distributor (unless the licensee
4 purchases less than \$500 of alcoholic liquors for the special
5 event, in which case the licensee may purchase the alcoholic
6 liquors from a licensed retailer) and shall allow the licensee
7 to sell and offer for sale, at retail, alcoholic liquors for
8 use or consumption, but not for resale in any form and only at
9 the location and on the specific dates designated for the
10 special event in the license. An applicant for a special event
11 retailer license must (i) furnish with the application: (A) a
12 resale number issued under Section 2c of the Retailers'
13 Occupation Tax Act or evidence that the applicant is
14 registered under Section 2a of the Retailers' Occupation Tax
15 Act, (B) a current, valid exemption identification number
16 issued under Section 1g of the Retailers' Occupation Tax Act
17 and a certification to the State Commission that the purchase
18 of alcoholic liquors will be a tax-exempt purchase, or (C) a
19 statement that the applicant is not registered under Section
20 2a of the Retailers' Occupation Tax Act, does not hold a resale
21 number under Section 2c of the Retailers' Occupation Tax Act,
22 and does not hold an exemption number under Section 1g of the
23 Retailers' Occupation Tax Act, in which event the State
24 Commission shall set forth on the special event retailer's
25 license a statement to that effect; (ii) submit with the
26 application proof satisfactory to the State Commission that

1 the applicant will provide dram shop liability insurance in
2 the maximum limits; and (iii) show proof satisfactory to the
3 State Commission that the applicant has obtained local
4 authority approval.

5 Nothing in this Act prohibits an Illinois licensed
6 distributor from offering credit or a refund for unused,
7 salable alcoholic liquors to a holder of a special event
8 retailer's license or the special event retailer's licensee
9 from accepting the credit or refund of alcoholic liquors at
10 the conclusion of the event specified in the license.

11 (f) A railroad license shall permit the licensee to import
12 alcoholic liquors into this State from any point in the United
13 States outside this State and to store such alcoholic liquors
14 in this State; to make wholesale purchases of alcoholic
15 liquors directly from manufacturers, foreign importers,
16 distributors and importing distributors from within or outside
17 this State; and to store such alcoholic liquors in this State;
18 provided that the above powers may be exercised only in
19 connection with the importation, purchase or storage of
20 alcoholic liquors to be sold or dispensed on a club, buffet,
21 lounge, or dining car operated on an electric, gas, or steam
22 railway in this State; and provided further, that railroad
23 licensees exercising the above powers shall be subject to all
24 provisions of Article VIII of this Act as applied to importing
25 distributors. A railroad license shall also permit the
26 licensee to sell or dispense alcoholic liquors on any club,

1 buffet, lounge, or dining car operated on an electric, gas, or
2 steam railway regularly operated by a common carrier in this
3 State, but shall not permit the sale for resale of any
4 alcoholic liquors to any licensee within this State. A license
5 shall be obtained for each car in which such sales are made.

6 (g) A boat license shall allow the sale of alcoholic
7 liquor in individual drinks on any passenger boat regularly
8 operated as a common carrier on navigable waters in this State
9 or on any riverboat operated under the Illinois Gambling Act,
10 which boat or riverboat maintains a public dining room or
11 restaurant thereon.

12 (h) A non-beverage user's license shall allow the licensee
13 to purchase alcoholic liquor from a licensed manufacturer or
14 importing distributor, without the imposition of any tax upon
15 the business of such licensed manufacturer or importing
16 distributor as to such alcoholic liquor to be used by such
17 licensee solely for the non-beverage purposes set forth in
18 subsection (a) of Section 8-1 of this Act, and such licenses
19 shall be divided and classified and shall permit the purchase,
20 possession, and use of limited and stated quantities of
21 alcoholic liquor as follows:

22	Class 1, not to exceed		500 gallons
23	Class 2, not to exceed		1,000 gallons
24	Class 3, not to exceed		5,000 gallons
25	Class 4, not to exceed		10,000 gallons
26	Class 5, not to exceed		50,000 gallons

1 (i) A wine-maker's premises license shall allow a licensee
2 that concurrently holds a first-class wine-maker's license to
3 sell and offer for sale at retail in the premises specified in
4 such license not more than 50,000 gallons of the first-class
5 wine-maker's wine that is made at the first-class wine-maker's
6 licensed premises per year for use or consumption, but not for
7 resale in any form. A wine-maker's premises license shall
8 allow a licensee who concurrently holds a second-class
9 wine-maker's license to sell and offer for sale at retail in
10 the premises specified in such license up to 100,000 gallons
11 of the second-class wine-maker's wine that is made at the
12 second-class wine-maker's licensed premises per year for use
13 or consumption but not for resale in any form. A first-class
14 wine-maker that concurrently holds a class 1 brewer license or
15 a class 1 craft distiller license shall not be eligible to hold
16 a wine-maker's premises license. A wine-maker's premises
17 license shall allow a licensee that concurrently holds a
18 first-class wine-maker's license or a second-class
19 wine-maker's license to sell and offer for sale at retail at
20 the premises specified in the wine-maker's premises license,
21 for use or consumption but not for resale in any form, any
22 beer, wine, and spirits purchased from a licensed distributor.
23 Upon approval from the State Commission, a wine-maker's
24 premises license shall allow the licensee to sell and offer
25 for sale at (i) the wine-maker's licensed premises and (ii) up
26 to 2 additional locations for use and consumption and not for

1 resale. Each location shall require additional licensing per
2 location as specified in Section 5-3 of this Act. A
3 wine-maker's premises licensee shall secure liquor liability
4 insurance coverage in an amount at least equal to the maximum
5 liability amounts set forth in subsection (a) of Section 6-21
6 of this Act.

7 (j) An airplane license shall permit the licensee to
8 import alcoholic liquors into this State from any point in the
9 United States outside this State and to store such alcoholic
10 liquors in this State; to make wholesale purchases of
11 alcoholic liquors directly from manufacturers, foreign
12 importers, distributors, and importing distributors from
13 within or outside this State; and to store such alcoholic
14 liquors in this State; provided that the above powers may be
15 exercised only in connection with the importation, purchase,
16 or storage of alcoholic liquors to be sold or dispensed on an
17 airplane; and provided further, that airplane licensees
18 exercising the above powers shall be subject to all provisions
19 of Article VIII of this Act as applied to importing
20 distributors. An airplane licensee shall also permit the sale
21 or dispensing of alcoholic liquors on any passenger airplane
22 regularly operated by a common carrier in this State, but
23 shall not permit the sale for resale of any alcoholic liquors
24 to any licensee within this State. A single airplane license
25 shall be required of an airline company if liquor service is
26 provided on board aircraft in this State. The annual fee for

1 such license shall be as determined in Section 5-3.

2 (k) A foreign importer's license shall permit such
3 licensee to purchase alcoholic liquor from Illinois licensed
4 non-resident dealers only, and to import alcoholic liquor
5 other than in bulk from any point outside the United States and
6 to sell such alcoholic liquor to Illinois licensed importing
7 distributors and to no one else in Illinois; provided that (i)
8 the foreign importer registers with the State Commission every
9 brand of alcoholic liquor that it proposes to sell to Illinois
10 licensees during the license period, (ii) the foreign importer
11 complies with all of the provisions of Section 6-9 of this Act
12 with respect to registration of such Illinois licensees as may
13 be granted the right to sell such brands at wholesale, and
14 (iii) the foreign importer complies with the provisions of
15 Sections 6-5 and 6-6 of this Act to the same extent that these
16 provisions apply to manufacturers.

17 (l) (i) A broker's license shall be required of all
18 persons who solicit orders for, offer to sell, or offer to
19 supply alcoholic liquor to retailers in the State of Illinois,
20 or who offer to retailers to ship or cause to be shipped or to
21 make contact with distillers, craft distillers, rectifiers,
22 brewers or manufacturers or any other party within or without
23 the State of Illinois in order that alcoholic liquors be
24 shipped to a distributor, importing distributor, or foreign
25 importer, whether such solicitation or offer is consummated
26 within or without the State of Illinois.

1 No holder of a retailer's license issued by the Illinois
2 Liquor Control Commission shall purchase or receive any
3 alcoholic liquor, the order for which was solicited or offered
4 for sale to such retailer by a broker unless the broker is the
5 holder of a valid broker's license.

6 The broker shall, upon the acceptance by a retailer of the
7 broker's solicitation of an order or offer to sell or supply or
8 deliver or have delivered alcoholic liquors, promptly forward
9 to the Illinois Liquor Control Commission a notification of
10 said transaction in such form as the State Commission may by
11 regulations prescribe.

12 (ii) A broker's license shall be required of a person
13 within this State, other than a retail licensee, who, for a fee
14 or commission, promotes, solicits, or accepts orders for
15 alcoholic liquor, for use or consumption and not for resale,
16 to be shipped from this State and delivered to residents
17 outside of this State by an express company, common carrier,
18 or contract carrier. This Section does not apply to any person
19 who promotes, solicits, or accepts orders for wine as
20 specifically authorized in Section 6-29 of this Act.

21 A broker's license under this subsection (1) shall not
22 entitle the holder to buy or sell any alcoholic liquors for his
23 own account or to take or deliver title to such alcoholic
24 liquors.

25 This subsection (1) shall not apply to distributors,
26 employees of distributors, or employees of a manufacturer who

1 has registered the trademark, brand, or name of the alcoholic
2 liquor pursuant to Section 6-9 of this Act, and who regularly
3 sells such alcoholic liquor in the State of Illinois only to
4 its registrants thereunder.

5 Any agent, representative, or person subject to
6 registration pursuant to subsection (a-1) of this Section
7 shall not be eligible to receive a broker's license.

8 (m) A non-resident dealer's license shall permit such
9 licensee to ship into and warehouse alcoholic liquor into this
10 State from any point outside of this State, and to sell such
11 alcoholic liquor to Illinois licensed foreign importers and
12 importing distributors and to no one else in this State;
13 provided that (i) said non-resident dealer shall register with
14 the Illinois Liquor Control Commission each and every brand of
15 alcoholic liquor which it proposes to sell to Illinois
16 licensees during the license period, (ii) it shall comply with
17 all of the provisions of Section 6-9 hereof with respect to
18 registration of such Illinois licensees as may be granted the
19 right to sell such brands at wholesale by duly filing such
20 registration statement, thereby authorizing the non-resident
21 dealer to proceed to sell such brands at wholesale, and (iii)
22 the non-resident dealer shall comply with the provisions of
23 Sections 6-5 and 6-6 of this Act to the same extent that these
24 provisions apply to manufacturers. No person licensed as a
25 non-resident dealer shall be granted a distributor's or
26 importing distributor's license.

1 (n) A brew pub license shall allow the licensee to only (i)
2 manufacture up to 155,000 gallons of beer per year only on the
3 premises specified in the license, (ii) make sales of the beer
4 manufactured on the premises or, with the approval of the
5 State Commission, beer manufactured on another brew pub
6 licensed premises that is wholly owned and operated by the
7 same licensee to importing distributors, distributors, and
8 non-licensees for use and consumption, (iii) store the beer
9 upon the premises, (iv) sell and offer for sale at retail from
10 the licensed premises for off-premises consumption no more
11 than 155,000 gallons per year so long as such sales are only
12 made in-person, (v) sell and offer for sale at retail for use
13 and consumption on the premises specified in the license any
14 form of alcoholic liquor purchased from a licensed distributor
15 or importing distributor, (vi) with the prior approval of the
16 State Commission, annually transfer no more than 155,000
17 gallons of beer manufactured on the premises to a licensed
18 brew pub wholly owned and operated by the same licensee, and
19 (vii) notwithstanding item (i) of this subsection, brew pubs
20 wholly owned and operated by the same licensee may combine
21 each location's production limit of 155,000 gallons of beer
22 per year and allocate the aggregate total between the wholly
23 owned, operated, and licensed locations.

24 A brew pub licensee shall not under any circumstance sell
25 or offer for sale beer manufactured by the brew pub licensee to
26 retail licensees.

1 A person who holds a class 2 brewer license may
2 simultaneously hold a brew pub license if the class 2 brewer
3 (i) does not, under any circumstance, sell or offer for sale
4 beer manufactured by the class 2 brewer to retail licensees;
5 (ii) does not hold more than 3 brew pub licenses in this State;
6 (iii) does not manufacture more than a combined 3,720,000
7 gallons of beer per year, including the beer manufactured at
8 the brew pub; and (iv) is not a member of or affiliated with,
9 directly or indirectly, a manufacturer that produces more than
10 3,720,000 gallons of beer per year or any other alcoholic
11 liquor.

12 Notwithstanding any other provision of this Act, a
13 licensed brewer, class 2 brewer, or non-resident dealer who
14 before July 1, 2015 manufactured less than 3,720,000 gallons
15 of beer per year and held a brew pub license on or before July
16 1, 2015 may (i) continue to qualify for and hold that brew pub
17 license for the licensed premises and (ii) manufacture more
18 than 3,720,000 gallons of beer per year and continue to
19 qualify for and hold that brew pub license if that brewer,
20 class 2 brewer, or non-resident dealer does not simultaneously
21 hold a class 1 brewer license and is not a member of or
22 affiliated with, directly or indirectly, a manufacturer that
23 produces more than 3,720,000 gallons of beer per year or that
24 produces any other alcoholic liquor.

25 A brew pub licensee may apply for a class 3 brewer license
26 and, upon meeting all applicable qualifications of this Act

1 and relinquishing all commonly owned brew pub or retail
2 licenses, shall be issued a class 3 brewer license. Nothing in
3 this Act shall prohibit the issuance of a class 3 brewer
4 license if the applicant:

5 (1) has a valid retail license on or before May 1,
6 2021;

7 (2) has an ownership interest in at least 2 brew pubs
8 licenses on or before May 1, 2021;

9 (3) the brew pub licensee applies for a class 3 brewer
10 license on or before October 1, 2022 and relinquishes all
11 commonly owned brew pub licenses; and

12 (4) relinquishes all commonly owned retail licenses on
13 or before December 31, 2022.

14 If a brew pub licensee is issued a class 3 brewer license,
15 the class 3 brewer license shall expire on the same date as the
16 existing brew pub license and the State Commission shall not
17 require a class 3 brewer licensee to obtain a brewer license
18 or, in the alternative, to pay a fee for a brewer license,
19 until the date the brew pub license of the applicant would have
20 expired.

21 (o) A caterer retailer license shall allow the holder to
22 serve alcoholic liquors as an incidental part of a food
23 service that serves prepared meals which excludes the serving
24 of snacks as the primary meal, either on or off-site whether
25 licensed or unlicensed. A caterer retailer license shall allow
26 the holder, a distributor, or an importing distributor to

1 transfer any inventory to and from the holder's retail
2 premises and shall allow the holder to purchase alcoholic
3 liquor from a distributor or importing distributor to be
4 delivered directly to an off-site event.

5 Nothing in this Act prohibits a distributor or importing
6 distributor from offering credit or a refund for unused,
7 salable beer to a holder of a caterer retailer license or a
8 caterer retailer licensee from accepting a credit or refund
9 for unused, salable beer, in the event an act of God is the
10 sole reason an off-site event is canceled and if: (i) the
11 holder of a caterer retailer license has not transferred
12 alcoholic liquor from its caterer retailer premises to an
13 off-site location; (ii) the distributor or importing
14 distributor offers the credit or refund for the unused,
15 salable beer that it delivered to the off-site premises and
16 not for any unused, salable beer that the distributor or
17 importing distributor delivered to the caterer retailer's
18 premises; and (iii) the unused, salable beer would likely
19 spoil if transferred to the caterer retailer's premises. A
20 caterer retailer license shall allow the holder to transfer
21 any inventory from any off-site location to its caterer
22 retailer premises at the conclusion of an off-site event or
23 engage a distributor or importing distributor to transfer any
24 inventory from any off-site location to its caterer retailer
25 premises at the conclusion of an off-site event, provided that
26 the distributor or importing distributor issues bona fide

1 charges to the caterer retailer licensee for fuel, labor, and
2 delivery and the distributor or importing distributor collects
3 payment from the caterer retailer licensee prior to the
4 distributor or importing distributor transferring inventory to
5 the caterer retailer premises.

6 For purposes of this subsection (o), an "act of God" means
7 an unforeseeable event, such as a rain or snow storm, hail, a
8 flood, or a similar event, that is the sole cause of the
9 cancellation of an off-site, outdoor event.

10 (p) An auction liquor license shall allow the licensee to
11 sell and offer for sale at auction wine and spirits for use or
12 consumption, or for resale by an Illinois liquor licensee in
13 accordance with provisions of this Act. An auction liquor
14 license will be issued to a person and it will permit the
15 auction liquor licensee to hold the auction anywhere in the
16 State. An auction liquor license must be obtained for each
17 auction at least 14 days in advance of the auction date.

18 (q) A special use permit license shall allow an Illinois
19 licensed retailer to transfer a portion of its alcoholic
20 liquor inventory from its retail licensed premises to the
21 premises specified in the license hereby created; to purchase
22 alcoholic liquor from a distributor or importing distributor
23 to be delivered directly to the location specified in the
24 license hereby created; and to sell or offer for sale at
25 retail, only in the premises specified in the license hereby
26 created, the transferred or delivered alcoholic liquor for use

1 or consumption, but not for resale in any form. A special use
2 permit license may be granted for the following time periods:
3 one day or less; 2 or more days to a maximum of 15 days per
4 location in any 12-month period. An applicant for the special
5 use permit license must also submit with the application proof
6 satisfactory to the State Commission that the applicant will
7 provide dram shop liability insurance to the maximum limits
8 and have local authority approval.

9 A special use permit license shall allow the holder to
10 transfer any inventory from the holder's special use premises
11 to its retail premises at the conclusion of the special use
12 event or engage a distributor or importing distributor to
13 transfer any inventory from the holder's special use premises
14 to its retail premises at the conclusion of an off-site event,
15 provided that the distributor or importing distributor issues
16 bona fide charges to the special use permit licensee for fuel,
17 labor, and delivery and the distributor or importing
18 distributor collects payment from the retail licensee prior to
19 the distributor or importing distributor transferring
20 inventory to the retail premises.

21 Nothing in this Act prohibits a distributor or importing
22 distributor from offering credit or a refund for unused,
23 salable beer to a special use permit licensee or a special use
24 permit licensee from accepting a credit or refund for unused,
25 salable beer at the conclusion of the event specified in the
26 license if: (i) the holder of the special use permit license

1 has not transferred alcoholic liquor from its retail licensed
2 premises to the premises specified in the special use permit
3 license; (ii) the distributor or importing distributor offers
4 the credit or refund for the unused, salable beer that it
5 delivered to the premises specified in the special use permit
6 license and not for any unused, salable beer that the
7 distributor or importing distributor delivered to the
8 retailer's premises; and (iii) the unused, salable beer would
9 likely spoil if transferred to the retailer premises.

10 (r) A winery shipper's license shall allow a person with a
11 first-class or second-class wine manufacturer's license, a
12 first-class or second-class wine-maker's license, or a limited
13 wine manufacturer's license or who is licensed to make wine
14 under the laws of another state to ship wine made by that
15 licensee directly to a resident of this State who is 21 years
16 of age or older for that resident's personal use and not for
17 resale. Prior to receiving a winery shipper's license, an
18 applicant for the license must provide the State Commission
19 with a true copy of its current license in any state in which
20 it is licensed as a manufacturer of wine. An applicant for a
21 winery shipper's license must also complete an application
22 form that provides any other information the State Commission
23 deems necessary. The application form shall include all
24 addresses from which the applicant for a winery shipper's
25 license intends to ship wine, including the name and address
26 of any third party, except for a common carrier, authorized to

1 ship wine on behalf of the manufacturer. The application form
2 shall include an acknowledgment consenting to the jurisdiction
3 of the State Commission, the Illinois Department of Revenue,
4 and the courts of this State concerning the enforcement of
5 this Act and any related laws, rules, and regulations,
6 including authorizing the Department of Revenue and the State
7 Commission to conduct audits for the purpose of ensuring
8 compliance with Public Act 95-634, and an acknowledgment that
9 the wine manufacturer is in compliance with Section 6-2 of
10 this Act. Any third party, except for a common carrier,
11 authorized to ship wine on behalf of a first-class or
12 second-class wine manufacturer's licensee, a first-class or
13 second-class wine-maker's licensee, a limited wine
14 manufacturer's licensee, or a person who is licensed to make
15 wine under the laws of another state shall also be disclosed by
16 the winery shipper's licensee, and a copy of the written
17 appointment of the third-party wine provider, except for a
18 common carrier, to the wine manufacturer shall be filed with
19 the State Commission as a supplement to the winery shipper's
20 license application or any renewal thereof. The winery
21 shipper's license holder shall affirm under penalty of
22 perjury, as part of the winery shipper's license application
23 or renewal, that he or she only ships wine, either directly or
24 indirectly through a third-party provider, from the licensee's
25 own production.

26 Except for a common carrier, a third-party provider

1 shipping wine on behalf of a winery shipper's license holder
2 is the agent of the winery shipper's license holder and, as
3 such, a winery shipper's license holder is responsible for the
4 acts and omissions of the third-party provider acting on
5 behalf of the license holder. A third-party provider, except
6 for a common carrier, that engages in shipping wine into
7 Illinois on behalf of a winery shipper's license holder shall
8 consent to the jurisdiction of the State Commission and the
9 State. Any third-party, except for a common carrier, holding
10 such an appointment shall, by February 1 of each calendar year
11 and upon request by the State Commission or the Department of
12 Revenue, file with the State Commission a statement detailing
13 each shipment made to an Illinois resident. The statement
14 shall include the name and address of the third-party provider
15 filing the statement, the time period covered by the
16 statement, and the following information:

17 (1) the name, address, and license number of the
18 winery shipper on whose behalf the shipment was made;

19 (2) the quantity of the products delivered; and

20 (3) the date and address of the shipment.

21 If the Department of Revenue or the State Commission requests
22 a statement under this paragraph, the third-party provider
23 must provide that statement no later than 30 days after the
24 request is made. Any books, records, supporting papers, and
25 documents containing information and data relating to a
26 statement under this paragraph shall be kept and preserved for

1 a period of 3 years, unless their destruction sooner is
2 authorized, in writing, by the Director of Revenue, and shall
3 be open and available to inspection by the Director of Revenue
4 or the State Commission or any duly authorized officer, agent,
5 or employee of the State Commission or the Department of
6 Revenue, at all times during business hours of the day. Any
7 person who violates any provision of this paragraph or any
8 rule of the State Commission for the administration and
9 enforcement of the provisions of this paragraph is guilty of a
10 Class C misdemeanor. In case of a continuing violation, each
11 day's continuance thereof shall be a separate and distinct
12 offense.

13 The State Commission shall adopt rules as soon as
14 practicable to implement the requirements of Public Act 99-904
15 and shall adopt rules prohibiting any such third-party
16 appointment of a third-party provider, except for a common
17 carrier, that has been deemed by the State Commission to have
18 violated the provisions of this Act with regard to any winery
19 shipper licensee.

20 A winery shipper licensee must pay to the Department of
21 Revenue the State liquor gallonage tax under Section 8-1 for
22 all wine that is sold by the licensee and shipped to a person
23 in this State. For the purposes of Section 8-1, a winery
24 shipper licensee shall be taxed in the same manner as a
25 manufacturer of wine. A licensee who is not otherwise required
26 to register under the Retailers' Occupation Tax Act must

1 register under the Use Tax Act to collect and remit use tax to
2 the Department of Revenue for all gallons of wine that are sold
3 by the licensee and shipped to persons in this State. If a
4 licensee fails to remit the tax imposed under this Act in
5 accordance with the provisions of Article VIII of this Act,
6 the winery shipper's license shall be revoked in accordance
7 with the provisions of Article VII of this Act. If a licensee
8 fails to properly register and remit tax under the Use Tax Act
9 or the Retailers' Occupation Tax Act for all wine that is sold
10 by the winery shipper and shipped to persons in this State, the
11 winery shipper's license shall be revoked in accordance with
12 the provisions of Article VII of this Act.

13 A winery shipper licensee must collect, maintain, and
14 submit to the State Commission on a semi-annual basis the
15 total number of cases per resident of wine shipped to
16 residents of this State. A winery shipper licensed under this
17 subsection (r) must comply with the requirements of Section
18 6-29 of this Act.

19 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
20 Section 3-12, the State Commission may receive, respond to,
21 and investigate any complaint and impose any of the remedies
22 specified in paragraph (1) of subsection (a) of Section 3-12.

23 As used in this subsection, "third-party provider" means
24 any entity that provides fulfillment house services, including
25 warehousing, packaging, distribution, order processing, or
26 shipment of wine, but not the sale of wine, on behalf of a

1 licensed winery shipper.

2 (s) A craft distiller tasting permit license shall allow
3 an Illinois licensed class 1 craft distiller or class 2 craft
4 distiller to transfer a portion of its alcoholic liquor
5 inventory from its class 1 craft distiller or class 2 craft
6 distiller licensed premises to the premises specified in the
7 license hereby created and to conduct a sampling, only in the
8 premises specified in the license hereby created, of the
9 transferred alcoholic liquor in accordance with subsection (c)
10 of Section 6-31 of this Act. The transferred alcoholic liquor
11 may not be sold or resold in any form. An applicant for the
12 craft distiller tasting permit license must also submit with
13 the application proof satisfactory to the State Commission
14 that the applicant will provide dram shop liability insurance
15 to the maximum limits and have local authority approval.

16 (t) A brewer warehouse permit may be issued to the holder
17 of a class 1 brewer license or a class 2 brewer license. If the
18 holder of the permit is a class 1 brewer licensee, the brewer
19 warehouse permit shall allow the holder to store or warehouse
20 up to 930,000 gallons of tax-determined beer manufactured by
21 the holder of the permit at the premises specified on the
22 permit. If the holder of the permit is a class 2 brewer
23 licensee, the brewer warehouse permit shall allow the holder
24 to store or warehouse up to 3,720,000 gallons of
25 tax-determined beer manufactured by the holder of the permit
26 at the premises specified on the permit. Sales to

1 non-licensees are prohibited at the premises specified in the
2 brewer warehouse permit.

3 (u) A distilling pub license shall allow the licensee to
4 only (i) manufacture up to 5,000 gallons of spirits per year
5 only on the premises specified in the license, (ii) make sales
6 of the spirits manufactured on the premises or, with the
7 approval of the State Commission, spirits manufactured on
8 another distilling pub licensed premises that is wholly owned
9 and operated by the same licensee to importing distributors
10 and distributors and to non-licensees for use and consumption,
11 (iii) store the spirits upon the premises, (iv) sell and offer
12 for sale at retail from the licensed premises for off-premises
13 consumption no more than 5,000 gallons per year so long as such
14 sales are only made in-person, (v) sell and offer for sale at
15 retail for use and consumption on the premises specified in
16 the license any form of alcoholic liquor purchased from a
17 licensed distributor or importing distributor, and (vi) with
18 the prior approval of the State Commission, annually transfer
19 no more than 5,000 gallons of spirits manufactured on the
20 premises to a licensed distilling pub wholly owned and
21 operated by the same licensee.

22 A distilling pub licensee shall not under any circumstance
23 sell or offer for sale spirits manufactured by the distilling
24 pub licensee to retail licensees.

25 A person who holds a class 2 craft distiller license may
26 simultaneously hold a distilling pub license if the class 2

1 craft distiller (i) does not, under any circumstance, sell or
2 offer for sale spirits manufactured by the class 2 craft
3 distiller to retail licensees; (ii) does not hold more than 3
4 distilling pub licenses in this State; (iii) does not
5 manufacture more than a combined 100,000 gallons of spirits
6 per year, including the spirits manufactured at the distilling
7 pub; and (iv) is not a member of or affiliated with, directly
8 or indirectly, a manufacturer that produces more than 100,000
9 gallons of spirits per year or any other alcoholic liquor.

10 (v) A craft distiller warehouse permit may be issued to
11 the holder of a class 1 craft distiller or class 2 craft
12 distiller license. The craft distiller warehouse permit shall
13 allow the holder to store or warehouse up to 500,000 gallons of
14 spirits manufactured by the holder of the permit at the
15 premises specified on the permit. Sales to non-licensees are
16 prohibited at the premises specified in the craft distiller
17 warehouse permit.

18 (w) A beer showcase permit license shall allow an
19 Illinois-licensed distributor to transfer a portion of its
20 beer inventory from its licensed premises to the premises
21 specified in the beer showcase permit license, and, in the
22 case of a class 3 brewer, transfer only beer the class 3 brewer
23 manufactures from its licensed premises to the premises
24 specified in the beer showcase permit license; and to sell or
25 offer for sale at retail, only in the premises specified in the
26 beer showcase permit license, the transferred or delivered

1 beer for on or off premise consumption, but not for resale in
2 any form and to sell to non-licensees not more than 96 fluid
3 ounces of beer per person. A beer showcase permit license may
4 be granted for the following time periods: one day or less; or
5 2 or more days to a maximum of 15 days per location in any
6 12-month period. An applicant for a beer showcase permit
7 license must also submit with the application proof
8 satisfactory to the State Commission that the applicant will
9 provide dram shop liability insurance to the maximum limits
10 and have local authority approval. The State Commission shall
11 require the beer showcase applicant to comply with Section
12 6-27.1.

13 (Source: P.A. 104-451, Section 10, eff. 12-12-25.)

14 (Text of Section after amendment by P.A. 104-451, Section
15 5)

16 Sec. 5-1. Licenses issued by the Illinois Liquor Control
17 Commission shall be of the following classes:

18 (a) Manufacturer's license - Class 1. Distiller, Class 2.
19 Rectifier, Class 3. Brewer, Class 4. First Class Wine
20 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
21 6. First Class Winemaker, Class 7. Second Class Winemaker,
22 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,
23 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
24 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
25 Class 14. Class 3 Brewer, Class 15. Class 3 Craft Distiller,

- 1 (b) Distributor's license,
- 2 (c) Importing Distributor's license,
- 3 (d) Retailer's license,
- 4 (e) Special Event Retailer's license (not-for-profit),
- 5 (f) Railroad license,
- 6 (g) Boat license,
- 7 (h) Non-Beverage User's license,
- 8 (i) Wine-maker's premises license,
- 9 (j) Airplane license,
- 10 (k) Foreign importer's license,
- 11 (l) Broker's license,
- 12 (m) Non-resident dealer's license,
- 13 (n) Brew Pub license,
- 14 (o) Auction liquor license,
- 15 (p) Caterer retailer license,
- 16 (q) Special use permit license,
- 17 (r) Winery shipper's license,
- 18 (s) Craft distiller tasting permit,
- 19 (t) Brewer warehouse permit,
- 20 (u) Distilling pub license,
- 21 (v) Craft distiller warehouse permit,
- 22 (w) Beer showcase permit,
- 23 (x) Spirits showcase permit.

24 No person, firm, partnership, corporation, or other legal
25 business entity that is engaged in the manufacturing of wine
26 may concurrently obtain and hold a wine-maker's license and a

1 wine manufacturer's license.

2 (a) A manufacturer's license shall allow the manufacture,
3 importation in bulk, storage, distribution and sale of
4 alcoholic liquor to persons without the State, as may be
5 permitted by law, and to licensees in this State as follows:

6 Class 1. A Distiller may make sales and deliveries of
7 alcoholic liquor to distillers, rectifiers, importing
8 distributors, distributors, and non-beverage users and to no
9 other licensees.

10 Class 2. A Rectifier, who is not a distiller, as defined
11 herein, may make sales and deliveries of alcoholic liquor to
12 rectifiers, importing distributors, distributors, retailers,
13 and non-beverage users and to no other licensees.

14 Class 3. A Brewer may make sales and deliveries of beer to
15 importing distributors and distributors and may make sales as
16 authorized under subsection (e) of Section 6-4 of this Act,
17 including any alcoholic liquor that subsection (e) of Section
18 6-4 authorizes a brewer to sell in its original package only to
19 a non-licensee for pick-up by a non-licensee either within the
20 interior of the brewery premises or outside of the brewery
21 premises at a curb-side or parking lot adjacent to the brewery
22 premises, subject to any local ordinance.

23 Class 4. A first class wine-manufacturer may make sales
24 and deliveries of up to 50,000 gallons of wine to
25 manufacturers, importing distributors and distributors, and to
26 no other licensees. If a first-class wine-manufacturer

1 manufactures beer, it shall also obtain and shall only be
2 eligible for, in addition to any current license, a class 1
3 brewer license, shall not manufacture more than 930,000
4 gallons of beer per year, and shall not be a member of or
5 affiliated with, directly or indirectly, a manufacturer that
6 produces more than 930,000 gallons of beer per year. If the
7 first-class wine-manufacturer manufactures spirits, it shall
8 also obtain and shall only be eligible for, in addition to any
9 current license, a class 1 craft distiller license, shall not
10 manufacture more than 50,000 gallons of spirits per year, and
11 shall not be a member of or affiliated with, directly or
12 indirectly, a manufacturer that produces more than 50,000
13 gallons of spirits per year. A first-class wine-manufacturer
14 shall be permitted to sell wine manufactured at the
15 first-class wine-manufacturer premises to non-licensees.

16 Class 5. A second class wine manufacturer may make sales
17 and deliveries of more than 50,000 gallons of wine to
18 manufacturers, importing distributors and distributors and to
19 no other licensees.

20 Class 6. A first-class wine-maker's license shall allow
21 the manufacture of up to 50,000 gallons of wine per year and
22 the storage and sale of such wine to distributors in the State
23 and to persons without the State, as may be permitted by law. A
24 person who, prior to June 1, 2008 (the effective date of Public
25 Act 95-634), is a holder of a first-class wine-maker's license
26 and annually produces more than 25,000 gallons of its own wine

1 and who distributes its wine to licensed retailers shall cease
2 this practice on or before July 1, 2008 in compliance with
3 Public Act 95-634. If a first-class wine-maker manufactures
4 beer, it shall also obtain and shall only be eligible for, in
5 addition to any current license, a class 1 brewer license,
6 shall not manufacture more than 930,000 gallons of beer per
7 year, and shall not be a member of or affiliated with, directly
8 or indirectly, a manufacturer that produces more than 930,000
9 gallons of beer per year. If the first-class wine-maker
10 manufactures spirits, it shall also obtain and shall only be
11 eligible for, in addition to any current license, a class 1
12 craft distiller license, shall not manufacture more than
13 50,000 gallons of spirits per year, and shall not be a member
14 of or affiliated with, directly or indirectly, a manufacturer
15 that produces more than 50,000 gallons of spirits per year. A
16 first-class wine-maker holding a class 1 brewer license or a
17 class 1 craft distiller license shall not be eligible for a
18 wine-maker's premises license but shall be permitted to sell
19 wine manufactured at the first-class wine-maker premises to
20 non-licensees.

21 Class 7. A second-class wine-maker's license shall allow
22 the manufacture of up to 150,000 gallons of wine per year, and
23 the storage and sale of such wine to distributors in this State
24 and to persons without the State, as may be permitted by law. A
25 person who, prior to June 1, 2008 (the effective date of Public
26 Act 95-634), is a holder of a second-class wine-maker's

1 license and annually produces more than 25,000 gallons of its
2 own wine and who distributes its wine to licensed retailers
3 shall cease this practice on or before July 1, 2008 in
4 compliance with Public Act 95-634. If a second-class
5 wine-maker manufactures beer, it shall also obtain and shall
6 only be eligible for, in addition to any current license, a
7 class 2 brewer license, shall not manufacture more than
8 3,720,000 gallons of beer per year, and shall not be a member
9 of or affiliated with, directly or indirectly, a manufacturer
10 that produces more than 3,720,000 gallons of beer per year. If
11 a second-class wine-maker manufactures spirits, it shall also
12 obtain and shall only be eligible for, in addition to any
13 current license, a class 2 craft distiller license, shall not
14 manufacture more than 100,000 gallons of spirits per year, and
15 shall not be a member of or affiliated with, directly or
16 indirectly, a manufacturer that produces more than 100,000
17 gallons of spirits per year.

18 Class 8. A limited wine-manufacturer may make sales and
19 deliveries not to exceed 40,000 gallons of wine per year to
20 distributors, and to non-licensees in accordance with the
21 provisions of this Act.

22 Class 9. A craft distiller license, which may only be held
23 by a class 1 craft distiller licensee or class 2 craft
24 distiller licensee but not held by both a class 1 craft
25 distiller licensee and a class 2 craft distiller licensee,
26 shall grant all rights conveyed by either: (i) a class 1 craft

1 distiller license if the craft distiller holds a class 1 craft
2 distiller license; or (ii) a class 2 craft distiller licensee
3 if the craft distiller holds a class 2 craft distiller
4 license.

5 Class 10. A class 1 craft distiller license, which may
6 only be issued to a licensed craft distiller or licensed
7 non-resident dealer, shall allow the manufacture of up to
8 50,000 gallons of spirits per year provided that the class 1
9 craft distiller licensee does not manufacture more than a
10 combined 50,000 gallons of spirits per year and is not a member
11 of or affiliated with, directly or indirectly, a manufacturer
12 that produces more than 50,000 gallons of spirits per year. If
13 a class 1 craft distiller manufactures beer, it shall also
14 obtain and shall only be eligible for, in addition to any
15 current license, a class 1 brewer license, shall not
16 manufacture more than 930,000 gallons of beer per year, and
17 shall not be a member of or affiliated with, directly or
18 indirectly, a manufacturer that produces more than 930,000
19 gallons of beer per year. If a class 1 craft distiller
20 manufactures wine, it shall also obtain and shall only be
21 eligible for, in addition to any current license, a
22 first-class wine-manufacturer license or a first-class
23 wine-maker's license, shall not manufacture more than 50,000
24 gallons of wine per year, and shall not be a member of or
25 affiliated with, directly or indirectly, a manufacturer that
26 produces more than 50,000 gallons of wine per year. A class 1

1 craft distiller licensee may make sales and deliveries to
2 importing distributors and distributors and to retail
3 licensees in accordance with the conditions set forth in
4 paragraph (19) of subsection (a) of Section 3-12 of this Act.
5 However, the aggregate amount of spirits sold to non-licensees
6 and sold or delivered to retail licensees may not exceed 5,000
7 gallons per year.

8 A class 1 craft distiller licensee may sell up to 5,000
9 gallons of such spirits to non-licensees to the extent
10 permitted by any exemption approved by the State Commission
11 pursuant to Section 6-4 of this Act. A class 1 craft distiller
12 license holder may store such spirits at a non-contiguous
13 licensed location, but at no time shall a class 1 craft
14 distiller license holder directly or indirectly produce in the
15 aggregate more than 50,000 gallons of spirits per year.

16 A class 1 craft distiller licensee may hold more than one
17 class 1 craft distiller's license. However, a class 1 craft
18 distiller that holds more than one class 1 craft distiller
19 license shall not manufacture, in the aggregate, more than
20 50,000 gallons of spirits by distillation per year and shall
21 not sell, in the aggregate, more than 5,000 gallons of such
22 spirits to non-licensees in accordance with an exemption
23 approved by the State Commission pursuant to Section 6-4 of
24 this Act.

25 Class 11. A class 2 craft distiller license, which may
26 only be issued to a licensed craft distiller or licensed

1 non-resident dealer, shall allow the manufacture of up to
2 100,000 gallons of spirits per year provided that the class 2
3 craft distiller licensee does not manufacture more than a
4 combined 100,000 gallons of spirits per year and is not a
5 member of or affiliated with, directly or indirectly, a
6 manufacturer that produces more than 100,000 gallons of
7 spirits per year. If a class 2 craft distiller manufactures
8 beer, it shall also obtain and shall only be eligible for, in
9 addition to any current license, a class 2 brewer license,
10 shall not manufacture more than 3,720,000 gallons of beer per
11 year, and shall not be a member of or affiliated with, directly
12 or indirectly, a manufacturer that produces more than
13 3,720,000 gallons of beer per year. If a class 2 craft
14 distiller manufactures wine, it shall also obtain and shall
15 only be eligible for, in addition to any current license, a
16 second-class wine-maker's license, shall not manufacture more
17 than 150,000 gallons of wine per year, and shall not be a
18 member of or affiliated with, directly or indirectly, a
19 manufacturer that produces more than 150,000 gallons of wine
20 per year. A class 2 craft distiller licensee may make sales and
21 deliveries to importing distributors and distributors, but
22 shall not make sales or deliveries to any other licensee. If
23 the State Commission provides prior approval, a class 2 craft
24 distiller licensee may annually transfer up to 100,000 gallons
25 of spirits manufactured by that class 2 craft distiller
26 licensee to the premises of a licensed class 2 craft distiller

1 wholly owned and operated by the same licensee. A class 2 craft
2 distiller may transfer spirits to a distilling pub wholly
3 owned and operated by the class 2 craft distiller subject to
4 the following limitations and restrictions: (i) the transfer
5 shall not annually exceed more than 5,000 gallons; (ii) the
6 annual amount transferred shall reduce the distilling pub's
7 annual permitted production limit; (iii) all spirits
8 transferred shall be subject to Article VIII of this Act; (iv)
9 a written record shall be maintained by the distiller and
10 distilling pub specifying the amount, date of delivery, and
11 receipt of the product by the distilling pub; and (v) the
12 distilling pub shall be located no farther than 80 miles from
13 the class 2 craft distiller's licensed location.

14 A class 2 craft distiller shall, prior to transferring
15 spirits to a distilling pub wholly owned by the class 2 craft
16 distiller, furnish a written notice to the State Commission of
17 intent to transfer spirits setting forth the name and address
18 of the distilling pub and shall annually submit to the State
19 Commission a verified report identifying the total gallons of
20 spirits transferred to the distilling pub wholly owned by the
21 class 2 craft distiller.

22 A class 2 craft distiller license holder may store such
23 spirits at a non-contiguous licensed location, but at no time
24 shall a class 2 craft distiller license holder directly or
25 indirectly produce in the aggregate more than 100,000 gallons
26 of spirits per year.

1 Class 12. A class 1 brewer license, which may only be
2 issued to a licensed brewer or licensed non-resident dealer,
3 shall allow the manufacture of up to 930,000 gallons of beer
4 per year provided that the class 1 brewer licensee does not
5 manufacture more than a combined 930,000 gallons of beer per
6 year and is not a member of or affiliated with, directly or
7 indirectly, a manufacturer that produces more than 930,000
8 gallons of beer per year. If a class 1 brewer manufactures
9 spirits, it shall also obtain and shall only be eligible for,
10 in addition to any current license, a class 1 craft distiller
11 license, shall not manufacture more than 50,000 gallons of
12 spirits per year, and shall not be a member of or affiliated
13 with, directly or indirectly, a manufacturer that produces
14 more than 50,000 gallons of spirits per year. If a class 1
15 craft brewer manufactures wine, it shall also obtain and shall
16 only be eligible for, in addition to any current license, a
17 first-class wine-manufacturer license or a first-class
18 wine-maker's license, shall not manufacture more than 50,000
19 gallons of wine per year, and shall not be a member of or
20 affiliated with, directly or indirectly, a manufacturer that
21 produces more than 50,000 gallons of wine per year. A class 1
22 brewer licensee may make sales and deliveries to importing
23 distributors and distributors and to retail licensees in
24 accordance with the conditions set forth in paragraph (18) of
25 subsection (a) of Section 3-12 of this Act. If the State
26 Commission provides prior approval, a class 1 brewer may

1 annually transfer up to 930,000 gallons of beer manufactured
2 by that class 1 brewer to the premises of a licensed class 1
3 brewer wholly owned and operated by the same licensee.

4 Class 13. A class 2 brewer license, which may only be
5 issued to a licensed brewer or licensed non-resident dealer,
6 shall allow the manufacture of up to 3,720,000 gallons of beer
7 per year provided that the class 2 brewer licensee does not
8 manufacture more than a combined 3,720,000 gallons of beer per
9 year and is not a member of or affiliated with, directly or
10 indirectly, a manufacturer that produces more than 3,720,000
11 gallons of beer per year. If a class 2 brewer manufactures
12 spirits, it shall also obtain and shall only be eligible for,
13 in addition to any current license, a class 2 craft distiller
14 license, shall not manufacture more than 100,000 gallons of
15 spirits per year, and shall not be a member of or affiliated
16 with, directly or indirectly, a manufacturer that produces
17 more than 100,000 gallons of spirits per year. If a class 2
18 craft distiller manufactures wine, it shall also obtain and
19 shall only be eligible for, in addition to any current
20 license, a second-class wine-maker's license, shall not
21 manufacture more than 150,000 gallons of wine per year, and
22 shall not be a member of or affiliated with, directly or
23 indirectly, a manufacturer that produces more than 150,000
24 gallons of wine a year. A class 2 brewer licensee may make
25 sales and deliveries to importing distributors and
26 distributors, but shall not make sales or deliveries to any

1 other licensee. If the State Commission provides prior
2 approval, a class 2 brewer licensee may annually transfer up
3 to 3,720,000 gallons of beer manufactured by that class 2
4 brewer licensee to the premises of a licensed class 2 brewer
5 wholly owned and operated by the same licensee.

6 A class 2 brewer may transfer beer to a brew pub wholly
7 owned and operated by the class 2 brewer subject to the
8 following limitations and restrictions: (i) the transfer shall
9 not annually exceed more than 31,000 gallons; (ii) the annual
10 amount transferred shall reduce the brew pub's annual
11 permitted production limit; (iii) all beer transferred shall
12 be subject to Article VIII of this Act; (iv) a written record
13 shall be maintained by the brewer and brew pub specifying the
14 amount, date of delivery, and receipt of the product by the
15 brew pub; and (v) the brew pub shall be located no farther than
16 80 miles from the class 2 brewer's licensed location.

17 A class 2 brewer shall, prior to transferring beer to a
18 brew pub wholly owned by the class 2 brewer, furnish a written
19 notice to the State Commission of intent to transfer beer
20 setting forth the name and address of the brew pub and shall
21 annually submit to the State Commission a verified report
22 identifying the total gallons of beer transferred to the brew
23 pub wholly owned by the class 2 brewer.

24 Class 14. A class 3 brewer license, which may be issued to
25 a brewer or a non-resident dealer, shall allow the manufacture
26 of no more than 465,000 gallons of beer per year and no more

1 than 155,000 gallons at a single brewery premises, and shall
2 allow the sale of no more than 6,200 gallons of beer from each
3 in-state or out-of-state class 3 brewery premises, or 18,600
4 gallons in the aggregate, to retail licensees, class 1
5 brewers, class 2 brewers, and class 3 brewers as long as the
6 class 3 brewer licensee does not manufacture more than a
7 combined 465,000 gallons of beer per year and is not a member
8 of or affiliated with, directly or indirectly, a manufacturer
9 that produces more than 465,000 gallons of beer per year to
10 make sales to importing distributors, distributors, retail
11 licensees, brewers, class 1 brewers, class 2 brewers, and
12 class 3 brewers in accordance with the conditions set forth in
13 paragraph (20) of subsection (a) of Section 3-12. If the State
14 Commission provides prior approval, a class 3 brewer may
15 annually transfer up to 155,000 gallons of beer manufactured
16 by that class 3 brewer to the premises of a licensed class 3
17 brewer wholly owned and operated by the same licensee. A class
18 3 brewer shall manufacture beer at the brewer's class 3
19 designated licensed premises, and may sell beer as otherwise
20 provided in this Act.

21 Class 15. A class 3 craft distiller license, which may be
22 issued to a distiller or a non-resident dealer, shall allow
23 the manufacture of no more than 100,000 gallons of spirits per
24 year and shall allow the sale of spirits from the class 3 craft
25 distiller's in-state or out-of-state class 3 craft distillery
26 premises to retail licensees, class 3 brewers, and class 3

1 craft distillers as long as the class 3 craft distiller
2 licensee does not manufacture more than a combined 100,000
3 gallons of spirits per year and is not a member of or
4 affiliated with, directly or indirectly, a manufacturer that
5 produces more than 100,000 gallons of spirits per year and to
6 make sales to importing distributors, distributors, retail
7 licensees, class 3 brewers, and class 3 craft distillers in
8 accordance with the conditions set forth in paragraph (21) of
9 subsection (a) of Section 3-12. If the State Commission
10 provides prior approval, a class 3 craft distiller may
11 annually transfer up to 2,500 gallons of spirits manufactured
12 by that class 3 craft distiller to the premises of a licensed
13 class 3 craft distiller wholly owned and operated by the same
14 licensee. A class 3 craft distiller shall manufacture spirits
15 at the distiller's class 3 designated licensed premises and
16 may sell spirits as otherwise provided in this Act.

17 (a-1) A manufacturer that is licensed in this State to
18 make sales or deliveries of alcoholic liquor to licensed
19 distributors or importing distributors and which enlists
20 agents, representatives, or individuals acting on its behalf
21 who contact licensed retailers on a regular and continual
22 basis in this State must register those agents,
23 representatives, or persons acting on its behalf with the
24 State Commission.

25 Registration of agents, representatives, or persons acting
26 on behalf of a manufacturer is fulfilled by submitting a form

1 to the State Commission. The form shall be developed by the
2 State Commission and shall include the name and address of the
3 applicant, the name and address of the manufacturer he or she
4 represents, the territory or areas assigned to sell to or
5 discuss pricing terms of alcoholic liquor, and any other
6 questions deemed appropriate and necessary. All statements in
7 the forms required to be made by law or by rule shall be deemed
8 material, and any person who knowingly misstates any material
9 fact under oath in an application is guilty of a Class B
10 misdemeanor. Fraud, misrepresentation, false statements,
11 misleading statements, evasions, or suppression of material
12 facts in the securing of a registration are grounds for
13 suspension or revocation of the registration. The State
14 Commission shall post a list of registered agents on the State
15 Commission's website.

16 (b) A distributor's license shall allow (i) the wholesale
17 purchase and storage of alcoholic liquors and sale of
18 alcoholic liquors to licensees in this State and to persons
19 without the State, as may be permitted by law; (ii) the sale of
20 beer, cider, mead, or any combination thereof to brewers,
21 class 1 brewers, and class 2 brewers that, pursuant to
22 subsection (e) of Section 6-4 of this Act, sell beer, cider,
23 mead, or any combination thereof to non-licensees at their
24 breweries; (iii) the sale of vermouth to class 1 craft
25 distillers and class 2 craft distillers that, pursuant to
26 subsection (e) of Section 6-4 of this Act, sell spirits,

1 vermouth, or both spirits and vermouth to non-licensees at
2 their distilleries; or (iv) as otherwise provided in this Act.
3 No person licensed as a distributor shall be granted a
4 non-resident dealer's license.

5 (c) An importing distributor's license may be issued to
6 and held by those only who are duly licensed distributors,
7 upon the filing of an application by a duly licensed
8 distributor, with the State Commission and the State
9 Commission shall, without the payment of any fee, immediately
10 issue such importing distributor's license to the applicant,
11 which shall allow the importation of alcoholic liquor by the
12 licensee into this State from any point in the United States
13 outside this State, and the purchase of alcoholic liquor in
14 barrels, casks, or other bulk containers and the bottling of
15 such alcoholic liquors before resale thereof, but all bottles
16 or containers so filled shall be sealed, labeled, stamped, and
17 otherwise made to comply with all provisions, rules, and
18 regulations governing manufacturers in the preparation and
19 bottling of alcoholic liquors. The importing distributor's
20 license shall permit such licensee to purchase alcoholic
21 liquor from Illinois licensed non-resident dealers and foreign
22 importers only. No person licensed as an importing distributor
23 shall be granted a non-resident dealer's license.

24 (d) A retailer's license shall allow the licensee to sell
25 and offer for sale at retail, in or from the premises specified
26 in the license, alcoholic liquor for use or consumption, but

1 not for resale in any form except as otherwise provided in this
2 Act. Except as provided in Section 6-16, 6-29, or 6-29.1,
3 nothing in this Act shall deny, limit, remove, or restrict the
4 ability of a holder of a retailer's license to transfer or ship
5 alcoholic liquor to the purchaser for use or consumption
6 subject to any applicable local law or ordinance. For the
7 purposes of this Section, "shipping" means the movement of
8 alcoholic liquor from a licensed retailer to a consumer via a
9 common carrier. Except as provided in Section 6-16, 6-29, or
10 6-29.1, nothing in this Act shall deny, limit, remove, or
11 restrict the ability of a holder of a retailer's license to
12 deliver alcoholic liquor to the purchaser for use or
13 consumption. The delivery shall be made only within 12 hours
14 from the time the alcoholic liquor leaves the licensed
15 premises of the retailer for delivery. For the purposes of
16 this Section, "delivery" means the movement of alcoholic
17 liquor purchased from a licensed retailer to a consumer
18 through the following methods:

19 (1) delivery within licensed retailer's parking lot,
20 including curbside, for pickup by the consumer;

21 (2) delivery by an owner, officer, director,
22 shareholder, or employee of the licensed retailer; or

23 (3) delivery by a third-party contractor, independent
24 contractor, or agent with whom the licensed retailer has
25 contracted to make deliveries of alcoholic liquors.

26 Under paragraph (1), (2), or (3), delivery shall not

1 include the use of common carriers.

2 A retail licensee may use any website, mobile application,
3 or similar platform that facilitates the sale or delivery of
4 food, beverages, or goods and is owned or operated by the
5 retail licensee, third-party contractor, an independent
6 contractor, or an agent with whom the licensed retailer has
7 contracted to facilitate deliveries or sales of alcoholic
8 liquors under this Section. The use of any website, mobile
9 application, or similar platform to facilitate deliveries or
10 sales of alcoholic liquors shall not be considered an illegal
11 sale, resale, transfer, barter, or exchange of alcohol under
12 this Act.

13 Any retail license issued to a manufacturer shall only
14 permit the manufacturer to sell beer at retail on the premises
15 actually occupied by the manufacturer. For the purpose of
16 further describing the type of business conducted at a retail
17 licensed premises, a retailer's licensee may be designated by
18 the State Commission as (i) an on premise consumption
19 retailer, (ii) an off premise sale retailer, or (iii) a
20 combined on premise consumption and off premise sale retailer.

21 Except for a municipality with a population of more than
22 1,000,000 inhabitants, a home rule unit may not regulate the
23 delivery of alcoholic liquor or require a retail licensee to
24 obtain a separate or additional license for the delivery of
25 alcoholic liquor. This paragraph is a limitation under
26 subsection (i) of Section 6 of Article VII of the Illinois

1 Constitution on the concurrent exercise by home rule units of
2 powers and functions exercised by the State. A non-home rule
3 municipality may not regulate the delivery of alcoholic liquor
4 or require a retail licensee to obtain a separate or
5 additional license for the delivery of alcoholic liquor.

6 Notwithstanding any other provision of this subsection
7 (d), a retail licensee may sell alcoholic liquors to a special
8 event retailer licensee for resale to the extent permitted
9 under subsection (e).

10 The requirements in subsection (b-5) of Section 6-29 apply
11 only to a winery shipper licensee that ships wine via common
12 carrier and do not apply to a winery shipper licensee or a
13 retail licensee that delivers, or causes to be delivered,
14 alcohol pursuant to the methods outlined in item (1), (2), or
15 (3) of this subsection.

16 Except as provided in this Section, for a manufacturer
17 with a retail license, nothing in this Section shall be
18 construed to prohibit an on-premises consumption retailer,
19 off-premises sale retailer, or combined on-premises
20 consumption and off-premises sale retailer from delivering
21 alcohol pursuant to this Section.

22 A retail licensee shall contract only with a third-party
23 contractor, independent contractor, or agent to facilitate or
24 make deliveries of alcoholic liquors that has a policy to
25 verify the age of the person to whom the alcoholic liquor is
26 being delivered based on the person's valid proof of identity

1 indicating the person is age 21 or over. A retail licensee
2 shall not be civilly liable for sales or deliveries made to
3 intoxicated persons or persons under the age of 21 if the
4 delivery of alcoholic liquor was conducted by a third-party
5 contractor, independent contractor, or agent with whom the
6 licensed retailer has contracted to make deliveries of
7 alcoholic liquor.

8 (e) A special event retailer's license (not-for-profit)
9 shall permit the licensee to purchase alcoholic liquors from
10 an Illinois licensed distributor (unless the licensee
11 purchases less than \$500 of alcoholic liquors for the special
12 event, in which case the licensee may purchase the alcoholic
13 liquors from a licensed retailer) and shall allow the licensee
14 to sell and offer for sale, at retail, alcoholic liquors for
15 consumption on or off the premises specified in the license,
16 but not for resale in any form and only at the location and on
17 the specific dates designated for the special event in the
18 license. An applicant for a special event retailer license
19 must (i) furnish with the application: (A) a resale number
20 issued under Section 2c of the Retailers' Occupation Tax Act
21 or evidence that the applicant is registered under Section 2a
22 of the Retailers' Occupation Tax Act, (B) a current, valid
23 exemption identification number issued under Section 1g of the
24 Retailers' Occupation Tax Act and a certification to the State
25 Commission that the purchase of alcoholic liquors will be a
26 tax-exempt purchase, or (C) a statement that the applicant is

1 not registered under Section 2a of the Retailers' Occupation
2 Tax Act, does not hold a resale number under Section 2c of the
3 Retailers' Occupation Tax Act, and does not hold an exemption
4 number under Section 1g of the Retailers' Occupation Tax Act,
5 in which event the State Commission shall set forth on the
6 special event retailer's license a statement to that effect;
7 (ii) submit with the application proof satisfactory to the
8 State Commission that the applicant will provide dram shop
9 liability insurance in the maximum limits; and (iii) show
10 proof satisfactory to the State Commission that the applicant
11 has obtained local authority approval.

12 Nothing in this Act prohibits an Illinois licensed
13 distributor from offering credit or a refund for unused,
14 salable alcoholic liquors to a holder of a special event
15 retailer's license or the special event retailer's licensee
16 from accepting the credit or refund of alcoholic liquors at
17 the conclusion of the event specified in the license.

18 (f) A railroad license shall permit the licensee to import
19 alcoholic liquors into this State from any point in the United
20 States outside this State and to store such alcoholic liquors
21 in this State; to make wholesale purchases of alcoholic
22 liquors directly from manufacturers, foreign importers,
23 distributors and importing distributors from within or outside
24 this State; and to store such alcoholic liquors in this State;
25 provided that the above powers may be exercised only in
26 connection with the importation, purchase or storage of

1 alcoholic liquors to be sold or dispensed on a club, buffet,
2 lounge, or dining car operated on an electric, gas, or steam
3 railway in this State; and provided further, that railroad
4 licensees exercising the above powers shall be subject to all
5 provisions of Article VIII of this Act as applied to importing
6 distributors. A railroad license shall also permit the
7 licensee to sell or dispense alcoholic liquors on any club,
8 buffet, lounge, or dining car operated on an electric, gas, or
9 steam railway regularly operated by a common carrier in this
10 State, but shall not permit the sale for resale of any
11 alcoholic liquors to any licensee within this State. A license
12 shall be obtained for each car in which such sales are made.

13 (g) A boat license shall allow the sale of alcoholic
14 liquor in individual drinks on any passenger boat regularly
15 operated as a common carrier on navigable waters in this State
16 or on any riverboat operated under the Illinois Gambling Act,
17 which boat or riverboat maintains a public dining room or
18 restaurant thereon.

19 (h) A non-beverage user's license shall allow the licensee
20 to purchase alcoholic liquor from a licensed manufacturer or
21 importing distributor, without the imposition of any tax upon
22 the business of such licensed manufacturer or importing
23 distributor as to such alcoholic liquor to be used by such
24 licensee solely for the non-beverage purposes set forth in
25 subsection (a) of Section 8-1 of this Act, and such licenses
26 shall be divided and classified and shall permit the purchase,

1 possession, and use of limited and stated quantities of
2 alcoholic liquor as follows:

3 Class 1, not to exceed 500 gallons
4 Class 2, not to exceed 1,000 gallons
5 Class 3, not to exceed 5,000 gallons
6 Class 4, not to exceed 10,000 gallons
7 Class 5, not to exceed 50,000 gallons

8 (i) A wine-maker's premises license shall allow a licensee
9 that concurrently holds a first-class wine-maker's license to
10 sell and offer for sale at retail in the premises specified in
11 such license not more than 50,000 gallons of the first-class
12 wine-maker's wine that is made at the first-class wine-maker's
13 licensed premises per year for use or consumption, but not for
14 resale in any form. A wine-maker's premises license shall
15 allow a licensee who concurrently holds a second-class
16 wine-maker's license to sell and offer for sale at retail in
17 the premises specified in such license up to 100,000 gallons
18 of the second-class wine-maker's wine that is made at the
19 second-class wine-maker's licensed premises per year for use
20 or consumption but not for resale in any form. A first-class
21 wine-maker that concurrently holds a class 1 brewer license or
22 a class 1 craft distiller license shall not be eligible to hold
23 a wine-maker's premises license. A wine-maker's premises
24 license shall allow a licensee that concurrently holds a
25 first-class wine-maker's license or a second-class
26 wine-maker's license to sell and offer for sale at retail at

1 the premises specified in the wine-maker's premises license,
2 for use or consumption but not for resale in any form, any
3 beer, wine, and spirits purchased from a licensed distributor.
4 Upon approval from the State Commission, a wine-maker's
5 premises license shall allow the licensee to sell and offer
6 for sale at (i) the wine-maker's licensed premises and (ii) up
7 to 2 additional locations for use and consumption and not for
8 resale. Each location shall require additional licensing per
9 location as specified in Section 5-3 of this Act. A
10 wine-maker's premises licensee shall secure liquor liability
11 insurance coverage in an amount at least equal to the maximum
12 liability amounts set forth in subsection (a) of Section 6-21
13 of this Act.

14 (j) An airplane license shall permit the licensee to
15 import alcoholic liquors into this State from any point in the
16 United States outside this State and to store such alcoholic
17 liquors in this State; to make wholesale purchases of
18 alcoholic liquors directly from manufacturers, foreign
19 importers, distributors, and importing distributors from
20 within or outside this State; and to store such alcoholic
21 liquors in this State; provided that the above powers may be
22 exercised only in connection with the importation, purchase,
23 or storage of alcoholic liquors to be sold or dispensed on an
24 airplane; and provided further, that airplane licensees
25 exercising the above powers shall be subject to all provisions
26 of Article VIII of this Act as applied to importing

1 distributors. An airplane licensee shall also permit the sale
2 or dispensing of alcoholic liquors on any passenger airplane
3 regularly operated by a common carrier in this State, but
4 shall not permit the sale for resale of any alcoholic liquors
5 to any licensee within this State. A single airplane license
6 shall be required of an airline company if liquor service is
7 provided on board aircraft in this State. The annual fee for
8 such license shall be as determined in Section 5-3.

9 (k) A foreign importer's license shall permit such
10 licensee to purchase alcoholic liquor from Illinois licensed
11 non-resident dealers only, and to import alcoholic liquor
12 other than in bulk from any point outside the United States and
13 to sell such alcoholic liquor to Illinois licensed importing
14 distributors and to no one else in Illinois; provided that (i)
15 the foreign importer registers with the State Commission every
16 brand of alcoholic liquor that it proposes to sell to Illinois
17 licensees during the license period, (ii) the foreign importer
18 complies with all of the provisions of Section 6-9 of this Act
19 with respect to registration of such Illinois licensees as may
20 be granted the right to sell such brands at wholesale, and
21 (iii) the foreign importer complies with the provisions of
22 Sections 6-5 and 6-6 of this Act to the same extent that these
23 provisions apply to manufacturers.

24 (l) (i) A broker's license shall be required of all
25 persons who solicit orders for, offer to sell, or offer to
26 supply alcoholic liquor to retailers in the State of Illinois,

1 or who offer to retailers to ship or cause to be shipped or to
2 make contact with distillers, craft distillers, rectifiers,
3 brewers or manufacturers or any other party within or without
4 the State of Illinois in order that alcoholic liquors be
5 shipped to a distributor, importing distributor, or foreign
6 importer, whether such solicitation or offer is consummated
7 within or without the State of Illinois.

8 No holder of a retailer's license issued by the Illinois
9 Liquor Control Commission shall purchase or receive any
10 alcoholic liquor, the order for which was solicited or offered
11 for sale to such retailer by a broker unless the broker is the
12 holder of a valid broker's license.

13 The broker shall, upon the acceptance by a retailer of the
14 broker's solicitation of an order or offer to sell or supply or
15 deliver or have delivered alcoholic liquors, promptly forward
16 to the Illinois Liquor Control Commission a notification of
17 said transaction in such form as the State Commission may by
18 regulations prescribe.

19 (ii) A broker's license shall be required of a person
20 within this State, other than a retail licensee, who, for a fee
21 or commission, promotes, solicits, or accepts orders for
22 alcoholic liquor, for use or consumption and not for resale,
23 to be shipped from this State and delivered to residents
24 outside of this State by an express company, common carrier,
25 or contract carrier. This Section does not apply to any person
26 who promotes, solicits, or accepts orders for wine as

1 specifically authorized in Section 6-29 of this Act.

2 A broker's license under this subsection (1) shall not
3 entitle the holder to buy or sell any alcoholic liquors for his
4 own account or to take or deliver title to such alcoholic
5 liquors.

6 This subsection (1) shall not apply to distributors,
7 employees of distributors, or employees of a manufacturer who
8 has registered the trademark, brand, or name of the alcoholic
9 liquor pursuant to Section 6-9 of this Act, and who regularly
10 sells such alcoholic liquor in the State of Illinois only to
11 its registrants thereunder.

12 Any agent, representative, or person subject to
13 registration pursuant to subsection (a-1) of this Section
14 shall not be eligible to receive a broker's license.

15 (m) A non-resident dealer's license shall permit such
16 licensee to ship into and warehouse alcoholic liquor into this
17 State from any point outside of this State, and to sell such
18 alcoholic liquor to Illinois licensed foreign importers and
19 importing distributors and to no one else in this State;
20 provided that (i) said non-resident dealer shall register with
21 the Illinois Liquor Control Commission each and every brand of
22 alcoholic liquor which it proposes to sell to Illinois
23 licensees during the license period, (ii) it shall comply with
24 all of the provisions of Section 6-9 hereof with respect to
25 registration of such Illinois licensees as may be granted the
26 right to sell such brands at wholesale by duly filing such

1 registration statement, thereby authorizing the non-resident
2 dealer to proceed to sell such brands at wholesale, and (iii)
3 the non-resident dealer shall comply with the provisions of
4 Sections 6-5 and 6-6 of this Act to the same extent that these
5 provisions apply to manufacturers. No person licensed as a
6 non-resident dealer shall be granted a distributor's or
7 importing distributor's license.

8 (n) A brew pub license shall allow the licensee to only (i)
9 manufacture up to 155,000 gallons of beer per year only on the
10 premises specified in the license, (ii) make sales of the beer
11 manufactured on the premises or, with the approval of the
12 State Commission, beer manufactured on another brew pub
13 licensed premises that is wholly owned and operated by the
14 same licensee to importing distributors, distributors, and
15 non-licensees for use and consumption, (iii) store the beer
16 upon the premises, (iv) sell and offer for sale at retail from
17 the licensed premises for off-premises consumption no more
18 than 155,000 gallons per year so long as such sales are only
19 made in-person, (v) sell and offer for sale at retail for use
20 and consumption on the premises specified in the license any
21 form of alcoholic liquor purchased from a licensed distributor
22 or importing distributor, (vi) with the prior approval of the
23 State Commission, annually transfer no more than 155,000
24 gallons of beer manufactured on the premises to a licensed
25 brew pub wholly owned and operated by the same licensee, and
26 (vii) notwithstanding item (i) of this subsection, brew pubs

1 wholly owned and operated by the same licensee may combine
2 each location's production limit of 155,000 gallons of beer
3 per year and allocate the aggregate total between the wholly
4 owned, operated, and licensed locations.

5 A brew pub licensee shall not under any circumstance sell
6 or offer for sale beer manufactured by the brew pub licensee to
7 retail licensees.

8 A person who holds a class 2 brewer license may
9 simultaneously hold a brew pub license if the class 2 brewer
10 (i) does not, under any circumstance, sell or offer for sale
11 beer manufactured by the class 2 brewer to retail licensees;
12 (ii) does not hold more than 3 brew pub licenses in this State;
13 (iii) does not manufacture more than a combined 3,720,000
14 gallons of beer per year, including the beer manufactured at
15 the brew pub; and (iv) is not a member of or affiliated with,
16 directly or indirectly, a manufacturer that produces more than
17 3,720,000 gallons of beer per year or any other alcoholic
18 liquor.

19 Notwithstanding any other provision of this Act, a
20 licensed brewer, class 2 brewer, or non-resident dealer who
21 before July 1, 2015 manufactured less than 3,720,000 gallons
22 of beer per year and held a brew pub license on or before July
23 1, 2015 may (i) continue to qualify for and hold that brew pub
24 license for the licensed premises and (ii) manufacture more
25 than 3,720,000 gallons of beer per year and continue to
26 qualify for and hold that brew pub license if that brewer,

1 class 2 brewer, or non-resident dealer does not simultaneously
2 hold a class 1 brewer license and is not a member of or
3 affiliated with, directly or indirectly, a manufacturer that
4 produces more than 3,720,000 gallons of beer per year or that
5 produces any other alcoholic liquor.

6 A brew pub licensee may apply for a class 3 brewer license
7 and, upon meeting all applicable qualifications of this Act
8 and relinquishing all commonly owned brew pub or retail
9 licenses, shall be issued a class 3 brewer license. Nothing in
10 this Act shall prohibit the issuance of a class 3 brewer
11 license if the applicant:

12 (1) has a valid retail license on or before May 1,
13 2021;

14 (2) has an ownership interest in at least 2 brew pubs
15 licenses on or before May 1, 2021;

16 (3) the brew pub licensee applies for a class 3 brewer
17 license on or before October 1, 2022 and relinquishes all
18 commonly owned brew pub licenses; and

19 (4) relinquishes all commonly owned retail licenses on
20 or before December 31, 2022.

21 If a brew pub licensee is issued a class 3 brewer license,
22 the class 3 brewer license shall expire on the same date as the
23 existing brew pub license and the State Commission shall not
24 require a class 3 brewer licensee to obtain a brewer license
25 or, in the alternative, to pay a fee for a brewer license,
26 until the date the brew pub license of the applicant would have

1 expired.

2 (o) A caterer retailer license shall allow the holder to
3 serve alcoholic liquors as an incidental part of a food
4 service that serves prepared meals which excludes the serving
5 of snacks as the primary meal, either on or off-site whether
6 licensed or unlicensed. A caterer retailer license shall allow
7 the holder, a distributor, or an importing distributor to
8 transfer any inventory to and from the holder's retail
9 premises and shall allow the holder to purchase alcoholic
10 liquor from a distributor or importing distributor to be
11 delivered directly to an off-site event.

12 Nothing in this Act prohibits a distributor or importing
13 distributor from offering credit or a refund for unused,
14 salable beer to a holder of a caterer retailer license or a
15 caterer retailer licensee from accepting a credit or refund
16 for unused, salable beer, in the event an act of God is the
17 sole reason an off-site event is canceled and if: (i) the
18 holder of a caterer retailer license has not transferred
19 alcoholic liquor from its caterer retailer premises to an
20 off-site location; (ii) the distributor or importing
21 distributor offers the credit or refund for the unused,
22 salable beer that it delivered to the off-site premises and
23 not for any unused, salable beer that the distributor or
24 importing distributor delivered to the caterer retailer's
25 premises; and (iii) the unused, salable beer would likely
26 spoil if transferred to the caterer retailer's premises. A

1 caterer retailer license shall allow the holder to transfer
2 any inventory from any off-site location to its caterer
3 retailer premises at the conclusion of an off-site event or
4 engage a distributor or importing distributor to transfer any
5 inventory from any off-site location to its caterer retailer
6 premises at the conclusion of an off-site event, provided that
7 the distributor or importing distributor issues bona fide
8 charges to the caterer retailer licensee for fuel, labor, and
9 delivery and the distributor or importing distributor collects
10 payment from the caterer retailer licensee prior to the
11 distributor or importing distributor transferring inventory to
12 the caterer retailer premises.

13 For purposes of this subsection (o), an "act of God" means
14 an unforeseeable event, such as a rain or snow storm, hail, a
15 flood, or a similar event, that is the sole cause of the
16 cancellation of an off-site, outdoor event.

17 (p) An auction liquor license shall allow the licensee to
18 sell and offer for sale at auction wine and spirits for use or
19 consumption, or for resale by an Illinois liquor licensee in
20 accordance with provisions of this Act. An auction liquor
21 license will be issued to a person and it will permit the
22 auction liquor licensee to hold the auction anywhere in the
23 State. An auction liquor license must be obtained for each
24 auction at least 14 days in advance of the auction date.

25 (q) A special use permit license shall allow an Illinois
26 licensed retailer to transfer a portion of its alcoholic

1 liquor inventory from its retail licensed premises to the
2 premises specified in the license hereby created; to purchase
3 alcoholic liquor from a distributor or importing distributor
4 to be delivered directly to the location specified in the
5 license hereby created; and to sell or offer for sale at retail
6 for consumption on or off the premises specified in the
7 license, only in the premises specified in the license hereby
8 created, the transferred or delivered alcoholic liquor for use
9 or consumption, but not for resale in any form. A special use
10 permit license may be granted for the following time periods:
11 one day or less; 2 or more days to a maximum of 15 days per
12 location in any 12-month period. An applicant for the special
13 use permit license must also submit with the application proof
14 satisfactory to the State Commission that the applicant will
15 provide dram shop liability insurance to the maximum limits
16 and have local authority approval.

17 A special use permit license shall allow the holder to
18 transfer any inventory from the holder's special use premises
19 to its retail premises at the conclusion of the special use
20 event or engage a distributor or importing distributor to
21 transfer any inventory from the holder's special use premises
22 to its retail premises at the conclusion of an off-site event,
23 provided that the distributor or importing distributor issues
24 bona fide charges to the special use permit licensee for fuel,
25 labor, and delivery and the distributor or importing
26 distributor collects payment from the retail licensee prior to

1 the distributor or importing distributor transferring
2 inventory to the retail premises.

3 Nothing in this Act prohibits a distributor or importing
4 distributor from offering credit or a refund for unused,
5 salable beer to a special use permit licensee or a special use
6 permit licensee from accepting a credit or refund for unused,
7 salable beer at the conclusion of the event specified in the
8 license if: (i) the holder of the special use permit license
9 has not transferred alcoholic liquor from its retail licensed
10 premises to the premises specified in the special use permit
11 license; (ii) the distributor or importing distributor offers
12 the credit or refund for the unused, salable beer that it
13 delivered to the premises specified in the special use permit
14 license and not for any unused, salable beer that the
15 distributor or importing distributor delivered to the
16 retailer's premises; and (iii) the unused, salable beer would
17 likely spoil if transferred to the retailer premises.

18 (r) A winery shipper's license shall allow a person with a
19 first-class or second-class wine manufacturer's license, a
20 first-class or second-class wine-maker's license, or a limited
21 wine manufacturer's license or who is licensed to make wine
22 under the laws of another state to ship wine made by that
23 licensee directly to a resident of this State who is 21 years
24 of age or older for that resident's personal use and not for
25 resale. Prior to receiving a winery shipper's license, an
26 applicant for the license must provide the State Commission

1 with a true copy of its current license in any state in which
2 it is licensed as a manufacturer of wine. An applicant for a
3 winery shipper's license must also complete an application
4 form that provides any other information the State Commission
5 deems necessary. The application form shall include all
6 addresses from which the applicant for a winery shipper's
7 license intends to ship wine, including the name and address
8 of any third party, except for a common carrier, authorized to
9 ship wine on behalf of the manufacturer. The application form
10 shall include an acknowledgment consenting to the jurisdiction
11 of the State Commission, the Illinois Department of Revenue,
12 and the courts of this State concerning the enforcement of
13 this Act and any related laws, rules, and regulations,
14 including authorizing the Department of Revenue and the State
15 Commission to conduct audits for the purpose of ensuring
16 compliance with Public Act 95-634, and an acknowledgment that
17 the wine manufacturer is in compliance with Section 6-2 of
18 this Act. Any third party, except for a common carrier,
19 authorized to ship wine on behalf of a first-class or
20 second-class wine manufacturer's licensee, a first-class or
21 second-class wine-maker's licensee, a limited wine
22 manufacturer's licensee, or a person who is licensed to make
23 wine under the laws of another state shall also be disclosed by
24 the winery shipper's licensee, and a copy of the written
25 appointment of the third-party wine provider, except for a
26 common carrier, to the wine manufacturer shall be filed with

1 the State Commission as a supplement to the winery shipper's
2 license application or any renewal thereof. The winery
3 shipper's license holder shall affirm under penalty of
4 perjury, as part of the winery shipper's license application
5 or renewal, that he or she only ships wine, either directly or
6 indirectly through a third-party provider, from the licensee's
7 own production.

8 Except for a common carrier, a third-party provider
9 shipping wine on behalf of a winery shipper's license holder
10 is the agent of the winery shipper's license holder and, as
11 such, a winery shipper's license holder is responsible for the
12 acts and omissions of the third-party provider acting on
13 behalf of the license holder. A third-party provider, except
14 for a common carrier, that engages in shipping wine into
15 Illinois on behalf of a winery shipper's license holder shall
16 consent to the jurisdiction of the State Commission and the
17 State. Any third-party, except for a common carrier, holding
18 such an appointment shall, by February 1 of each calendar year
19 and upon request by the State Commission or the Department of
20 Revenue, file with the State Commission a statement detailing
21 each shipment made to an Illinois resident. The statement
22 shall include the name and address of the third-party provider
23 filing the statement, the time period covered by the
24 statement, and the following information:

- 25 (1) the name, address, and license number of the
26 winery shipper on whose behalf the shipment was made;

1 (2) the quantity of the products delivered; and

2 (3) the date and address of the shipment.

3 If the Department of Revenue or the State Commission requests
4 a statement under this paragraph, the third-party provider
5 must provide that statement no later than 30 days after the
6 request is made. Any books, records, supporting papers, and
7 documents containing information and data relating to a
8 statement under this paragraph shall be kept and preserved for
9 a period of 3 years, unless their destruction sooner is
10 authorized, in writing, by the Director of Revenue, and shall
11 be open and available to inspection by the Director of Revenue
12 or the State Commission or any duly authorized officer, agent,
13 or employee of the State Commission or the Department of
14 Revenue, at all times during business hours of the day. Any
15 person who violates any provision of this paragraph or any
16 rule of the State Commission for the administration and
17 enforcement of the provisions of this paragraph is guilty of a
18 Class C misdemeanor. In case of a continuing violation, each
19 day's continuance thereof shall be a separate and distinct
20 offense.

21 The State Commission shall adopt rules as soon as
22 practicable to implement the requirements of Public Act 99-904
23 and shall adopt rules prohibiting any such third-party
24 appointment of a third-party provider, except for a common
25 carrier, that has been deemed by the State Commission to have
26 violated the provisions of this Act with regard to any winery

1 shipper licensee.

2 A winery shipper licensee must pay to the Department of
3 Revenue the State liquor gallonage tax under Section 8-1 for
4 all wine that is sold by the licensee and shipped to a person
5 in this State. For the purposes of Section 8-1, a winery
6 shipper licensee shall be taxed in the same manner as a
7 manufacturer of wine. A licensee who is not otherwise required
8 to register under the Retailers' Occupation Tax Act must
9 register under the Use Tax Act to collect and remit use tax to
10 the Department of Revenue for all gallons of wine that are sold
11 by the licensee and shipped to persons in this State. If a
12 licensee fails to remit the tax imposed under this Act in
13 accordance with the provisions of Article VIII of this Act,
14 the winery shipper's license shall be revoked in accordance
15 with the provisions of Article VII of this Act. If a licensee
16 fails to properly register and remit tax under the Use Tax Act
17 or the Retailers' Occupation Tax Act for all wine that is sold
18 by the winery shipper and shipped to persons in this State, the
19 winery shipper's license shall be revoked in accordance with
20 the provisions of Article VII of this Act.

21 A winery shipper licensee must collect, maintain, and
22 submit to the State Commission on a semi-annual basis the
23 total number of cases per resident of wine shipped to
24 residents of this State. A winery shipper licensed under this
25 subsection (r) must comply with the requirements of Section
26 6-29 of this Act.

1 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
2 Section 3-12, the State Commission may receive, respond to,
3 and investigate any complaint and impose any of the remedies
4 specified in paragraph (1) of subsection (a) of Section 3-12.

5 As used in this subsection, "third-party provider" means
6 any entity that provides fulfillment house services, including
7 warehousing, packaging, distribution, order processing, or
8 shipment of wine, but not the sale of wine, on behalf of a
9 licensed winery shipper.

10 (s) A craft distiller tasting permit license shall allow
11 an Illinois licensed class 1 craft distiller or class 2 craft
12 distiller to transfer a portion of its alcoholic liquor
13 inventory from its class 1 craft distiller or class 2 craft
14 distiller licensed premises to the premises specified in the
15 license hereby created and to conduct a sampling, only in the
16 premises specified in the license hereby created, of the
17 transferred alcoholic liquor in accordance with subsection (c)
18 of Section 6-31 of this Act. The transferred alcoholic liquor
19 may not be sold or resold in any form. An applicant for the
20 craft distiller tasting permit license must also submit with
21 the application proof satisfactory to the State Commission
22 that the applicant will provide dram shop liability insurance
23 to the maximum limits and have local authority approval.

24 (t) A brewer warehouse permit may be issued to the holder
25 of a class 1 brewer license or a class 2 brewer license. If the
26 holder of the permit is a class 1 brewer licensee, the brewer

1 warehouse permit shall allow the holder to store or warehouse
2 up to 930,000 gallons of tax-determined beer manufactured by
3 the holder of the permit at the premises specified on the
4 permit. If the holder of the permit is a class 2 brewer
5 licensee, the brewer warehouse permit shall allow the holder
6 to store or warehouse up to 3,720,000 gallons of
7 tax-determined beer manufactured by the holder of the permit
8 at the premises specified on the permit. Sales to
9 non-licensees are prohibited at the premises specified in the
10 brewer warehouse permit.

11 (u) A distilling pub license shall allow the licensee to
12 only (i) manufacture up to 5,000 gallons of spirits per year
13 only on the premises specified in the license, (ii) make sales
14 of the spirits manufactured on the premises or, with the
15 approval of the State Commission, spirits manufactured on
16 another distilling pub licensed premises that is wholly owned
17 and operated by the same licensee to importing distributors
18 and distributors and to non-licensees for use and consumption,
19 (iii) store the spirits upon the premises, (iv) sell and offer
20 for sale at retail from the licensed premises for off-premises
21 consumption no more than 5,000 gallons per year so long as such
22 sales are only made in-person, (v) sell and offer for sale at
23 retail for use and consumption on the premises specified in
24 the license any form of alcoholic liquor purchased from a
25 licensed distributor or importing distributor, and (vi) with
26 the prior approval of the State Commission, annually transfer

1 no more than 5,000 gallons of spirits manufactured on the
2 premises to a licensed distilling pub wholly owned and
3 operated by the same licensee.

4 A distilling pub licensee shall not under any circumstance
5 sell or offer for sale spirits manufactured by the distilling
6 pub licensee to retail licensees.

7 A person who holds a class 2 craft distiller license may
8 simultaneously hold a distilling pub license if the class 2
9 craft distiller (i) does not, under any circumstance, sell or
10 offer for sale spirits manufactured by the class 2 craft
11 distiller to retail licensees; (ii) does not hold more than 3
12 distilling pub licenses in this State; (iii) does not
13 manufacture more than a combined 100,000 gallons of spirits
14 per year, including the spirits manufactured at the distilling
15 pub; and (iv) is not a member of or affiliated with, directly
16 or indirectly, a manufacturer that produces more than 100,000
17 gallons of spirits per year or any other alcoholic liquor.

18 (v) A craft distiller warehouse permit may be issued to
19 the holder of a class 1 craft distiller or class 2 craft
20 distiller license. The craft distiller warehouse permit shall
21 allow the holder to store or warehouse up to 500,000 gallons of
22 spirits manufactured by the holder of the permit at the
23 premises specified on the permit. Sales to non-licensees are
24 prohibited at the premises specified in the craft distiller
25 warehouse permit.

26 (w) A beer showcase permit license shall allow a class 3

1 brewer to transfer only beer the class 3 brewer manufactures
2 from its licensed premises to the premises specified in the
3 beer showcase permit license and to sell or offer for sale at
4 retail, only in the premises specified in the beer showcase
5 permit license, the transferred or delivered beer for on or
6 off premise consumption, but not for resale in any form and to
7 sell to non-licensees not more than 96 fluid ounces of beer per
8 person. A beer showcase permit license may be granted for the
9 following time periods: one day or less; or 2 or more days to a
10 maximum of 15 days per location in any 12-month period. An
11 applicant for a beer showcase permit license must also submit
12 with the application proof satisfactory to the State
13 Commission that the applicant will provide dram shop liability
14 insurance to the maximum limits and have local authority
15 approval. The State Commission shall require the beer showcase
16 applicant to comply with Section 6-27.1.

17 (x) A spirits showcase permit shall allow a class 3 craft
18 distiller to transfer only spirits the class 3 craft distiller
19 manufactures from its licensed premises to the premises
20 specified in the spirits showcase permit and to sell or offer
21 for sale at retail, only in the premises specified in the
22 spirits showcase permit, the transferred or delivered spirits
23 for on-premises or off-premises consumption, but not for
24 resale in any form, and to sell to non-licensees not more than
25 156 fluid ounces of spirits per person. A spirits showcase
26 permit may be granted for the following time periods: one day

1 or less; or 2 or more days up to a maximum of 15 days per
2 location in any 12-month period. An applicant for a spirits
3 showcase permit must also submit with the application proof
4 satisfactory to the State Commission that the applicant will
5 provide dram shop liability insurance to the maximum limits
6 and have local authority approval. The State Commission shall
7 require the spirits showcase applicant to comply with Section
8 6-27.1.

9 (Source: P.A. 104-451, Section 5, eff. 7-1-26; 104-451,
10 Section 10, eff. 12-12-25; revised 1-7-26.)

11 Section 725. The Warehouse Tornado Preparedness Act is
12 amended by changing Section 99 as follows:

13 (240 ILCS 45/99)

14 Sec. 99. Effective date. This Act takes effect upon
15 becoming law, except that Sections 90 and 95 take ~~takes~~ effect
16 on January 1, 2027.

17 (Source: P.A. 104-262, eff. 8-15-25; revised 12-12-25.)

18 Section 730. The Illinois Public Aid Code is amended by
19 changing Sections 5-5.01a, 5-16.8, 5A-2, 11-6.2, 12-4.7f, and
20 12-4.59 as follows:

21 (305 ILCS 5/5-5.01a)

22 Sec. 5-5.01a. Supportive living facilities program.

1 (a) The Department shall establish and provide oversight
2 for a program of supportive living facilities that seek to
3 promote resident independence, dignity, respect, and
4 well-being in the most cost-effective manner.

5 A supportive living facility is (i) a free-standing
6 facility or (ii) a distinct physical and operational entity
7 within a mixed-use building that meets the criteria
8 established in subsection (d). A supportive living facility
9 integrates housing with health, personal care, and supportive
10 services and is a designated setting that offers residents
11 their own separate, private, and distinct living units.

12 Sites for the operation of the program shall be selected
13 by the Department based upon criteria that may include the
14 need for services in a geographic area, the availability of
15 funding, and the site's ability to meet the standards.

16 (b) Beginning July 1, 2014, subject to federal approval,
17 the Medicaid rates for supportive living facilities shall be
18 equal to the supportive living facility Medicaid rate
19 effective on June 30, 2014 increased by 8.85%. Once the
20 assessment imposed at Article V-G of this Code is determined
21 to be a permissible tax under Title XIX of the Social Security
22 Act, the Department shall increase the Medicaid rates for
23 supportive living facilities effective on July 1, 2014 by
24 9.09%. The Department shall apply this increase retroactively
25 to coincide with the imposition of the assessment in Article
26 V-G of this Code in accordance with the approval for federal

1 financial participation by the Centers for Medicare and
2 Medicaid Services.

3 The Medicaid rates for supportive living facilities
4 effective on July 1, 2017 must be equal to the rates in effect
5 for supportive living facilities on June 30, 2017 increased by
6 2.8%.

7 The Medicaid rates for supportive living facilities
8 effective on July 1, 2018 must be equal to the rates in effect
9 for supportive living facilities on June 30, 2018.

10 Subject to federal approval, the Medicaid rates for
11 supportive living services on and after July 1, 2019 must be at
12 least 54.3% of the average total nursing facility services per
13 diem for the geographic areas defined by the Department while
14 maintaining the rate differential for dementia care and must
15 be updated whenever the total nursing facility service per
16 diems are updated. Beginning July 1, 2022, upon the
17 implementation of the Patient Driven Payment Model, Medicaid
18 rates for supportive living services must be at least 54.3% of
19 the average total nursing services per diem rate for the
20 geographic areas. For purposes of this provision, the average
21 total nursing services per diem rate shall include all add-ons
22 for nursing facilities for the geographic area provided for in
23 Section 5-5.2. The rate differential for dementia care must be
24 maintained in these rates and the rates shall be updated
25 whenever nursing facility per diem rates are updated.

26 Subject to federal approval, beginning January 1, 2024,

1 the dementia care rate for supportive living services must be
2 no less than the non-dementia care supportive living services
3 rate multiplied by 1.5.

4 (b-5) Subject to federal approval, beginning January 1,
5 2025, Medicaid rates for supportive living services must be at
6 least 54.75% of the average total nursing facility per diem
7 rate for the geographic areas defined by the Department and
8 shall include all add-ons for nursing facilities for the
9 geographic area provided for in Section 5-5.2.

10 (c) The Department may adopt rules to implement this
11 Section. Rules that establish or modify the services,
12 standards, and conditions for participation in the program
13 shall be adopted by the Department in consultation with the
14 Department on Aging, the Department of Rehabilitation
15 Services, and the Department of Mental Health and
16 Developmental Disabilities (or their successor agencies).

17 (d) Subject to federal approval by the Centers for
18 Medicare and Medicaid Services, the Department shall accept
19 for consideration of certification under the program any
20 application for a site or building where distinct parts of the
21 site or building are designated for purposes other than the
22 provision of supportive living services, but only if:

23 (1) those distinct parts of the site or building are
24 not designated for the purpose of providing assisted
25 living services as required under the Assisted Living and
26 Shared Housing Act;

1 (2) those distinct parts of the site or building are
2 completely separate from the part of the building used for
3 the provision of supportive living program services,
4 including separate entrances;

5 (3) those distinct parts of the site or building do
6 not share any common spaces with the part of the building
7 used for the provision of supportive living program
8 services; and

9 (4) those distinct parts of the site or building do
10 not share staffing with the part of the building used for
11 the provision of supportive living program services.

12 (e) Facilities or distinct parts of facilities which are
13 selected as supportive living facilities and are in good
14 standing with the Department's rules are exempt from the
15 provisions of the Nursing Home Care Act and the Illinois
16 Health Facilities Planning Act.

17 (f) Section 9817 of the American Rescue Plan Act of 2021
18 (Public Law 117-2) authorizes a 10% enhanced federal medical
19 assistance percentage for supportive living services for a
20 12-month period from April 1, 2021 through March 31, 2022.
21 Subject to federal approval, including the approval of any
22 necessary waiver amendments or other federally required
23 documents or assurances, for a 12-month period the Department
24 must pay a supplemental \$26 per diem rate to all supportive
25 living facilities with the additional federal financial
26 participation funds that result from the enhanced federal

1 medical assistance percentage from April 1, 2021 through March
2 31, 2022. The Department may issue parameters around how the
3 supplemental payment should be spent, including quality
4 improvement activities. The Department may alter the form,
5 methods, or timeframes concerning the supplemental per diem
6 rate to comply with any subsequent changes to federal law,
7 changes made by guidance issued by the federal Centers for
8 Medicare and Medicaid Services, or other changes necessary to
9 receive the enhanced federal medical assistance percentage.

10 (g) All applications for the expansion of supportive
11 living dementia care settings involving sites not approved by
12 the Department by January 1, 2024 may allow new elderly
13 non-dementia units in addition to new dementia care units. The
14 Department may approve such applications only if the
15 application has: (1) no more than one non-dementia care unit
16 for each dementia care unit and (2) the site is not located
17 within 4 miles of an existing supportive living program site
18 in Cook County (including the City of Chicago), not located
19 within 12 miles of an existing supportive living program site
20 in Alexander, Bond, Boone, Calhoun, Champaign, Clinton,
21 DeKalb, DuPage, Fulton, Grundy, Henry, Jackson, Jersey,
22 Johnson, Kane, Kankakee, Kendall, Lake, Macon, Macoupin,
23 Madison, Marshall, McHenry, McLean, Menard, Mercer, Monroe,
24 Peoria, Piatt, Rock Island, Sangamon, Stark, St. Clair,
25 Tazewell, Vermilion, Will, Williamson, Winnebago, or Woodford
26 counties, or not located within 25 miles of an existing

1 supportive living program site in any other county.

2 (h) Beginning January 1, 2025, subject to federal
3 approval, for a person who is a resident of a supportive living
4 facility under this Section, the monthly personal needs
5 allowance shall be \$120 per month.

6 (i) As stated in the supportive living program home and
7 community-based service waiver approved by the federal Centers
8 for Medicare and Medicaid Services, and beginning July 1,
9 2025, the Department must maintain the rate add-on implemented
10 on January 1, 2023 for the provision of 2 meals per day at no
11 less than \$6.15 per day.

12 (j) Subject to federal approval, the Department shall
13 allow a certified medication aide to administer medication in
14 a supportive living facility. For purposes of this subsection,
15 "certified medication aide" means a person who has met the
16 qualifications for certification under Section 79 of the
17 Assisted Living and Shared Housing Act and assists with
18 medication administration while under the supervision of a
19 registered professional nurse as authorized by Section 50-75
20 of the Nurse Practice Act. The Department may adopt rules to
21 implement this subsection.

22 (Source: P.A. 103-102, Article 20, Section 20-5, eff. 1-1-24;
23 103-102, Article 100, Section 100-5, eff. 1-1-24; 103-593,
24 Article 15, Section 15-5, eff. 6-7-24; 103-593, Article 100,
25 Section 100-5, eff. 6-7-24; 103-593, Article 165, Section
26 165-5, eff. 6-7-24; 103-605, eff. 7-1-24; 103-886, eff.

1 8-9-24; 104-9, eff. 6-16-25; 104-417, eff. 8-15-25; revised
2 9-12-25.)

3 (305 ILCS 5/5-16.8)

4 Sec. 5-16.8. Required health benefits. The medical
5 assistance program shall (i) provide the post-mastectomy care
6 benefits required to be covered by a policy of accident and
7 health insurance under Section 356t and the coverage required
8 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,
9 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,
10 356z.47, 356z.51, 356z.53, 356z.59, 356z.60, 356z.61, 356z.64,
11 356z.67, 356z.71, ~~and~~ 356z.75, ~~and~~ 356z.80, 356z.84, and
12 356z.85 of the Illinois Insurance Code, (ii) be subject to the
13 provisions of Sections 356z.19, 356z.44, 356z.49, 364.01,
14 370c, and 370c.1 of the Illinois Insurance Code, and (iii) be
15 subject to the provisions of subsection (d-5) of Section 10 of
16 the Network Adequacy and Transparency Act.

17 The Department, by rule, shall adopt a model similar to
18 the requirements of Section 356z.39 of the Illinois Insurance
19 Code.

20 On and after July 1, 2012, the Department shall reduce any
21 rate of reimbursement for services or other payments or alter
22 any methodologies authorized by this Code to reduce any rate
23 of reimbursement for services or other payments in accordance
24 with Section 5-5e.

25 To ensure full access to the benefits set forth in this

1 Section, on and after January 1, 2016, the Department shall
2 ensure that provider and hospital reimbursement for
3 post-mastectomy care benefits required under this Section are
4 no lower than the Medicare reimbursement rate.

5 (Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24;
6 103-420, eff. 1-1-24; 103-605, eff. 7-1-24; 103-703, eff.
7 1-1-25; 103-758, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-73,
8 eff. 1-1-26; 104-324, eff. 1-1-26; 104-379, eff. 1-1-26;
9 104-417, eff. 8-15-25; revised 11-21-25.)

10 (305 ILCS 5/5A-2) (from Ch. 23, par. 5A-2)

11 Sec. 5A-2. Assessment.

12 (a)(1) Subject to Sections 5A-3 and 5A-10, for State
13 fiscal years 2009 through 2018, or as long as continued under
14 Section 5A-16, an annual assessment on inpatient services is
15 imposed on each hospital provider in an amount equal to
16 \$218.38 multiplied by the difference of the hospital's
17 occupied bed days less the hospital's Medicare bed days,
18 provided, however, that the amount of \$218.38 shall be
19 increased by a uniform percentage to generate an amount equal
20 to 75% of the State share of the payments authorized under
21 Section 5A-12.5, with such increase only taking effect upon
22 the date that a State share for such payments is required under
23 federal law. For the period of April through June 2015, the
24 amount of \$218.38 used to calculate the assessment under this
25 paragraph shall, by emergency rule under subsection (s) of

1 Section 5-45 of the Illinois Administrative Procedure Act, be
2 increased by a uniform percentage to generate \$20,250,000 in
3 the aggregate for that period from all hospitals subject to
4 the annual assessment under this paragraph.

5 (2) In addition to any other assessments imposed under
6 this Article, effective July 1, 2016 and semi-annually
7 thereafter through June 2018, or as provided in Section 5A-16,
8 in addition to any federally required State share as
9 authorized under paragraph (1), the amount of \$218.38 shall be
10 increased by a uniform percentage to generate an amount equal
11 to 75% of the ACA Assessment Adjustment, as defined in
12 subsection (b-6) of this Section.

13 For State fiscal years 2009 through 2018, or as provided
14 in Section 5A-16, a hospital's occupied bed days and Medicare
15 bed days shall be determined using the most recent data
16 available from each hospital's 2005 Medicare cost report as
17 contained in the Healthcare Cost Report Information System
18 file, for the quarter ending on December 31, 2006, without
19 regard to any subsequent adjustments or changes to such data.
20 If a hospital's 2005 Medicare cost report is not contained in
21 the Healthcare Cost Report Information System, then the
22 Illinois Department may obtain the hospital provider's
23 occupied bed days and Medicare bed days from any source
24 available, including, but not limited to, records maintained
25 by the hospital provider, which may be inspected at all times
26 during business hours of the day by the Illinois Department or

1 its duly authorized agents and employees.

2 (3) Subject to Sections 5A-3, 5A-10, and 5A-16, for State
3 fiscal years 2019 and 2020, an annual assessment on inpatient
4 services is imposed on each hospital provider in an amount
5 equal to \$197.19 multiplied by the difference of the
6 hospital's occupied bed days less the hospital's Medicare bed
7 days. For State fiscal years 2019 and 2020, a hospital's
8 occupied bed days and Medicare bed days shall be determined
9 using the most recent data available from each hospital's 2015
10 Medicare cost report as contained in the Healthcare Cost
11 Report Information System file, for the quarter ending on
12 March 31, 2017, without regard to any subsequent adjustments
13 or changes to such data. If a hospital's 2015 Medicare cost
14 report is not contained in the Healthcare Cost Report
15 Information System, then the Illinois Department may obtain
16 the hospital provider's occupied bed days and Medicare bed
17 days from any source available, including, but not limited to,
18 records maintained by the hospital provider, which may be
19 inspected at all times during business hours of the day by the
20 Illinois Department or its duly authorized agents and
21 employees. Notwithstanding any other provision in this
22 Article, for a hospital provider that did not have a 2015
23 Medicare cost report, but paid an assessment in State fiscal
24 year 2018 on the basis of hypothetical data, that assessment
25 amount shall be used for State fiscal years 2019 and 2020.

26 (4) Subject to Sections 5A-3 and 5A-10 and to subsection

1 (b-8), for the period of July 1, 2020 through December 31, 2020
2 and calendar years 2021 through 2024, an annual assessment on
3 inpatient services is imposed on each hospital provider in an
4 amount equal to \$221.50 multiplied by the difference of the
5 hospital's occupied bed days less the hospital's Medicare bed
6 days, provided however: for the period of July 1, 2020 through
7 December 31, 2020, (i) the assessment shall be equal to 50% of
8 the annual amount; and (ii) the amount of \$221.50 shall be
9 retroactively adjusted by a uniform percentage to generate an
10 amount equal to 50% of the Assessment Adjustment, as defined
11 in subsection (b-7). For the period of July 1, 2020 through
12 December 31, 2020 and calendar years 2021 through 2024, a
13 hospital's occupied bed days and Medicare bed days shall be
14 determined using the most recent data available from each
15 hospital's 2015 Medicare cost report as contained in the
16 Healthcare Cost Report Information System file, for the
17 quarter ending on March 31, 2017, without regard to any
18 subsequent adjustments or changes to such data. If a
19 hospital's 2015 Medicare cost report is not contained in the
20 Healthcare Cost Report Information System, then the Illinois
21 Department may obtain the hospital provider's occupied bed
22 days and Medicare bed days from any source available,
23 including, but not limited to, records maintained by the
24 hospital provider, which may be inspected at all times during
25 business hours of the day by the Illinois Department or its
26 duly authorized agents and employees. Should the change in the

1 assessment methodology for fiscal years 2021 through December
2 31, 2022 not be approved on or before June 30, 2020, the
3 assessment and payments under this Article in effect for
4 fiscal year 2020 shall remain in place until the new
5 assessment is approved. If the assessment methodology for July
6 1, 2020 through December 31, 2022, is approved on or after July
7 1, 2020, it shall be retroactive to July 1, 2020, subject to
8 federal approval and provided that the payments authorized
9 under Section 5A-12.7 have the same effective date as the new
10 assessment methodology. In giving retroactive effect to the
11 assessment approved after June 30, 2020, credit toward the new
12 assessment shall be given for any payments of the previous
13 assessment for periods after June 30, 2020. Notwithstanding
14 any other provision of this Article, for a hospital provider
15 that did not have a 2015 Medicare cost report, but paid an
16 assessment in State Fiscal Year 2020 on the basis of
17 hypothetical data, the data that was the basis for the 2020
18 assessment shall be used to calculate the assessment under
19 this paragraph until December 31, 2023. Beginning July 1, 2022
20 and through December 31, 2024, a safety-net hospital that had
21 a change of ownership in calendar year 2021, and whose
22 inpatient utilization had decreased by 90% from the prior year
23 and prior to the change of ownership, may be eligible to pay a
24 tax based on hypothetical data based on a determination of
25 financial distress by the Department. Subject to federal
26 approval, the Department may, by January 1, 2024, develop a

1 hypothetical tax for a specialty cancer hospital which had a
2 structural change of ownership during calendar year 2022 from
3 a for-profit entity to a non-profit entity, and which has
4 experienced a decline of 60% or greater in inpatient days of
5 care as compared to the prior owners 2015 Medicare cost
6 report. This change of ownership may make the hospital
7 eligible for a hypothetical tax under the new hospital
8 provision of the assessment defined in this Section. This new
9 hypothetical tax may be applicable from January 1, 2024
10 through December 31, 2026.

11 (5) Subject to Sections 5A-3 and 5A-10, beginning January
12 1, 2025, an annual assessment on inpatient services is imposed
13 on each hospital provider in an amount equal to \$362, or any
14 reduction thereof in accordance with this subsection,
15 multiplied by the difference of the hospital's occupied bed
16 days less the hospital's Medicare bed days; however, the rate
17 shall be \$221.50 until the Department receives federal
18 approval and implements the reimbursement rates in subsection
19 (r) of Section 5A-12.7. The Department may bill for the
20 difference between the assessment rate of \$362, or any
21 reduction thereof in accordance with this subsection, and
22 \$221.50 no earlier than 17 calendar days after implementing
23 the reimbursement rates in subsection (r) of Section 5A-12.7.

24 (A) Upon receiving federal approval for the
25 reimbursement rates in subsection (r) of Section 5A-12.7,
26 the Department shall bill the hospital for the incremental

1 difference in total tax due resulting from the increase
2 provided in this subsection for the number of months from
3 January 1, 2025 through the date of federal approval. The
4 amount shall be due and payable no later than December 31,
5 2025 and no earlier than 17 calendar days after
6 implementing the reimbursement rates in subsection (r) of
7 Section 5A-12.7. The Department shall bill hospitals in
8 the same proportional rate as the Department has
9 implemented the inpatient reimbursement rates in
10 subsection (r) of Section 5A-12.7.

11 (B) Beginning January 1, 2025, a hospital's occupied
12 bed days and Medicare bed days shall be determined using
13 the most recent data available from each hospital's 2015
14 Medicare cost report as contained in the Healthcare Cost
15 Report Information System file, for the quarter ending on
16 March 31, 2017, without regard to any subsequent
17 adjustments or changes to such data. If a hospital's 2015
18 Medicare cost report is not contained in the Healthcare
19 Cost Report Information System, then the Department may
20 obtain the hospital provider's occupied bed days and
21 Medicare bed days from any source available, including,
22 but not limited to, records maintained by the hospital
23 provider, which may be inspected at all times during
24 business hours of the day by the Department or its duly
25 authorized agents and employees. If the reimbursement
26 rates in subsection (r) of Section 5A-12.7 require

1 reduction to comply with federal spending limits, then the
2 tax rate of \$362 shall be reduced, in accordance with
3 subsection (s) of Section 5A-12.7, by the same percentage
4 reduction to payments required to comply with federal
5 spending limits.

6 (6) For calendar year 2026, and for each year thereafter
7 in which a tax is imposed under this Section, the Department
8 may seek to obtain a waiver from the federal Centers for
9 Medicare and Medicaid Services of the uniformity requirements
10 in place for the tax imposed under this Section, provided that
11 such waiver request does not risk the assessment imposed or
12 payments authorized under this Section from continuing. Such
13 uniformity requirements shall only be waived for
14 not-for-profit hospitals operating as a freestanding cancer
15 hospital that have contracted to provide services to members
16 served by at least 50% of the managed care organizations
17 contracted with the Department. Such tax rates imposed on a
18 hospital shall be no more than 50% and no less than 25% of the
19 tax imposed on all other hospitals in this State unless
20 different rates are necessary to meet federal statistical
21 tests necessary for continued federal financial participation.
22 Upon federal approval of such a waiver, other tax rates
23 imposed under this Article shall be adjusted to ensure budget
24 neutrality.

25 (b) (Blank).

26 (b-5) (1) Subject to Sections 5A-3 and 5A-10, for the

1 portion of State fiscal year 2012, beginning June 10, 2012
2 through June 30, 2012, and for State fiscal years 2013 through
3 2018, or as provided in Section 5A-16, an annual assessment on
4 outpatient services is imposed on each hospital provider in an
5 amount equal to .008766 multiplied by the hospital's
6 outpatient gross revenue, provided, however, that the amount
7 of .008766 shall be increased by a uniform percentage to
8 generate an amount equal to 25% of the State share of the
9 payments authorized under Section 5A-12.5, with such increase
10 only taking effect upon the date that a State share for such
11 payments is required under federal law. For the period
12 beginning June 10, 2012 through June 30, 2012, the annual
13 assessment on outpatient services shall be prorated by
14 multiplying the assessment amount by a fraction, the numerator
15 of which is 21 days and the denominator of which is 365 days.
16 For the period of April through June 2015, the amount of
17 .008766 used to calculate the assessment under this paragraph
18 shall, by emergency rule under subsection (s) of Section 5-45
19 of the Illinois Administrative Procedure Act, be increased by
20 a uniform percentage to generate \$6,750,000 in the aggregate
21 for that period from all hospitals subject to the annual
22 assessment under this paragraph.

23 (2) In addition to any other assessments imposed under
24 this Article, effective July 1, 2016 and semi-annually
25 thereafter through June 2018, in addition to any federally
26 required State share as authorized under paragraph (1), the

1 amount of .008766 shall be increased by a uniform percentage
2 to generate an amount equal to 25% of the ACA Assessment
3 Adjustment, as defined in subsection (b-6) of this Section.

4 For the portion of State fiscal year 2012, beginning June
5 10, 2012 through June 30, 2012, and State fiscal years 2013
6 through 2018, or as provided in Section 5A-16, a hospital's
7 outpatient gross revenue shall be determined using the most
8 recent data available from each hospital's 2009 Medicare cost
9 report as contained in the Healthcare Cost Report Information
10 System file, for the quarter ending on June 30, 2011, without
11 regard to any subsequent adjustments or changes to such data.
12 If a hospital's 2009 Medicare cost report is not contained in
13 the Healthcare Cost Report Information System, then the
14 Department may obtain the hospital provider's outpatient gross
15 revenue from any source available, including, but not limited
16 to, records maintained by the hospital provider, which may be
17 inspected at all times during business hours of the day by the
18 Department or its duly authorized agents and employees.

19 (3) Subject to Sections 5A-3, 5A-10, and 5A-16, for State
20 fiscal years 2019 and 2020, an annual assessment on outpatient
21 services is imposed on each hospital provider in an amount
22 equal to .01358 multiplied by the hospital's outpatient gross
23 revenue. For State fiscal years 2019 and 2020, a hospital's
24 outpatient gross revenue shall be determined using the most
25 recent data available from each hospital's 2015 Medicare cost
26 report as contained in the Healthcare Cost Report Information

1 System file, for the quarter ending on March 31, 2017, without
2 regard to any subsequent adjustments or changes to such data.
3 If a hospital's 2015 Medicare cost report is not contained in
4 the Healthcare Cost Report Information System, then the
5 Department may obtain the hospital provider's outpatient gross
6 revenue from any source available, including, but not limited
7 to, records maintained by the hospital provider, which may be
8 inspected at all times during business hours of the day by the
9 Department or its duly authorized agents and employees.
10 Notwithstanding any other provision in this Article, for a
11 hospital provider that did not have a 2015 Medicare cost
12 report, but paid an assessment in State fiscal year 2018 on the
13 basis of hypothetical data, that assessment amount shall be
14 used for State fiscal years 2019 and 2020.

15 (4) Subject to Sections 5A-3 and 5A-10 and to subsection
16 (b-8), for the period of July 1, 2020 through December 31, 2020
17 and calendar years 2021 through 2024, an annual assessment on
18 outpatient services is imposed on each hospital provider in an
19 amount equal to .01525 multiplied by the hospital's outpatient
20 gross revenue, provided however: (i) for the period of July 1,
21 2020 through December 31, 2020, the assessment shall be equal
22 to 50% of the annual amount; and (ii) the amount of .01525
23 shall be retroactively adjusted by a uniform percentage to
24 generate an amount equal to 50% of the Assessment Adjustment,
25 as defined in subsection (b-7). For the period of July 1, 2020
26 through December 31, 2020 and calendar years 2021 through

1 2024, a hospital's outpatient gross revenue shall be
2 determined using the most recent data available from each
3 hospital's 2015 Medicare cost report as contained in the
4 Healthcare Cost Report Information System file, for the
5 quarter ending on March 31, 2017, without regard to any
6 subsequent adjustments or changes to such data. If a
7 hospital's 2015 Medicare cost report is not contained in the
8 Healthcare Cost Report Information System, then the Illinois
9 Department may obtain the hospital provider's outpatient
10 revenue data from any source available, including, but not
11 limited to, records maintained by the hospital provider, which
12 may be inspected at all times during business hours of the day
13 by the Illinois Department or its duly authorized agents and
14 employees. Should the change in the assessment methodology
15 above for fiscal years 2021 through calendar year 2022 not be
16 approved prior to July 1, 2020, the assessment and payments
17 under this Article in effect for fiscal year 2020 shall remain
18 in place until the new assessment is approved. If the change in
19 the assessment methodology above for July 1, 2020 through
20 December 31, 2022, is approved after June 30, 2020, it shall
21 have a retroactive effective date of July 1, 2020, subject to
22 federal approval and provided that the payments authorized
23 under Section 12A-7 have the same effective date as the new
24 assessment methodology. In giving retroactive effect to the
25 assessment approved after June 30, 2020, credit toward the new
26 assessment shall be given for any payments of the previous

1 assessment for periods after June 30, 2020. Notwithstanding
2 any other provision of this Article, for a hospital provider
3 that did not have a 2015 Medicare cost report, but paid an
4 assessment in State Fiscal Year 2020 on the basis of
5 hypothetical data, the data that was the basis for the 2020
6 assessment shall be used to calculate the assessment under
7 this paragraph until December 31, 2023. Beginning July 1, 2022
8 and through December 31, 2024, a safety-net hospital that had
9 a change of ownership in calendar year 2021, and whose
10 inpatient utilization had decreased by 90% from the prior year
11 and prior to the change of ownership, may be eligible to pay a
12 tax based on hypothetical data based on a determination of
13 financial distress by the Department.

14 (5) Subject to Sections 5A-3 and 5A-10, beginning January
15 1, 2025, an annual assessment on outpatient services is
16 imposed on each hospital provider in an amount equal to
17 .03273, or any reduction thereof in accordance with this
18 subsection, multiplied by the hospital's outpatient gross
19 revenue; however the rate shall remain .01525, until the
20 Department receives federal approval and implements the
21 reimbursement rates of payment in subsection (r) of Section
22 5A-12.7. The Department may bill for the difference between
23 the assessment multiplier of .03273 and .01525 no earlier than
24 17 calendar days after the first payment based on the
25 reimbursement rates in subsection (r) of Section 5A-12.7.

26 (A) Upon receiving federal approval for the

1 reimbursement rates in subsection (r) of Section 5A-12.7,
2 the Department shall bill the hospital for the incremental
3 difference in total tax due resulting from the increase
4 provided in this subsection for the number of months from
5 January 1, 2025 through the date of federal approval. The
6 amount shall be due and payable no later than December 31,
7 2025 and no earlier than 17 calendar days after
8 implementing the reimbursement rates in subsection (r) of
9 Section 5A-12.7. The Department shall bill hospitals in
10 the same proportional rate as the Department has
11 implemented the outpatient reimbursement rates in
12 subsection (r) of Section 5A-12.7.

13 (B) Beginning January 1, 2025, a hospital's outpatient
14 gross revenue shall be determined using the most recent
15 data available from each hospital's 2015 Medicare cost
16 report as contained in the Healthcare Cost Report
17 Information System file, for the quarter ending on March
18 31, 2017, without regard to any subsequent adjustments or
19 changes to such data. If a hospital's 2015 Medicare cost
20 report is not contained in the Healthcare Cost Report
21 Information System, then the Department may obtain the
22 hospital provider's outpatient revenue data from any
23 source available, including, but not limited to, records
24 maintained by the hospital provider, which may be
25 inspected at all times during business hours of the day by
26 the Department or its duly authorized agents and

1 employees. If the reimbursement rates in subsection (r) of
2 Section 5A-12.7 require reduction to comply with federal
3 spending limits, then the tax rate of .03273 shall be
4 reduced, in accordance with subsection (s) of Section
5 5A-12.7, by the same percentage reduction to payments
6 required to comply with federal spending limits.

7 (6) For calendar year 2026, and for each year thereafter
8 in which a tax is imposed under this Section, the Department
9 may seek to obtain a waiver from the federal Centers for
10 Medicare and Medicaid Services of the uniformity requirements
11 in place for the tax imposed under this Section, provided that
12 such waiver request does not risk the assessment imposed or
13 payments authorized under this Section from continuing. Such
14 uniformity requirements shall only be waived for
15 not-for-profit hospitals operating as a freestanding cancer
16 hospital that have contracted to provide services to members
17 served by at least 50% of the managed care organizations
18 contracted with the Department. Such tax rates imposed on a
19 hospital shall be no more than 50% and no less than 25% of the
20 tax imposed on all other hospitals in this State unless
21 different rates are necessary to meet federal statistical
22 tests necessary for continued federal financial participation.
23 Upon federal approval of such a waiver, other tax rates
24 imposed under this Article shall be adjusted to ensure budget
25 neutrality.

26 (b-6) (1) As used in this Section, "ACA Assessment

1 Adjustment" means:

2 (A) For the period of July 1, 2016 through December
3 31, 2016, the product of .19125 multiplied by the sum of
4 the fee-for-service payments to hospitals as authorized
5 under Section 5A-12.5 and the adjustments authorized under
6 subsection (t) of Section 5A-12.2 to managed care
7 organizations for hospital services due and payable in the
8 month of April 2016 multiplied by 6.

9 (B) For the period of January 1, 2017 through June 30,
10 2017, the product of .19125 multiplied by the sum of the
11 fee-for-service payments to hospitals as authorized under
12 Section 5A-12.5 and the adjustments authorized under
13 subsection (t) of Section 5A-12.2 to managed care
14 organizations for hospital services due and payable in the
15 month of October 2016 multiplied by 6, except that the
16 amount calculated under this subparagraph (B) shall be
17 adjusted, either positively or negatively, to account for
18 the difference between the actual payments issued under
19 Section 5A-12.5 for the period beginning July 1, 2016
20 through December 31, 2016 and the estimated payments due
21 and payable in the month of April 2016 multiplied by 6 as
22 described in subparagraph (A).

23 (C) For the period of July 1, 2017 through December
24 31, 2017, the product of .19125 multiplied by the sum of
25 the fee-for-service payments to hospitals as authorized
26 under Section 5A-12.5 and the adjustments authorized under

1 subsection (t) of Section 5A-12.2 to managed care
2 organizations for hospital services due and payable in the
3 month of April 2017 multiplied by 6, except that the
4 amount calculated under this subparagraph (C) shall be
5 adjusted, either positively or negatively, to account for
6 the difference between the actual payments issued under
7 Section 5A-12.5 for the period beginning January 1, 2017
8 through June 30, 2017 and the estimated payments due and
9 payable in the month of October 2016 multiplied by 6 as
10 described in subparagraph (B).

11 (D) For the period of January 1, 2018 through June 30,
12 2018, the product of .19125 multiplied by the sum of the
13 fee-for-service payments to hospitals as authorized under
14 Section 5A-12.5 and the adjustments authorized under
15 subsection (t) of Section 5A-12.2 to managed care
16 organizations for hospital services due and payable in the
17 month of October 2017 multiplied by 6, except that:

18 (i) the amount calculated under this subparagraph

19 (D) shall be adjusted, either positively or
20 negatively, to account for the difference between the
21 actual payments issued under Section 5A-12.5 for the
22 period of July 1, 2017 through December 31, 2017 and
23 the estimated payments due and payable in the month of
24 April 2017 multiplied by 6 as described in
25 subparagraph (C); and

26 (ii) the amount calculated under this subparagraph

1 (D) shall be adjusted to include the product of .19125
2 multiplied by the sum of the fee-for-service payments,
3 if any, estimated to be paid to hospitals under
4 subsection (b) of Section 5A-12.5.

5 (2) The Department shall complete and apply a final
6 reconciliation of the ACA Assessment Adjustment prior to June
7 30, 2018 to account for:

8 (A) any differences between the actual payments issued
9 or scheduled to be issued prior to June 30, 2018 as
10 authorized in Section 5A-12.5 for the period of January 1,
11 2018 through June 30, 2018 and the estimated payments due
12 and payable in the month of October 2017 multiplied by 6 as
13 described in subparagraph (D); and

14 (B) any difference between the estimated
15 fee-for-service payments under subsection (b) of Section
16 5A-12.5 and the amount of such payments that are actually
17 scheduled to be paid.

18 The Department shall notify hospitals of any additional
19 amounts owed or reduction credits to be applied to the June
20 2018 ACA Assessment Adjustment. This is to be considered the
21 final reconciliation for the ACA Assessment Adjustment.

22 (3) Notwithstanding any other provision of this Section,
23 if for any reason the scheduled payments under subsection (b)
24 of Section 5A-12.5 are not issued in full by the final day of
25 the period authorized under subsection (b) of Section 5A-12.5,
26 funds collected from each hospital pursuant to subparagraph

1 (D) of paragraph (1) and pursuant to paragraph (2),
2 attributable to the scheduled payments authorized under
3 subsection (b) of Section 5A-12.5 that are not issued in full
4 by the final day of the period attributable to each payment
5 authorized under subsection (b) of Section 5A-12.5, shall be
6 refunded.

7 (4) The increases authorized under paragraph (2) of
8 subsection (a) and paragraph (2) of subsection (b-5) shall be
9 limited to the federally required State share of the total
10 payments authorized under Section 5A-12.5 if the sum of such
11 payments yields an annualized amount equal to or less than
12 \$450,000,000, or if the adjustments authorized under
13 subsection (t) of Section 5A-12.2 are found not to be
14 actuarially sound; however, this limitation shall not apply to
15 the fee-for-service payments described in subsection (b) of
16 Section 5A-12.5.

17 (b-7)(1) As used in this Section, "Assessment Adjustment"
18 means:

19 (A) For the period of July 1, 2020 through December
20 31, 2020, the product of .3853 multiplied by the total of
21 the actual payments made under subsections (c) through (k)
22 of Section 5A-12.7 attributable to the period, less the
23 total of the assessment imposed under subsections (a) and
24 (b-5) of this Section for the period.

25 (B) For each calendar quarter beginning January 1,
26 2021 through December 31, 2022, the product of .3853

1 multiplied by the total of the actual payments made under
2 subsections (c) through (k) of Section 5A-12.7
3 attributable to the period, less the total of the
4 assessment imposed under subsections (a) and (b-5) of this
5 Section for the period.

6 (C) Beginning on January 1, 2023, and each subsequent
7 July 1 and January 1, the product of .3853 multiplied by
8 the total of the actual payments made under subsections
9 (c) through (j) and subsection (r) of Section 5A-12.7
10 attributable to the 6-month period immediately preceding
11 the period to which the adjustment applies, less the total
12 of the assessment imposed under subsections (a) and (b-5)
13 of this Section for the 6-month period immediately
14 preceding the period to which the adjustment applies.

15 (2) The Department shall calculate and notify each
16 hospital of the total Assessment Adjustment and any additional
17 assessment owed by the hospital or refund owed to the hospital
18 on either a semi-annual or annual basis. Such notice shall be
19 issued at least 30 days prior to any period in which the
20 assessment will be adjusted. Any additional assessment owed by
21 the hospital or refund owed to the hospital shall be uniformly
22 applied to the assessment owed by the hospital in monthly
23 installments for the subsequent semi-annual period or calendar
24 year. If no assessment is owed in the subsequent year, any
25 amount owed by the hospital or refund due to the hospital,
26 shall be paid in a lump sum. If the calculation that is

1 computed under this Section could result in a decrease in the
2 Department's federal financial participation percentage for
3 payments authorized under Section 5A-12.7, then the Department
4 shall instead apply a uniform percentage reduction to the
5 payment rates outlined in subsection (r) of Section 5A-12.7
6 for all classes as defined in subsections (g) and (h) of
7 Section 5A-12.7 by an amount no more than necessary to
8 maximize federal reimbursement.

9 (3) The Department shall publish all details of the
10 Assessment Adjustment calculation performed each year on its
11 website within 30 days of completing the calculation, and also
12 submit the details of the Assessment Adjustment calculation as
13 part of the Department's annual report to the General
14 Assembly.

15 (b-8) Notwithstanding any other provision of this Article,
16 the Department shall reduce the assessments imposed on each
17 hospital under subsections (a) and (b-5) by the uniform
18 percentage necessary to reduce the total assessment imposed on
19 all hospitals by an aggregate amount of \$240,000,000, with
20 such reduction being applied by June 30, 2022. The assessment
21 reduction required for each hospital under this subsection
22 shall be forever waived, forgiven, and released by the
23 Department.

24 (c) (Blank).

25 (d) Notwithstanding any of the other provisions of this
26 Section, the Department is authorized to adopt rules to reduce

1 the rate of any annual assessment imposed under this Section,
2 as authorized by Section 5-46.2 of the Illinois Administrative
3 Procedure Act.

4 (e) Notwithstanding any other provision of this Section,
5 any plan providing for an assessment on a hospital provider as
6 a permissible tax under Title XIX of the federal Social
7 Security Act and Medicaid-eligible payments to hospital
8 providers from the revenues derived from that assessment shall
9 be reviewed by the Illinois Department of Healthcare and
10 Family Services, as the Single State Medicaid Agency required
11 by federal law, to determine whether those assessments and
12 hospital provider payments meet federal Medicaid standards. If
13 the Department determines that the elements of the plan may
14 meet federal Medicaid standards and a related State Medicaid
15 Plan Amendment is prepared in a manner and form suitable for
16 submission, that State Plan Amendment shall be submitted in a
17 timely manner for review by the Centers for Medicare and
18 Medicaid Services of the United States Department of Health
19 and Human Services and subject to approval by the Centers for
20 Medicare and Medicaid Services of the United States Department
21 of Health and Human Services. No such plan shall become
22 effective without approval by the Illinois General Assembly by
23 the enactment into law of related legislation. Notwithstanding
24 any other provision of this Section, the Department is
25 authorized to adopt rules to reduce the rate of any annual
26 assessment imposed under this Section. Any such rules may be

1 adopted by the Department under Section 5-50 of the Illinois
2 Administrative Procedure Act.

3 (f) To provide for the expeditious and timely
4 implementation of the changes made to this Section by Public
5 Act 104-7 ~~this amendatory Act of the 104th General Assembly,~~
6 the Department may adopt emergency rules as authorized by
7 Section 5-45 of the Illinois Administrative Procedure Act. The
8 adoption of emergency rules is deemed to be necessary for the
9 public interest, safety, and welfare.

10 (Source: P.A. 103-102, eff. 1-1-24; 104-7, eff. 6-16-25;
11 104-9, eff. 6-16-25; revised 8-5-25.)

12 (305 ILCS 5/11-6.2)

13 Sec. 11-6.2. Electronic fingerprinting.

14 (a) The Illinois Department may implement a program to
15 prevent multiple enrollments of aid recipients through the use
16 of an electronic automated 2-digit fingerprint matching
17 identification system in local offices.

18 The Illinois Department shall apply for any federal
19 waivers or approvals necessary to conduct this program.

20 (b) The fingerprints or their electronic representations
21 collected and maintained through the use of an automated
22 fingerprint matching identification system as authorized by
23 this Section may not be used, disclosed, or redisclosed for
24 any purpose other than the prevention of multiple enrollments
25 of aid recipients, may not be used or admitted in any criminal

1 or civil investigation, prosecution, or proceeding, other than
2 a proceeding pursuant to Article VIII ~~VIII-A~~, and may not be
3 disclosed in response to a subpoena or other compulsory legal
4 process or warrant or upon the request or order of any agency,
5 authority, division, office, or other private or public entity
6 or person, except that nothing contained in this subsection
7 prohibits disclosure in response to a subpoena issued by or on
8 behalf of the applicant or recipient who is the subject of the
9 record maintained as a part of the system. A person who
10 knowingly makes or obtains any unauthorized disclosure of data
11 collected and maintained under this Section through the use of
12 an automated fingerprint matching identification system is
13 guilty of a Class A misdemeanor. Data collected and maintained
14 on the automated fingerprint matching identification system
15 shall be subject to the provisions of this Code relating to
16 unauthorized disclosure of confidential client information.

17 (c) The system shall include the use of a photographic
18 identification for every aid recipient. The Illinois
19 Department shall insure that adequate training for county
20 department staff involved with the program will be provided.

21 (d) The assistance programs affected by the electronic
22 fingerprinting program shall be determined by rule. By
23 applying or maintaining eligibility for those assistance
24 programs, applicants and recipients must submit to the
25 electronic collection of their fingerprints as an additional
26 method of establishing eligibility. Applicants for and

1 recipients of aid who fail to submit to electronic
2 fingerprinting shall be declared ineligible for those
3 assistance programs.

4 (e) This Section does not authorize or permit the
5 termination, suspension, or diminution of aid except as
6 elsewhere specifically authorized in this Code. If a proposed
7 sanction is based on the use of an automated fingerprint
8 matching identification system authorized pursuant to this
9 Section, the sanction may not be imposed unless the Illinois
10 Department has verified the multiple enrollment through an
11 independent investigation.

12 (f) The Illinois Department shall conduct periodic audits
13 to monitor compliance with all laws and regulations regarding
14 the automated fingerprint matching identification system to
15 insure that: (i) any records maintained as part of the system
16 are accurate and complete; (ii) effective software and
17 hardware designs have been instituted with security features
18 to prevent unauthorized access to records; (iii) access to
19 record information system facilities, systems operating
20 environments, and data file contents, whether while in use or
21 when stored in a media library, is restricted to authorized
22 personnel; (iv) operational programs are used that will
23 prohibit inquiry, record updates, or destruction of records
24 from any terminal other than automated fingerprint matching
25 identification system terminals that are so designated; (v)
26 operational programs are used to detect and store for the

1 output of designated Illinois Department and county department
2 employees all unauthorized attempts to penetrate any
3 electronic automated fingerprint matching identification
4 system, program, or file; and (vi) adequate and timely
5 procedures exist to insure the recipient's or applicant's
6 right to access and review of records for the purpose of
7 accuracy and completeness, including procedures for review of
8 information maintained about those individuals and for
9 administrative review (including procedures for administrative
10 appeal) and necessary correction of any claim by the
11 individual to whom the information relates that the
12 information is inaccurate or incomplete.

13 (Source: P.A. 90-17, eff. 6-19-97; 91-599, eff. 8-14-99;
14 revised 6-26-25.)

15 (305 ILCS 5/12-4.7f)

16 Sec. 12-4.7f. Death records information. At least once
17 each calendar month, the Department of Human Services shall
18 cross-reference its roster of public aid recipients with the
19 death records information from the Department of Public Health
20 residing on the Electronic Data Warehouse at the Department of
21 Healthcare and Family Services. A public aid recipient who is
22 found to have a death record shall be subject to an immediate
23 cancellation ~~cancellation~~ of his or her public aid benefits,
24 including the deactivation of his or her LINK card, in
25 instances where there are no other individuals receiving

1 benefits in that assistance unit and upon certification that
2 the identity of the public aid recipient matches the identity
3 of the person named in the death certificate. As used in this
4 Section, "LINK card" means the electronic benefits transfer
5 card issued by the Department of Human Services for the
6 purpose of enabling a user of the card to obtain Supplemental
7 Nutrition Assistance Program (SNAP) benefits or cash.

8 (Source: P.A. 99-87, eff. 7-21-15; revised 6-26-25.)

9 (305 ILCS 5/12-4.59)

10 Sec. 12-4.59. Informational guide on Medicaid 5-year
11 look-back period.

12 (a) Informational guide. On and after July 1, 2025, the
13 Department of Healthcare and Family Services shall develop,
14 post, and maintain on its official website a comprehensive
15 informational guide that explains the Medicaid 5-year
16 look-back period as it applies to eligibility for long-term
17 care coverage under the medical assistance program established
18 under Article V of this Code. The contents of the
19 informational guide must include the following:

20 (1) Overview of the Medicaid 5-year look-back period:

21 A detailed explanation of the 5-year look-back period,
22 including its purpose and relevance to eligibility for
23 medical assistance.

24 (2) Eligibility criteria affected by the Medicaid

25 5-year look-back period: Clear information on how the

1 5-year look-back period affects eligibility criteria,
2 including income and asset requirements.

3 (3) Calculation of the Medicaid 5-year look-back
4 period: Step-by-step guidance on how the 5-year look-back
5 period is calculated, including the start date and end
6 date considerations.

7 (4) Examples and scenarios: Real-life examples and
8 scenarios illustrating how the 5-year look-back period
9 applies in different situations, providing practical
10 insights for the public. The guide must include a
11 calculator that allows a user to enter the transfer dates
12 and monetary value of any assets the user transferred
13 during the 5-year look-back ~~look-back~~ period in order to
14 estimate the earliest date upon which the user may qualify
15 for medical assistance for long-term care services.

16 (5) Transfers or gifts during the Medicaid 5-year
17 look-back period: Explanation of the consequences and
18 implications of transfers or gifts made during the 5-year
19 look-back period, emphasizing the impact on eligibility
20 and potential penalties.

21 (6) Exceptions and exemptions: Information on
22 exceptions and exemptions to the 5-year look-back period,
23 clarifying circumstances where certain transfers or assets
24 may not be subject to scrutiny.

25 (7) Documentation requirements: Guidance on the
26 documentation individuals may need to provide or maintain

1 to demonstrate compliance with the 5-year look-back
2 period.

3 (8) Planning for eligibility: Tips and considerations
4 for individuals and families on how to plan for
5 eligibility for medical assistance under Article V of this
6 Code, taking into account the 5-year look-back period.

7 (9) Appeals and dispute resolution: Information on the
8 process for appeals and dispute resolution related to
9 decisions made based on the 5-year look-back period.

10 (10) Contact information and resources: Clear and
11 accessible contact information for the Department of
12 Healthcare and Family Services, as well as a listing of
13 additional resources or agencies that individuals can
14 reach out to for assistance or further clarification.

15 (11) Frequently asked questions: A "Frequently Asked
16 Questions" section that lists common questions and
17 concerns related to the 5-year look-back period and
18 provides a quick reference for users.

19 (b) Accessibility of the guide. To ensure user-friendly
20 navigation and visibility, the Department of Healthcare and
21 Family Services shall post on its official website detailed
22 information on how users can easily access the comprehensive
23 guide on the website and a hyperlink that directs users to the
24 comprehensive guide.

25 (Source: P.A. 103-997, eff. 1-1-25; revised 6-26-25.)

1 Section 735. The Senior Citizens Real Estate Tax Deferral
2 Act is amended by changing Section 3 as follows:

3 (320 ILCS 30/3) (from Ch. 67 1/2, par. 453)

4 Sec. 3. A taxpayer may, on or before March 1 of each year,
5 apply to the county collector of the county where his
6 qualifying property is located, or to the official designated
7 by a unit of local government to collect special assessments
8 on the qualifying property, as the case may be, for a deferral
9 of all or a part of real estate taxes payable during that year
10 for the preceding year in the case of real estate taxes other
11 than special assessments, or for a deferral of any
12 installments payable during that year in the case of special
13 assessments, on all or part of his qualifying property. The
14 application shall be on a form prescribed by the Department
15 and furnished by the collector, (a) showing that the applicant
16 will be 65 years of age or older by June 1 of the year for
17 which a tax deferral is claimed, (b) describing the property
18 and verifying that the property is qualifying property as
19 defined in Section 2, (c) certifying that the taxpayer has
20 owned and occupied as his residence such property or other
21 qualifying property in the State for at least the last 3 years
22 except for any periods during which the taxpayer may have
23 temporarily resided in a nursing or sheltered care home, and
24 (d) specifying whether the deferral is for all or a part of the
25 taxes, and, if for a part, the amount of deferral applied for.

1 As to qualifying property not having a separate assessed
2 valuation, the taxpayer shall also file with the county
3 collector a written appraisal of the property prepared by a
4 qualified real estate appraiser together with a certificate
5 signed by the appraiser stating that he has personally
6 examined the property and setting forth the value of the land
7 and the value of the buildings thereon occupied by the
8 taxpayer as his residence. The county collector may use
9 eligibility for the Low-Income Senior Citizens Assessment
10 Freeze Homestead Exemption under Section 15-172 of the
11 Property Tax Code as qualification for items (a) and (c).

12 The collector shall grant the tax deferral provided such
13 deferral does not exceed funds available in the Senior
14 Citizens Real Estate Deferred Tax Revolving Fund and provided
15 that the owner or owners of such real property have entered
16 into a tax deferral and recovery agreement with the collector
17 on behalf of the county or other unit of local government,
18 which agreement expressly states:

19 (1) That the total amount of taxes deferred under this
20 Act, plus interest, for the year for which a tax deferral
21 is claimed as well as for those previous years for which
22 taxes are not delinquent and for which such deferral has
23 been claimed may not exceed 80% of the taxpayer's equity
24 interest in the property for which taxes are to be
25 deferred and that, if the total deferred taxes plus
26 interest equals 80% of the taxpayer's equity interest in

1 the property, the taxpayer shall thereafter pay the annual
2 interest due on such deferred taxes plus interest so that
3 total deferred taxes plus interest will not exceed such
4 80% of the taxpayer's equity interest in the property.
5 Effective as of the January 1, 2011 assessment year or tax
6 year 2012 and through the 2021 tax year, the total amount
7 of any such deferral shall not exceed \$5,000 per taxpayer
8 in each tax year. For the 2022 tax year and every tax year
9 thereafter ~~after~~, the total amount of any such deferral
10 shall not exceed \$7,500 per taxpayer in each tax year.

11 (2) That any real estate taxes deferred under this Act
12 and any interest accrued thereon are a lien on the real
13 estate and improvements thereon until paid. If the taxes
14 deferred are for a tax year prior to 2023, then interest
15 shall accrue at the rate of 6% per year. If the taxes
16 deferred are for the 2023 tax year or any tax year
17 thereafter, then interest shall accrue at the rate of 3%
18 per year. No sale or transfer of such real property may be
19 legally closed and recorded until the taxes which would
20 otherwise have been due on the property, plus accrued
21 interest, have been paid unless the collector certifies in
22 writing that an arrangement for prompt payment of the
23 amount due has been made with his office. The same shall
24 apply if the property is to be made the subject of a
25 contract of sale.

26 (3) That, upon the death of the taxpayer claiming the

1 deferral, the heirs-at-law, assignees, or legatees shall
2 have first priority to the real property upon which taxes
3 have been deferred by paying in full the total taxes which
4 would otherwise have been due, plus interest. However, if
5 such heir-at-law, assignee, or legatee is a surviving
6 spouse, the tax deferred status of the property shall be
7 continued during the life of that surviving spouse if the
8 spouse is 55 years of age or older within 6 months of the
9 date of death of the taxpayer and enters into a tax
10 deferral and recovery agreement before the time when
11 deferred taxes become due under this Section. Any
12 additional taxes deferred, plus interest, on the real
13 property under a tax deferral and recovery agreement
14 signed by a surviving spouse shall be added to the taxes
15 and interest which would otherwise have been due, and the
16 payment of which has been postponed during the life of
17 such surviving spouse, in determining the 80% equity
18 requirement provided by this Section.

19 (4) That if the taxes due, plus interest, are not paid
20 by the heir-at-law, assignee or legatee or if payment is
21 not postponed during the life of a surviving spouse, the
22 deferred taxes and interest shall be recovered from the
23 estate of the taxpayer within one year of the date of his
24 death. In addition, deferred real estate taxes and any
25 interest accrued thereon are due within 90 days after any
26 tax deferred property ceases to be qualifying property as

1 defined in Section 2.

2 If payment is not made when required by this Section,
3 foreclosure proceedings may be instituted under the
4 Property Tax Code.

5 (5) That any joint owner has given written prior
6 approval for such agreement, which written approval shall
7 be made a part of such agreement.

8 (6) That a guardian for a person under legal
9 disability appointed for a taxpayer who otherwise
10 qualifies under this Act may act for the taxpayer in
11 complying with this Act.

12 (7) That a taxpayer or his agent has provided to the
13 satisfaction of the collector, sufficient evidence that
14 the qualifying property on which the taxes are to be
15 deferred is insured against fire or casualty loss for at
16 least the total amount of taxes which have been deferred.

17 If the taxes to be deferred are special assessments, the
18 unit of local government making the assessments shall forward
19 a copy of the agreement entered into pursuant to this Section
20 and the bills for such assessments to the county collector of
21 the county in which the qualifying property is located.

22 (Source: P.A. 104-452, eff. 12-12-25; revised 1-8-26.)

23 Section 740. The Older Adult Services Act is amended by
24 changing Section 35 as follows:

1 (320 ILCS 42/35)

2 Sec. 35. Older Adult Services Advisory Committee.

3 (a) The Older Adult Services Advisory Committee is created
4 to advise the directors of Aging, Healthcare and Family
5 Services, and Public Health on all matters related to this Act
6 and the delivery of services to older adults in general.

7 (b) The Advisory Committee shall be comprised of the
8 following:

9 (1) The Director of Aging or the Director's designee,
10 who shall serve as chair and shall be an ex officio and
11 nonvoting member.

12 (2) The Director of Healthcare and Family Services and
13 the Director of Public Health or their designees, who
14 shall serve as vice-chairs and shall be ex officio and
15 nonvoting members.

16 (3) One representative each of the Governor's Office,
17 the Department of Healthcare and Family Services, the
18 Department of Public Health, the Department of Veterans
19 Affairs, the Department of Human Services, the Department
20 on Aging's Senior Health Insurance Program, the Department
21 on Aging, the Department on Aging's State Long Term Care
22 Ombudsman, the Illinois Housing Finance Authority, and the
23 Illinois Housing Development Authority, each of whom shall
24 be selected by his or her respective director and shall be
25 an ex officio and nonvoting member.

26 (4) Thirty-one members appointed by the Director of

1 Aging in collaboration with the directors of Public Health
2 and Healthcare and Family Services, and selected from the
3 recommendations of statewide associations and
4 organizations, as follows:

5 (A) One member representing the Area Agencies on
6 Aging;

7 (B) Four members representing nursing homes or
8 licensed assisted living establishments;

9 (C) One member representing home health agencies;

10 (D) One member representing case management
11 services;

12 (E) One member representing statewide senior
13 center associations;

14 (F) One member representing Community Care Program
15 homemaker services;

16 (G) One member representing Community Care Program
17 adult day services;

18 (H) One member representing nutrition project
19 directors;

20 (I) One member representing hospice programs;

21 (J) One member representing individuals with
22 Alzheimer's disease and related dementias;

23 (K) Two members representing statewide trade or
24 labor unions;

25 (L) One advanced practice registered nurse with
26 experience in gerontological nursing;

- 1 (M) One physician specializing in gerontology;
- 2 (N) One member representing regional long-term
- 3 care ombudsmen;
- 4 (O) One member representing municipal officials;
- 5 (P) (Blank);
- 6 (Q) (Blank);
- 7 (R) One member representing a nurse from a
- 8 Community Care Program provider;
- 9 (S) One member representing pharmacists;
- 10 (T) Two members representing statewide
- 11 organizations engaging in advocacy or legal
- 12 representation on behalf of the senior population;
- 13 (U) Two family caregivers;
- 14 (V) Two citizen members over the age of 60;
- 15 (W) One citizen with knowledge in the area of
- 16 gerontology research or health care law;
- 17 (X) One representative of health care facilities
- 18 licensed under the Hospital Licensing Act;
- 19 (Y) One representative of primary care service
- 20 providers; and
- 21 (Z) One member representing townships or county
- 22 officials.

23 The Director of Aging, in collaboration with the Directors

24 of Public Health and Healthcare and Family Services, may

25 appoint additional citizen members to the Older Adult Services

26 Advisory Committee. Each such additional member must be either

1 an individual age 60 or older or an uncompensated caregiver
2 for a family member or friend who is age 60 or older.

3 (c) Voting members of the Advisory Committee shall serve
4 for a term of 3 years or until a replacement is named. All
5 members shall be appointed no later than January 1, 2005. Of
6 the initial appointees, as determined by lot, 10 members shall
7 serve a term of one year; 10 shall serve for a term of 2 years;
8 and 12 shall serve for a term of 3 years. Any member appointed
9 to fill a vacancy occurring prior to the expiration of the term
10 for which his or her predecessor was appointed shall be
11 appointed for the remainder of that term. The Advisory
12 Committee shall meet at least quarterly and may meet more
13 frequently at the call of the Chair. A simple majority of those
14 appointed shall constitute a quorum. The affirmative vote of a
15 majority of those present and voting shall be necessary for
16 Advisory Committee action. Members of the Advisory Committee
17 shall receive no compensation for their services.

18 (d) The Advisory Committee shall have an Executive
19 Committee comprised of the Chair, the Vice Chairs, and up to 15
20 members of the Advisory Committee appointed by the Chair who
21 have demonstrated expertise in developing, implementing, or
22 coordinating the system restructuring initiatives defined in
23 Section 25. The Executive Committee shall have responsibility
24 to oversee and structure the operations of the Advisory
25 Committee and to create and appoint necessary subcommittees
26 and subcommittee members. The Advisory Committee's Community

1 Care Program Medicaid Enrollment Oversight Subcommittee shall
2 have the membership and powers and duties set forth in Section
3 4.02 of the Illinois Act on the Aging.

4 (e) The Advisory Committee shall study and make
5 recommendations related to the implementation of this Act,
6 including, but not limited to, system restructuring
7 initiatives as defined in Section 25 or otherwise related to
8 this Act.

9 (Source: P.A. 104-234, eff. 8-15-25; 104-435, eff. 11-21-25;
10 revised 12-9-25.)

11 Section 745. The Illinois Caregiver Assistance and
12 Resource Portal Act is amended by changing Section 25-20 as
13 follows:

14 (320 ILCS 70/25-20)

15 Sec. 25-20. Outreach and promotion.

16 (a) The Department on Aging, in consultation with the
17 Department of Healthcare and Family Services, the Department
18 of Public Health, the Department of Human Services, and the
19 Department of Veterans Affairs, shall undertake an outreach
20 and promotional campaign to raise awareness about the Portal
21 and its resources upon completion.

22 (b) The campaign shall include a digital-first strategy to
23 inform health care providers, social service agencies, and
24 community organizations about the Portal's availability.

1 (c) The campaign shall coordinate with the statewide 2-1-1
2 ~~State-wide 2-1-1 Service~~ system administered under the 2-1-1
3 Service Act in order to ensure ~~insure~~ persons calling 2-1-1
4 telephone lines are directed, when appropriate, to the Portal
5 and reciprocally to 2-1-1.

6 (Source: P.A. 103-588, eff. 6-5-24; 104-234, eff. 8-15-25;
7 revised 12-12-25.)

8 Section 750. The Abandoned Newborn Infant Protection Act
9 is amended by changing Section 20 as follows:

10 (325 ILCS 2/20)

11 Sec. 20. Procedures with respect to relinquished newborn
12 infants.

13 (a) Hospitals. Every hospital must accept and provide all
14 necessary emergency services and care to a relinquished
15 newborn infant, in accordance with this Act. The hospital
16 shall examine a relinquished newborn infant and perform tests
17 that, based on reasonable medical judgment, are appropriate in
18 evaluating whether the relinquished newborn infant was abused
19 or neglected.

20 The act of relinquishing a newborn infant serves as
21 implied consent for the hospital and its medical personnel and
22 physicians on staff to treat and provide care for the infant.

23 The hospital shall be deemed to have temporary protective
24 custody of a relinquished newborn infant until the infant is

1 discharged to the custody of a child welfare agency or the
2 Department. The hospital shall provide all available medical
3 records and information to the Department and the child
4 welfare agency that has accepted the referral of the infant in
5 accordance with Section 50.

6 If the person who relinquished or a person claiming to be
7 the parent of a newborn infant returns to reclaim the infant
8 within 30 days after the infant was relinquished to a
9 hospital, the hospital must inform such person of the name and
10 contact information of the child welfare agency to which ~~whom~~
11 custody of the infant was transferred.

12 (b) Fire stations and emergency medical facilities. Every
13 fire station and emergency medical facility must accept and
14 provide all necessary emergency services and care to a
15 relinquished newborn infant, in accordance with this Act.

16 The act of relinquishing a newborn infant serves as
17 implied consent for the fire station or emergency medical
18 facility and its emergency medical professionals to treat and
19 provide care for the infant, to the extent that those
20 emergency medical professionals are trained to provide those
21 services.

22 After the relinquishment of a newborn infant to a fire
23 station or emergency medical facility, the fire station or
24 emergency medical facility's personnel must arrange for the
25 transportation of the infant to the nearest hospital as soon
26 as transportation can be arranged.

1 If the person who relinquished or a person claiming to be
2 the parent of a newborn infant returns to reclaim the infant
3 within 30 days after the infant was relinquished to a fire
4 station or emergency medical facility, the fire station or
5 emergency medical facility must inform such person of the name
6 and location of the hospital to which the infant was
7 transported.

8 (c) Police stations. Every police station must accept a
9 relinquished newborn infant, in accordance with this Act.
10 After the relinquishment of a newborn infant to a police
11 station, the police station must arrange for the
12 transportation of the infant to the nearest hospital as soon
13 as transportation can be arranged. The act of relinquishing a
14 newborn infant serves as implied consent for the hospital to
15 which the infant is transported and that hospital's medical
16 personnel and physicians on staff to treat and provide care
17 for the infant.

18 If the person who relinquished or a person claiming to be
19 the parent of a newborn infant returns to reclaim the infant
20 within 30 days after the infant was relinquished to a police
21 station, the police station must inform such person of the
22 name and location of the hospital to which the infant was
23 transported.

24 (Source: P.A. 103-501, eff. 1-1-24; 103-958, eff. 1-1-25;
25 revised 6-26-25.)

1 Section 755. The Department of Early Childhood Act is
2 amended by changing Section 10-65 as follows:

3 (325 ILCS 3/10-65)

4 Sec. 10-65. Individualized Family Service Plans.

5 (a) Each eligible infant or toddler and that infant's or
6 toddler's family shall receive:

7 (1) timely, comprehensive, multidisciplinary
8 assessment of the unique strengths and needs of each
9 eligible infant and toddler, and assessment of the
10 concerns and priorities of the families to appropriately
11 assist them in meeting their needs and identify supports
12 and services to meet those needs; and

13 (2) a written Individualized Family Service Plan
14 developed by a multidisciplinary team which includes the
15 parent or guardian. The individualized family service plan
16 shall be based on the multidisciplinary team's assessment
17 of the resources, priorities, and concerns of the family
18 and its identification of the supports and services
19 necessary to enhance the family's capacity to meet the
20 developmental needs of the infant or toddler, and shall
21 include the identification of services appropriate to meet
22 those needs, including the frequency, intensity, and
23 method of delivering services. During and as part of the
24 initial development of the individualized family services
25 plan, and any periodic reviews of the plan, the

1 multidisciplinary team may seek consultation from the lead
2 agency's designated experts, if any, to help determine
3 appropriate services and the frequency and intensity of
4 those services. All services in the individualized family
5 services plan must be justified by the multidisciplinary
6 assessment of the unique strengths and needs of the infant
7 or toddler and must be appropriate to meet those needs. At
8 the periodic reviews, the team shall determine whether
9 modification or revision of the outcomes or services is
10 necessary.

11 (b) The Individualized Family Service Plan shall be
12 evaluated once a year and the family shall be provided a review
13 of the Plan at 6-month intervals or more often where
14 appropriate based on infant or toddler and family needs. The
15 lead agency shall create a quality review process regarding
16 Individualized Family Service Plan development and changes
17 thereto, to monitor and help ensure that resources are being
18 used to provide appropriate early intervention services.

19 (c) The initial evaluation and initial assessment and
20 initial Plan meeting must be held within 45 days after the
21 initial contact with the early intervention services system.
22 The 45-day timeline does not apply for any period when the
23 child or parent is unavailable to complete the initial
24 evaluation, the initial assessments of the child and family,
25 or the initial Plan meeting, due to exceptional family
26 circumstances that are documented in the child's early

1 intervention records, or when the parent has not provided
2 consent for the initial evaluation or the initial assessment
3 of the child despite documented, repeated attempts to obtain
4 parental consent. As soon as exceptional family circumstances
5 no longer exist or parental consent has been obtained, the
6 initial evaluation, the initial assessment, and the initial
7 Plan meeting must be completed as soon as possible. With
8 parental consent, early intervention services may commence
9 before the completion of the comprehensive assessment and
10 development of the Plan. All early intervention services shall
11 be initiated as soon as possible but not later than 30 calendar
12 days after the consent of the parent or guardian has been
13 obtained for the individualized family service plan, in
14 accordance with rules adopted by the lead agency.

15 (d) Parents must be informed that early intervention
16 services shall be provided to each eligible infant and
17 toddler, to the maximum extent appropriate, in the natural
18 environment, which may include the home or other community
19 settings. Parents must also be informed of the availability of
20 early intervention services provided through telehealth
21 services. Parents shall make the final decision to accept or
22 decline early intervention services, including whether
23 accepted services are delivered in person or via telehealth
24 services. A decision to decline such services shall not be a
25 basis for administrative determination of parental fitness, or
26 other findings or sanctions against the parents. Parameters of

1 the Plan shall be set forth in rules.

2 (e) The regional intake offices shall explain to each
3 family, orally and in writing, all of the following:

4 (1) That the early intervention program will pay for
5 all early intervention services set forth in the
6 individualized family service plan that are not covered or
7 paid under the family's public or private insurance plan
8 or policy and not eligible for payment through any other
9 third party payor.

10 (2) That services will not be delayed due to any rules
11 or restrictions under the family's insurance plan or
12 policy.

13 (3) That the family may request, with appropriate
14 documentation supporting the request, a determination of
15 an exemption from private insurance use under Section
16 10-100.

17 (4) That responsibility for co-payments or
18 co-insurance under a family's private insurance plan or
19 policy will be transferred to the lead agency's central
20 billing office.

21 (5) That families will be responsible for payments of
22 family fees, which will be based on a sliding scale
23 according to the State's definition of ability to pay
24 which is comparing household size and income to the
25 sliding scale and considering out-of-pocket medical or
26 disaster expenses, and that these fees are payable to the

1 central billing office. Families who fail to provide
2 income information shall be charged the maximum amount on
3 the sliding scale.

4 (f) The individualized family service plan must state
5 whether the family has private insurance coverage and, if the
6 family has such coverage, must have attached to it a copy of
7 the family's insurance identification card or otherwise
8 include all of the following information:

9 (1) The name, address, and telephone number of the
10 insurance carrier.

11 (2) The contract number and policy number of the
12 insurance plan.

13 (3) The name, address, and social security number of
14 the primary insured.

15 (4) The beginning date of the insurance benefit year.

16 (g) A copy of the individualized family service plan must
17 be provided to each enrolled provider who is providing early
18 intervention services to the child who is the subject of that
19 plan.

20 (h) Children receiving services under this Act shall
21 receive a smooth and effective transition by their third
22 birthday consistent with federal regulations adopted pursuant
23 to Sections 1431 through 1444 of Title 20 of the United States
24 Code. On and after August 15, 2025 (the effective date of
25 Public Act 104-270) ~~this amendatory Act of the 104th General~~
26 ~~Assembly~~, children who receive early intervention services

1 prior to their third birthday, who have been found eligible
2 for early childhood special education services under the
3 Individuals with Disabilities Education Act, 20 U.S.C.
4 1414(d)(1)(A), and this Section, who have an individualized
5 education program developed under the Individuals with
6 Disabilities Education Act and under Section 14-8.02 of the
7 School Code, and whose birthday falls between May 1 and August
8 31 may continue to receive early intervention services until
9 the beginning of the school year following their third
10 birthday in order to minimize gaps in services, ensure better
11 continuity of care, and align practices for the enrollment of
12 preschool children with special needs to the enrollment
13 practices of typically developing preschool children.

14 (i) The requirement under this subsection is intended to
15 ensure that families of infants and toddlers with disabilities
16 are informed about the Illinois Achieving a Better Life
17 Experience (ABLE) account program, a financial tool that may
18 assist families in meeting the long-term disability-related
19 expenses of their children and improving opportunities for
20 economic independence for their children. During the initial
21 development of the Individual Family Service Plan and at each
22 review meeting of the plan, the regional intake offices shall
23 provide the parent or guardian with informational materials
24 about the Illinois ABLE ~~(ABLE)~~ account program established
25 under Section 16.6 of the State Treasurer Act. The
26 informational materials shall include an overview of the

1 program, eligibility criteria, and other necessary information
2 for enrollment in the Illinois ABLE account program.

3 The Office of the State Treasurer shall prepare and
4 deliver the informational materials about the Illinois ABLE
5 account program to the lead agency, which shall distribute the
6 materials to regional intake offices. The regional intake
7 offices shall disseminate the informational materials to
8 parents and guardians in the same manner as they transmit
9 other documents to families. The regional intake offices shall
10 document the transmission of informational materials about the
11 Illinois ABLE account program.

12 (Source: P.A. 103-594, eff. 6-25-24; 104-270, eff. 8-15-25;
13 104-314, eff. 1-1-26; revised 11-21-25.)

14 Section 760. The Intergovernmental Missing Child Recovery
15 Act of 1984 is amended by changing Section 2 as follows:

16 (325 ILCS 40/2) (from Ch. 23, par. 2252)

17 Sec. 2. As used in this Act:

18 (a) (Blank).

19 (b) "Director" means the Director of the Illinois State
20 Police.

21 (c) "Unit of local government" is defined as in Article
22 VII, Section 1 of the Illinois Constitution and includes both
23 home rule units and units which are not home rule units. The
24 term is also defined to include all public school districts

1 subject to the provisions of the School Code.

2 (d) "Child" means a person under 21 years of age.

3 (e) A "LEADS terminal" is an interactive computerized
4 communication and processing unit which permits a direct
5 on-line communication with the Illinois State Police's central
6 data repository, the Law Enforcement Agencies Data System
7 (LEADS).

8 (f) A "primary contact agency" means a law enforcement
9 agency which maintains a LEADS terminal, or has immediate
10 access to one on a 24-hour-per-day, 7-day-per-week basis by
11 written agreement with another law enforcement agency.

12 (g) (Blank).

13 (h) "Missing child" means any person under 21 years of age
14 whose whereabouts are unknown to his or her parents or legal
15 guardian.

16 (i) "Exploitation" means activities and actions which
17 include, but are not limited to, child sexual abuse material,
18 aggravated child pornography, commercial sexual exploitation
19 of a child, child sexual abuse, drug and substance abuse by
20 children, and child suicide.

21 (j) (Blank).

22 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
23 revised 10-20-25.)

24 Section 765. The Deceased, Disabled, and MIA/POW Veterans'
25 Dependents Educational Opportunity Grant Act is amended by

1 changing Section 2 as follows:

2 (330 ILCS 105/2)

3 Sec. 2. The amounts that become due to any child under this
4 Act, not in excess of the amount specified in Section 1 of this
5 Act, shall be payable to such child or, if such child is a
6 minor, to the eligible veteran or serviceperson or guardian on
7 vouchers approved by the Illinois Department of Veterans
8 Affairs. The Illinois Department of Veterans Affairs shall
9 adopt rules on how to render payments to eligible minor
10 children of deceased veterans or servicepersons. The
11 Department shall determine, by rule, the eligibility of the
12 children who make application for the benefits provided for in
13 this Act; and satisfy itself of the attendance of such
14 children at any such institution or school.

15 (Source: P.A. 104-234, eff. 8-15-25; 104-238, eff. 1-1-26;
16 revised 11-21-25.)

17 Section 770. The Veterans Burial Places Act is amended by
18 changing Section 2 as follows:

19 (330 ILCS 110/2) (from Ch. 21, par. 59b)

20 Sec. 2. Every person, firm, or corporation owning or
21 controlling any cemetery or burial place in this State shall
22 by itself, his or its superintendent or agent, keep a
23 permanent record of the burial of each United States War

1 Veteran or the erection of a memorial marker for any veteran
2 whose remains were not recovered or were ~~where~~ buried at sea,
3 such record to contain the name of the veteran, date of death,
4 and the location of grave or memorial marker in cemetery, and
5 when requested so to do, shall report such information to the
6 Department of Veterans Affairs on forms furnished by the
7 Department. Any person, firm, or corporation owning or
8 controlling a cemetery or burial place, who fails to make and
9 file such report within 30 days after receipt of such request
10 is guilty of a petty offense and upon conviction thereof shall
11 be fined not less than \$10 nor more than \$100. It is the duty
12 of the State's attorney in the county where the cemetery or
13 burial place is located to enforce the provisions of this Act.
14 (Source: P.A. 104-234, eff. 8-15-25; revised 12-12-25.)

15 Section 775. The Equitable Health Outcomes Act is amended
16 by changing Section 10 as follows:

17 (410 ILCS 34/10)

18 Sec. 10. Health Outcomes Review Board.

19 (a) There is hereby established a Health Outcomes Review
20 Board, which is tasked with annually reviewing and reporting
21 data on health outcomes, including illnesses, treatments, and
22 causes of death in this State, and which is also tasked with
23 recommending solutions that will improve health outcomes in
24 this State.

1 (b) The Board shall be composed of a minimum of 22 and a
2 maximum of 25 members, appointed by the Director of Public
3 Health or the Director's designee to serve 3-year terms. The
4 Director of Public Health or the Director's designee shall
5 serve as Chair.

6 (1) Members of the Board shall be appointed from
7 geographic areas throughout the State with knowledge of
8 health care and social determinants of health, including:

9 (A) representatives of hospitals, clinics, and
10 group and private medical practices;

11 (B) health care providers;

12 (C) nursing providers;

13 (D) the Director of each Department having
14 knowledge, data, or relevant jurisdiction over aspects
15 of the health care process;

16 (E) at least 2 representatives from communities in
17 the State most impacted by inequitable health
18 outcomes;

19 (F) representatives of an association of
20 healthcare providers;

21 (G) at least 2 representatives of nonprofit
22 organizations that work in health equity, to be
23 appointed by the Governor;

24 (H) a representative of an association
25 representing a majority of hospitals statewide; and

26 (I) other health care professionals and

1 representatives that the Director or the Director's
2 designee deems appropriate.

3 (2) In appointing members to the Board, the Director
4 shall follow best practices as outlined by the Centers for
5 Disease Control and Prevention in the United States
6 Department of Health and Human Services.

7 (3) All initial appointments to the Board shall be
8 made within 60 days after the effective date of this Act.

9 (4) Board members shall serve without compensation or
10 perquisite arising from their service.

11 (c) The Director or the Director's designee shall call the
12 first Board meeting as soon as practicable following the
13 appointment of a majority of Board members, and in no case no
14 later than 6 months after the effective date of this Act.
15 Thereafter, the Board shall meet pursuant to a schedule that
16 is established during the first Board meeting, but no less
17 than 4 times per calendar year. The Board may additionally
18 meet at the call of the Chair.

19 (d) A majority of the total number of members appointed to
20 the Board shall constitute a quorum for the conducting of
21 official Board business. Any recommendations of the Board
22 shall be approved by a majority of the members present.

23 (e) In addition to any relevant national or publicly
24 available data, the Board shall have access to deidentified
25 data sets collected by the Department of Public Health.

26 (1) The data sets provided by the Department and all

1 activities or communications of the commission shall
2 comply with all State and federal laws relating to the
3 transmission of health information.

4 (2) Such data sets shall contain all relevant
5 information of patients that received care in this State
6 during the previous calendar year.

7 (3) Such data sets shall have all personally
8 identifying information removed as set forth in 45 CFR
9 164.514(b)(2).

10 (4) Each member of the Board shall sign a
11 confidentiality agreement regarding personally
12 identifying information that the Department deems
13 necessary to the Board's objective, or that is disclosed
14 to the Board inadvertently. A Board member who knowingly
15 violates the confidentiality agreement commits a Class C
16 misdemeanor.

17 (5) Members of the Board are not subject to subpoena
18 in any civil, criminal, or administrative proceeding
19 regarding the information presented in or opinions formed
20 as a result of a meeting or communication of the Board;
21 except that this paragraph does not prevent a member of
22 the Board from testifying regarding information or
23 opinions obtained independently of the Board or that are
24 public information.

25 (6) Notes, statements, medical records, reports,
26 communications, and memoranda that contain, or may

1 contain, patient information are not subject to subpoena,
2 discovery, or introduction into evidence in any civil,
3 criminal, or administrative proceeding, unless the
4 subpoena is directed to a source that is separate and
5 apart from the Board. Nothing in this Section limits or
6 restricts the right to discover or use in a civil,
7 criminal, or administrative proceeding notes, statements,
8 medical records, reports, communications, or memoranda
9 that are available from another source separate and apart
10 from the Board and that arise entirely independent of the
11 Board's activities. Any information disclosed by the Board
12 must be disclosed in accordance with the Health Insurance
13 Portability and Accountability Act (HIPAA) and the Health
14 Information Technology for Economic and Clinical Health
15 (HITECH) Act and their respective implementing
16 regulations.

17 (f) The Board shall:

18 (1) provide recommendations on data collection
19 regarding race, ethnicity, sexual orientation, gender
20 identity, and language with consideration to all health
21 care facilities, including, but not limited to, hospitals,
22 community health centers, physician and group practices,
23 and insurance programs; the recommendations shall consider
24 federal guidance regarding data collection and reporting
25 standards and requirements, maintaining data and patient
26 confidentiality, and health care provider resources

1 necessary to implement new data collection and reporting
2 requirements;

3 (2) review illness and death incidents in the State
4 using the deidentified data sets that the Department
5 provides or any other lawful source of relevant
6 information;

7 (3) review research that substantiates the connections
8 between social determinants of health before, during, and
9 after hospital treatment;

10 (4) outline trends and patterns disaggregated by race,
11 ethnicity, and language relating to illness, death, and
12 treatments in this State;

13 (5) review comprehensive, nationwide data collection
14 on illness, death, and treatments, including data
15 disaggregated by race, ethnicity, and language;

16 (6) review any information provided by the Department
17 on social and environmental risk factors for all people,
18 and especially, people of color;

19 (7) review research to identify best practices and
20 effective interventions for improving the quality and
21 safety of health care and compare those to practices
22 currently in use in this State;

23 (8) review research to identify best practices and
24 effective interventions in order to address predisease
25 pathways of adverse health and compare those to practices
26 currently in use in this State;

1 (9) review research to identify effective
2 interventions for addressing social determinants of health
3 disparities;

4 (10) serve as a link with equitable health outcome
5 review teams throughout the country and participate in
6 regional and national review team activities;

7 (11) request input and feedback from interested and
8 affected stakeholders;

9 (12) compile annual reports, using aggregate data
10 based on the cases that the Department identifies for
11 reporting in an effort to further study the causes and
12 problems associated with inequitable health outcomes and
13 distribute these reports on the Department's website and
14 to the General Assembly, government agencies, health care
15 providers, and others as necessary to provide equitable
16 health care in the State; and

17 (13) produce annually a report highlighting
18 recommended solutions and steps that could be taken in
19 this State to reduce inequitable health outcomes,
20 including complications, morbidity, and near-death or
21 life-threatening incidents, including recommendations to
22 assist health care providers, the Department, and
23 lawmakers in reducing inequitable treatment and health
24 outcomes, and that shall be distributed on the
25 Department's website and to the General Assembly,
26 government agencies, health care providers, and others as

1 necessary to reduce inequitable health treatments and
2 outcomes in the State.

3 (g) The Board may:

4 (1) form special ad hoc panels to further investigate
5 cases of illness and death resulting from specific causes
6 when the need arises; and

7 (2) perform any other function as resources allow to
8 enhance efforts to reduce and prevent unnecessary death
9 and illness in the State.

10 (h) For recommendations that would require additional
11 action by the General Assembly, the Board report shall include
12 specific requests and outlines of legislative action needed,
13 including budget requests.

14 (i) The Department of Public Health may adopt rules to
15 achieve the outcomes described in this Act.

16 (Source: P.A. 103-1041, eff. 1-1-25; revised 7-7-25.)

17 Section 780. The Sexual Assault Survivors Emergency
18 Treatment Act is amended by changing Section 5.2 as follows:

19 (410 ILCS 70/5.2)

20 Sec. 5.2. Sexual assault services voucher.

21 (a) A sexual assault services voucher shall be issued by
22 the hospital or approved pediatric health care facility where
23 a sexual assault survivor first presents seeking a medical
24 forensic examination or medical care and treatment.

1 (b) Each hospital and approved pediatric health care
2 facility must include in its sexual assault treatment plan or
3 sexual assault transfer plan submitted to the Department in
4 accordance with Section 2 of this Act a protocol for issuing
5 sexual assault services vouchers. The protocol shall, at a
6 minimum, include the following:

7 (1) Identification of employee positions responsible
8 for issuing sexual assault services vouchers.

9 (2) Identification of employee positions with access
10 to the Medical Electronic Data Interchange or successor
11 system.

12 (3) A statement to be signed by each employee of an
13 approved pediatric health care facility with access to the
14 Medical Electronic Data Interchange or successor system
15 affirming that the Medical Electronic Data Interchange or
16 successor system will only be used for the purpose of
17 issuing sexual assault services vouchers.

18 Every transfer hospital providing medical care and
19 treatment to sexual assault survivors shall issue a voucher to
20 any sexual assault survivor who is eligible to receive one.
21 The transfer hospital shall make a copy of the voucher and
22 place it in the medical record of the sexual assault survivor.
23 The hospital shall provide a copy of the voucher to the sexual
24 assault survivor prior to transfer, or after discharge upon
25 request.

26 (c) A sexual assault services voucher may be used to seek

1 payment for any ambulance services, medical forensic
2 examination, medical care and treatment as defined by 77 Ill.
3 Adm. Code Part 545, laboratory services, pharmacy services,
4 and follow-up healthcare provided as a result of the sexual
5 assault.

6 (c-5) Beginning January 1, 2026, after services are
7 provided to a survivor as a result of a sexual assault, a
8 sexual assault services voucher may be used to seek payment
9 for transportation to the hospital the survivor initially
10 presented at, the survivor's residence, or a survivor services
11 shelter by taxi or rideshare services, if available. A
12 hospital may obtain written consent of the survivor to use
13 taxi or rideshare services arranged by the hospital.

14 (d) Any treatment hospital, treatment hospital with
15 approved pediatric transfer, approved pediatric health care
16 facility, health care professional, ambulance provider,
17 laboratory, or pharmacy may submit a bill for services
18 provided to a sexual assault survivor as a result of a sexual
19 assault to the Department of Healthcare and Family Services
20 Sexual Assault Emergency Treatment Program. The bill shall
21 include:

22 (1) the name and date of birth of the sexual assault
23 survivor;

24 (2) the service provided;

25 (3) the charge of service;

26 (4) the date the service was provided; and

1 (5) the recipient identification number, if known.

2 A health care professional, ambulance provider,
3 laboratory, or pharmacy is not required to submit a copy of the
4 sexual assault services voucher.

5 The Department of Healthcare and Family Services Sexual
6 Assault Emergency Treatment Program shall electronically
7 verify, using the Medical Electronic Data Interchange or a
8 successor system, that a sexual assault services voucher was
9 issued to a sexual assault survivor prior to issuing payment
10 for the services.

11 If a sexual assault services voucher was not issued to a
12 sexual assault survivor by the hospital or approved pediatric
13 health care facility, then a health care professional,
14 ambulance provider, laboratory, or pharmacy may submit a
15 request to the Department of Healthcare and Family Services
16 Sexual Assault Emergency Treatment Program to issue a sexual
17 assault services voucher.

18 (e) This Section is effective on and after January 1,
19 2026.

20 (Source: P.A. 104-371, eff. 1-1-26; 104-386, eff. 1-1-26;
21 revised 9-15-25.)

22 Section 785. The Youth Sports Concussion Safety Act is
23 amended by changing Section 5 as follows:

24 (410 ILCS 145/5)

1 Sec. 5. Definitions. In this Act ~~Section~~:

2 "Coach" means any volunteer or employee of a youth sports
3 league who is responsible for organizing and supervising
4 players and teaching them or training them in the fundamental
5 skills of extracurricular athletic activities provided by the
6 youth sports league. "Coach" refers to both head coaches and
7 assistant coaches.

8 "Concussion" means a complex pathophysiological process
9 affecting the brain caused by a traumatic physical force or
10 impact to the head or body, which may include temporary or
11 prolonged altered brain function resulting in physical,
12 cognitive, or emotional symptoms or altered sleep patterns and
13 which may or may not involve a loss of consciousness.

14 "Game official" means a person who officiates at a
15 sponsored youth sports activity, such as a referee or umpire,
16 including, but not limited to, persons enrolled as game
17 officials by the Illinois High School Association, the
18 Illinois Elementary School Association, or a youth sports
19 league.

20 "Player" means an adolescent or child participating in any
21 sponsored youth sports activity of a youth sports league.

22 "Sponsored youth sports activity" means any athletic
23 activity, including practice or competition, for players under
24 the direction of a coach, athletic director, or band leader of
25 a youth sports league, including, but not limited to,
26 baseball, basketball, cheerleading, cross country track,

1 fencing, field hockey, football, golf, gymnastics, ice hockey,
2 lacrosse, marching band, rugby, soccer, skating, softball,
3 swimming and diving, tennis, track (indoor and outdoor),
4 ultimate Frisbee, volleyball, water polo, wrestling, and any
5 other sport offered by a youth sports league. "Sponsored A
6 ~~sponsored~~ youth sports activity" does not include an
7 interscholastic athletic activity as that term is defined in
8 Section 22-80 of the School Code.

9 "Youth sports league" means any incorporated or
10 unincorporated, for-profit or not-for-profit entity that
11 organizes and provides sponsored youth sports activities,
12 including, but not limited to, any athletic association,
13 organization, or federation in this State that is owned,
14 operated, sanctioned, or sponsored by a unit of local
15 government or that is owned, operated, sanctioned, or
16 sponsored by a private person or entity, as well as any amateur
17 athletic organization or qualified amateur sports organization
18 in this State under the U.S. Internal Revenue Code (26 U.S.C.
19 Sec. 501(c)(3) or Sec. 501(j)).

20 (Source: P.A. 99-245, eff. 8-3-15; revised 7-7-25.)

21 Section 790. The Consent by Minors to Health Care Services
22 Act is amended by changing Section 4 as follows:

23 (410 ILCS 210/4) (from Ch. 111, par. 4504)

24 Sec. 4. Sexually transmitted disease; drug or alcohol

1 abuse. Notwithstanding any other provision of law, a minor 12
2 years of age or older who may have come into contact with any
3 sexually transmitted disease, or may be determined to be an
4 intoxicated person or a person with a substance use disorder,
5 as defined in the Substance Use Disorder Act, or who may have a
6 family member who abuses drugs or alcohol, may give consent to
7 the furnishing of health care services or counseling related
8 to the prevention, diagnosis, or treatment of the disease.
9 Each incident of sexually transmitted disease shall be
10 reported to the State Department of Public Health or the local
11 board of health in accordance with regulations adopted under
12 statute or ordinance. The consent of the parent, parents, or
13 legal guardian of a minor shall not be necessary to authorize
14 health care services or counseling related to the prevention,
15 diagnosis, or treatment of sexually transmitted disease or
16 drug use or alcohol consumption by the minor or the effects on
17 the minor of drug or alcohol abuse by a member of the minor's
18 family. The consent of the minor shall be valid and binding as
19 if the minor had achieved his or her majority. The consent
20 shall not be voidable nor subject to later disaffirmance
21 because of minority.

22 Anyone involved in the furnishing of health care services
23 ~~care~~ to the minor or counseling related to the prevention,
24 diagnosis, or treatment of the minor's disease or drug or
25 alcohol use by the minor or a member of the minor's family
26 shall, upon the minor's consent, make reasonable efforts, to

1 involve the family of the minor in his or her treatment, if the
2 person furnishing treatment believes that the involvement of
3 the family will not be detrimental to the progress and care of
4 the minor. Reasonable effort shall be extended to assist the
5 minor in accepting the involvement of his or her family in the
6 care and treatment being given.

7 (Source: P.A. 100-378, eff. 1-1-18; 100-759, eff. 1-1-19;
8 101-214, eff. 1-1-20; revised 7-10-25.)

9 Section 795. The Prenatal Syphilis Act is amended by
10 changing Section 2 as follows:

11 (410 ILCS 320/2) (from Ch. 111 1/2, par. 4802)

12 Sec. 2. In reporting every birth or stillbirth ~~still~~
13 ~~birth~~, appropriate health care professionals required to make
14 such reports shall state on the birth certificate or
15 stillbirth ~~still-birth~~ certificate, as the case may be,
16 whether a test for syphilis has been made upon a specimen of
17 blood taken from the woman who bore the child for which a birth
18 or stillbirth ~~still-birth~~ certificate is filed, together with
19 the date when the specimen was taken and the name of the
20 laboratory making the test. In no event shall the birth or
21 stillbirth ~~still-birth~~ certificate state the result of the
22 test.

23 (Source: P.A. 104-71, eff. 1-1-26; revised 11-21-25.)

1 Section 800. The Illinois Sexually Transmitted Infection
2 Control Act is amended by changing Section 3 as follows:

3 (410 ILCS 325/3) (from Ch. 111 1/2, par. 7403)

4 Sec. 3. Definitions. As used in this Act, unless the
5 context clearly requires otherwise:

6 (1) "Department" means the Department of Public Health.

7 (2) "Local health authority" means the full-time official
8 health department or ~~of~~ board of health, as recognized by the
9 Department, having jurisdiction over a particular area.

10 (3) "Sexually transmitted infection ~~infections~~" means a
11 bacterial, viral, fungal, or parasitic infection, determined
12 by rule of the Department to be sexually transmissible, to be a
13 threat to the public health and welfare, and to be an infection
14 for which a legitimate public interest will be served by
15 providing for regulation and treatment. In considering which
16 infections are to be designated sexually transmitted
17 infections, the Department shall consider such infections as
18 chancroid, gonorrhea, granuloma inguinale, lymphogranuloma
19 venereum, genital herpes simplex, chlamydia, human
20 papillomavirus (HPV), mpox, nongonococcal urethritis (NGU),
21 pelvic inflammatory disease (PID)/Acute Salpingitis, syphilis,
22 Acquired Immunodeficiency Syndrome (AIDS), and Human
23 Immunodeficiency Virus (HIV) for designation, and shall
24 consider the recommendations and classifications of the
25 Centers for Disease Control and Prevention and other

1 nationally recognized medical authorities. Not all infections
2 that are sexually transmissible need be designated for
3 purposes of this Act.

4 (4) "Health care professional" means a physician licensed
5 to practice medicine in all its branches, a licensed physician
6 assistant, or a licensed advanced practice registered nurse.

7 (5) "Expedited partner therapy" means to prescribe,
8 dispense, furnish, or otherwise provide prescription
9 antibiotic drugs to the partner or partners of persons
10 clinically diagnosed as infected with a sexually transmitted
11 infection, without physical examination of the partner or
12 partners.

13 (Source: P.A. 103-1049, eff. 8-9-24; revised 7-10-25.)

14 Section 805. The Illinois Health and Hazardous Substances
15 Registry Act is amended by changing Sections 4 and 6 as
16 follows:

17 (410 ILCS 525/4) (from Ch. 111 1/2, par. 6704)

18 Sec. 4. (a) The University of Illinois School of Public
19 Health shall advise the Department in the design, function,
20 and utilization of the Registry.

21 (b) To facilitate the collection of cancer incidence
22 information, the Department, in consultation with the Advisory
23 Board of Cancer Control, shall have the authority to require
24 hospitals, laboratories, or other facilities to report

1 incidences of cancer and other specified tumorous and
2 precancerous diseases to the Department, and to require the
3 submission of such other information pertaining to or in
4 connection with such reported cases as the Department deems
5 necessary or appropriate for the purposes of this Act. The
6 Department may promulgate rules or regulations specifying the
7 hospitals, laboratories, or other facilities which are
8 required to submit information pursuant to this Section, the
9 types of information required to be submitted, methods of
10 submitting such information, and any other detail deemed by
11 the Department to be necessary or appropriate for
12 administration of this Act. Nothing in this Act shall be
13 construed to compel any individual to submit to a medical
14 examination or supervision.

15 (c) The Director shall by rule or regulation establish
16 standards or guidelines for ensuring the protection of
17 information made confidential or privileged under law.

18 (d) The identity, or any group of facts that tends to lead
19 to the identity, of any person whose condition or treatment is
20 submitted to the Illinois Health and Hazardous Substances
21 Registry is confidential and shall not be open to public
22 inspection or dissemination and is exempt from disclosure
23 under Section 7 of the Freedom of Information Act. The
24 following data elements, alone or in combination, are
25 confidential, shall not be open to public inspection or
26 dissemination, and are exempt from disclosure under Section 7

1 of the Freedom of Information Act: name, social security
2 number, street address, email address, telephone number, fax
3 number, medical record number, certificate/license number,
4 reporting source (unless permitted by the reporting facility),
5 age (unless aggregated for 5 or more years), ZIP code (unless
6 aggregated for 5 or more years), and diagnosis date (unless
7 aggregated for one or more years for the entire State or for 3
8 or more years for a single county). The identity of any person
9 or persons claimed to be derived from cancer registry data is
10 not admissible in evidence, and no court shall require
11 information to be produced in discovery if it determines that
12 the information tends to lead to the identity of any person.
13 Information for specific research purposes may be released in
14 accordance with procedures established by the Department.
15 Except as provided by rule, and as part of an epidemiologic
16 investigation, an officer or employee of the Department may
17 interview a patient named in a report made under this Act, or
18 relatives of any such patient, only with the express written
19 consent of the patient.

20 (e) Hospitals, laboratories, other facilities, or
21 physicians shall not be held liable for the release of
22 information or confidential data to the Department in
23 accordance with this Act. The Department shall protect any
24 information made confidential or privileged under law.

25 (Source: P.A. 103-962, eff. 1-1-25; revised 7-10-25.)

(410 ILCS 525/6) (from Ch. 111 1/2, par. 6706)

Sec. 6. ~~(a)~~ No later than January 1, 1985, the Department shall commence the work necessary to compile the information which will constitute the Health and Hazardous Substances Registry. The Registry shall consist of the compilation of information in the following categories:

(i) adverse pregnancy outcomes;

(ii) cancer incidences;

(iii) occupational diseases;

(iv) location, transportation, and exposure to hazardous nuclear materials;

(v) company profiles; and

(vi) hazardous substances incidents.

The Department shall promulgate rules or regulations specifying the types of information in each category which will be compiled for the Registry. Such information shall be compiled in the Registry in such a manner as to allow for geographic ~~geographical~~ correlation of the data on public health and the data on hazardous substances and hazardous nuclear materials. To the extent feasible, the Registry shall be compatible with other national models of such type so as to facilitate the coordination of information with other data bases.

(Source: P.A. 103-962, eff. 1-1-25; revised 7-10-25.)

Section 810. The Illinois Food, Drug and Cosmetic Act is

1 amended by changing Section 6 as follows:

2 (410 ILCS 620/6) (from Ch. 56 1/2, par. 506)

3 Sec. 6. (a) When an authorized agent of the Director finds
4 or has probable cause to believe that any food, drug, device or
5 cosmetic is adulterated or so misbranded as to be dangerous or
6 fraudulent within the meaning of this Act, is in violation of
7 Section 12, 171 or 17.1 of this Act, or is suspected to be a
8 synthetic drug product, he or she shall affix to such article a
9 tag or other appropriate marking giving notice that the
10 article is or is suspected of being adulterated or misbranded
11 and has been detained or embargoed and warning all persons not
12 to remove or dispose of such article by sale or otherwise until
13 permission for removal or disposal is given by such agent or
14 the court. It is unlawful for any person to remove or dispose
15 of such detained or embargoed article by sale or otherwise
16 without such permission.

17 (b) When an article detained or embargoed under subsection
18 (a) of this Section is found by such agent to be adulterated or
19 misbranded or to be in violation of Section 12, 171 or 17.1 of
20 this Act or is suspected to be a synthetic drug product, he or
21 she shall petition the circuit court in whose jurisdiction the
22 article is detained or embargoed for a libel for condemnation
23 of such article. When such agent finds that an article so
24 detained or embargoed is not adulterated or misbranded or is
25 not a synthetic drug product, he or she shall remove the tag or

1 other marking.

2 (c) If the court finds that a detained or embargoed
3 article is adulterated or misbranded, such article shall,
4 after entry of the judgment, be destroyed at the expense of the
5 claimant thereof, under the supervision of such agent, and all
6 court costs and fees, and storage and other proper expenses,
7 shall be taxed against the claimant of such article or his or
8 her agent. However, when the adulteration or misbranding can
9 be corrected by proper labeling or processing of the article,
10 the court, after entry of the judgment and after such costs,
11 fees and expenses have been paid and a good and sufficient
12 bond, conditioned that such article shall be so labeled or
13 processed, has been executed, may by order direct that such
14 article be delivered to the claimant thereof for such labeling
15 or processing under the supervision of an agent of the
16 Director. The expense of such supervision shall be paid by the
17 claimant. The article shall be returned to the claimant and
18 the bond shall be discharged on the representation to the
19 court by the Director that the article is no longer in
20 violation of this Act, and that the expenses of such
21 supervision have been paid.

22 (d) Whenever the Director or any of his or her authorized
23 agents finds in any room, building, vehicle of transportation
24 or other structure, any meat, seafood ~~sea food~~, poultry,
25 vegetable, fruit or other perishable articles which contain
26 any filthy, decomposed or putrid substance, or that may be

1 poisonous or deleterious to health or otherwise unsafe, the
2 same being hereby declared to be a nuisance, the Director or
3 his or her authorized agent shall condemn or destroy the same,
4 or in any other manner render the same unusable as human food.
5 (Source: P.A. 97-872, eff. 7-31-12; revised 7-10-25.)

6 Section 815. The Environmental Protection Act is amended
7 by changing Sections 15, 22.51, 57.5, and 57.8 as follows:

8 (415 ILCS 5/15)

9 Sec. 15. Plans and specifications; demonstration of
10 capability; record retention.

11 (a) Owners of public water supplies, their authorized
12 representative, or legal custodians, shall submit plans and
13 specifications to the Agency and obtain written approval
14 before construction of any proposed public water supply
15 installations, changes, or additions is started. Plans and
16 specifications shall be complete and of sufficient detail to
17 show all proposed construction, changes, or additions that may
18 affect sanitary quality, mineral quality, or adequacy of the
19 public water supply; and, where necessary, said plans and
20 specifications shall be accompanied by supplemental data as
21 may be required by the Agency to permit a complete review
22 thereof. In the case of water main installation projects, all
23 water ~~main~~ mains and appurtenances, including, but not limited
24 to, fire hydrants and valves that are under the ownership and

1 control of a public water supply and located in a public right
2 of way or utility access easement, shall be included in the
3 Agency's written approval. Design review and permitting of
4 water ~~main~~ mains and fire hydrants is the sole responsibility
5 of the Agency, and water ~~main~~ mains and fire hydrants shall be
6 installed in accordance with the written Agency permit. Fire
7 hydrants connected to a plumbing system shall be installed in
8 accordance with the Illinois Plumbing License Law and the
9 rules and ordinances issued thereunder.

10 (b) All new public water supplies established after
11 October 1, 1999 shall demonstrate technical, financial, and
12 managerial capacity as a condition for issuance of a
13 construction or operation permit by the Agency or its
14 designee. The demonstration shall be consistent with the
15 technical, financial, and managerial provisions of the federal
16 Safe Drinking Water Act (P.L. 93-523), as now or hereafter
17 amended. The Agency is authorized to adopt rules in accordance
18 with the Illinois Administrative Procedure Act to implement
19 the purposes of this subsection. Such rules must take into
20 account the need for the facility, facility size,
21 sophistication of treatment of the water supply, and financial
22 requirements needed for operation of the facility.

23 (c) Except as otherwise provided under Board rules, owners
24 and operators of community water systems must maintain all
25 records, reports, and other documents related to the operation
26 of the community water system for a minimum of 10 years.

1 Documents required to be maintained under this subsection (c)
2 include, but are not limited to, all billing records and other
3 documents related to the purchase of water from other
4 community water systems. Documents required to be maintained
5 under this subsection (c) must be maintained on the premises
6 of the community water system, or at a convenient location
7 near its premises, and must be made available to the Agency for
8 inspection and copying during normal business hours.

9 (Source: P.A. 104-79, eff. 1-1-26; 104-277, eff. 1-1-26;
10 revised 11-21-25.)

11 (415 ILCS 5/22.51)

12 Sec. 22.51. Clean Construction or Demolition Debris Fill
13 Operations.

14 (a) No person shall conduct any clean construction or
15 demolition debris fill operation in violation of this Act or
16 any regulations or standards adopted by the Board.

17 (b) (1) (A) Beginning August 18, 2005 but prior to July 1,
18 2008, no person shall use clean construction or demolition
19 debris as fill material in a current or former quarry, mine, or
20 other excavation, unless they have applied for an interim
21 authorization from the Agency for the clean construction or
22 demolition debris fill operation.

23 (B) The Agency shall approve an interim authorization upon
24 its receipt of a written application for the interim
25 authorization that is signed by the site owner and the site

1 operator, or their duly authorized agent, and that contains
2 the following information: (i) the location of the site where
3 the clean construction or demolition debris fill operation is
4 taking place, (ii) the name and address of the site owner,
5 (iii) the name and address of the site operator, and (iv) the
6 types and amounts of clean construction or demolition debris
7 being used as fill material at the site.

8 (C) The Agency may deny an interim authorization if the
9 site owner or the site operator, or their duly authorized
10 agent, fails to provide to the Agency the information listed
11 in subsection (b)(1)(B) of this Section. Any denial of an
12 interim authorization shall be subject to appeal to the Board
13 in accordance with the procedures of Section 40 of this Act.

14 (D) No person shall use clean construction or demolition
15 debris as fill material in a current or former quarry, mine, or
16 other excavation for which the Agency has denied interim
17 authorization under subsection (b)(1)(C) of this Section. The
18 Board may stay the prohibition of this subsection (D) during
19 the pendency of an appeal of the Agency's denial of the interim
20 authorization brought under subsection (b)(1)(C) of this
21 Section.

22 (2) Beginning September 1, 2006, owners and operators of
23 clean construction or demolition debris fill operations shall,
24 in accordance with a schedule prescribed by the Agency, submit
25 to the Agency applications for the permits required under this
26 Section. The Agency shall notify owners and operators in

1 writing of the due date for their permit application. The due
2 date shall be no less than 90 days after the date of the
3 Agency's written notification. Owners and operators who do not
4 receive a written notification from the Agency by October 1,
5 2007, shall submit a permit application to the Agency by
6 January 1, 2008. The interim authorization of owners and
7 operators who fail to submit a permit application to the
8 Agency by the permit application's due date shall terminate on
9 (i) the due date established by the Agency if the owner or
10 operator received a written notification from the Agency prior
11 to October 1, 2007, or (ii) ~~or~~ January 1, 2008, if the owner or
12 operator did not receive a written notification from the
13 Agency by October 1, 2007.

14 (3) On and after July 1, 2008, no person shall use clean
15 construction or demolition debris as fill material in a
16 current or former quarry, mine, or other excavation (i)
17 without a permit granted by the Agency for the clean
18 construction or demolition debris fill operation or in
19 violation of any conditions imposed by such permit, including
20 periodic reports and full access to adequate records and the
21 inspection of facilities, as may be necessary to assure
22 compliance with this Act and with Board regulations and
23 standards adopted under this Act or (ii) in violation of any
24 regulations or standards adopted by the Board under this Act.

25 (4) This subsection (b) does not apply to:

26 (A) the use of clean construction or demolition debris

1 as fill material in a current or former quarry, mine, or
2 other excavation located on the site where the clean
3 construction or demolition debris was generated;

4 (B) the use of clean construction or demolition debris
5 as fill material in an excavation other than a current or
6 former quarry or mine if this use complies with Illinois
7 Department of Transportation specifications; or

8 (C) current or former quarries, mines, and other
9 excavations that do not use clean construction or
10 demolition debris as fill material.

11 (c) In accordance with Title VII of this Act, the Board may
12 adopt regulations to promote the purposes of this Section. The
13 Agency shall consult with the mining and construction
14 industries during the development of any regulations to
15 promote the purposes of this Section.

16 (1) No later than December 15, 2005, the Agency shall
17 propose to the Board, and no later than September 1, 2006,
18 the Board shall adopt, regulations for the use of clean
19 construction or demolition debris as fill material in
20 current and former quarries, mines, and other excavations.
21 Such regulations shall include, but shall not be limited
22 to, standards for clean construction or demolition debris
23 fill operations and the submission and review of permits
24 required under this Section.

25 (2) Until the Board adopts rules under subsection
26 (c)(1) of this Section, all persons using clean

1 construction or demolition debris as fill material in a
2 current or former quarry, mine, or other excavation shall:

3 (A) Assure that only clean construction or
4 demolition debris is being used as fill material by
5 screening each truckload of material received using a
6 device approved by the Agency that detects volatile
7 organic compounds. Such devices may include, but are
8 not limited to, photo ionization detectors. All
9 screening devices shall be operated and maintained in
10 accordance with manufacturer's specifications.
11 Unacceptable fill material shall be rejected from the
12 site; and

13 (B) Retain for a minimum of 3 years the following
14 information:

15 (i) The name of the hauler, the name of the
16 generator, and place of origin of the debris or
17 soil;

18 (ii) The approximate weight or volume of the
19 debris or soil; and

20 (iii) The date the debris or soil was
21 received.

22 (d) This Section applies only to clean construction or
23 demolition debris that is not considered "waste" as provided
24 in Section 3.160 of this Act.

25 (e) For purposes of this Section:

26 (1) The term "operator" means a person responsible for

1 the operation and maintenance of a clean construction or
2 demolition debris fill operation.

3 (2) The term "owner" means a person who has any direct
4 or indirect interest in a clean construction or demolition
5 debris fill operation or in land on which a person
6 operates and maintains a clean construction or demolition
7 debris fill operation. A "direct or indirect interest"
8 does not include the ownership of publicly traded stock.
9 The "owner" is the "operator" if there is no other person
10 who is operating and maintaining a clean construction or
11 demolition debris fill operation.

12 (3) The term "clean construction or demolition debris
13 fill operation" means a current or former quarry, mine, or
14 other excavation where clean construction or demolition
15 debris is used as fill material.

16 (4) The term "uncontaminated soil" shall have the same
17 meaning as uncontaminated soil under Section 3.160 of this
18 Act.

19 (f)(1) No later than July 30, 2011 (one year after the
20 effective date of Public Act 96-1416) ~~this amendatory Act of~~
21 ~~the 96th General Assembly~~, the Agency shall propose to the
22 Board, and, no later than one year after the Board's receipt of
23 the Agency's proposal, the Board shall adopt, rules for the
24 use of clean construction or demolition debris and
25 uncontaminated soil as fill material at clean construction or
26 demolition debris fill operations. The rules must include

1 standards and procedures necessary to protect groundwater,
2 which may include, but shall not be limited to, the following:
3 requirements regarding testing and certification of soil used
4 as fill material, surface water runoff, liners or other
5 protective barriers, monitoring (including, but not limited
6 to, groundwater monitoring), corrective action, recordkeeping,
7 reporting, closure and post-closure care, financial assurance,
8 post-closure land use controls, location standards, and the
9 modification of existing permits to conform to the
10 requirements of this Act and Board rules. The rules may also
11 include limits on the use of recyclable concrete and asphalt
12 as fill material at clean construction or demolition debris
13 fill operations, taking into account factors such as technical
14 feasibility, economic reasonableness, and the availability of
15 markets for such materials.

16 (2) Until the effective date of the Board rules adopted
17 under subdivision (f)(1) of this Section, and in addition to
18 any other requirements, owners and operators of clean
19 construction or demolition debris fill operations must do all
20 of the following in subdivisions (f)(2)(A) through (f)(2)(D)
21 of this Section for all clean construction or demolition
22 debris and uncontaminated soil accepted for use as fill
23 material. The requirements in subdivisions (f)(2)(A) through
24 (f)(2)(D) of this Section shall not limit any rules adopted by
25 the Board.

26 (A) Document the following information for each load

1 of clean construction or demolition debris or
2 uncontaminated soil received: (i) the name of the hauler,
3 the address of the site of origin, and the owner and the
4 operator of the site of origin of the clean construction
5 or demolition debris or uncontaminated soil, (ii) the
6 weight or volume of the clean construction or demolition
7 debris or uncontaminated soil, and (iii) the date the
8 clean construction or demolition debris or uncontaminated
9 soil was received.

10 (B) For all soil, obtain either (i) a certification
11 from the owner or operator of the site from which the soil
12 was removed that the site has never been used for
13 commercial or industrial purposes and is presumed to be
14 uncontaminated soil or (ii) a certification from a
15 licensed Professional Engineer or licensed Professional
16 Geologist that the soil is uncontaminated soil.
17 Certifications required under this subdivision (f)(2)(B)
18 must be on forms and in a format prescribed by the Agency.

19 (C) Confirm that the clean construction or demolition
20 debris or uncontaminated soil was not removed from a site
21 as part of a cleanup or removal of contaminants,
22 including, but not limited to, activities conducted under
23 the Comprehensive Environmental Response, Compensation,
24 and Liability Act of 1980, as amended; as part of a Closure
25 or Corrective Action under the Resource Conservation and
26 Recovery Act, as amended; or under an Agency remediation

1 program, such as the Leaking Underground Storage Tank
2 Program or Site Remediation Program, but excluding sites
3 subject to Section 58.16 of this Act where there is no
4 presence or likely presence of a release or a substantial
5 threat of a release of a regulated substance at, on, or
6 from the real property.

7 (D) Document all activities required under subdivision
8 (f)(2) of this Section. Documentation of any chemical
9 analysis must include, but is not limited to, (i) a copy of
10 the lab analysis, (ii) accreditation status of the
11 laboratory performing the analysis, and (iii)
12 certification by an authorized agent of the laboratory
13 that the analysis has been performed in accordance with
14 the Agency's rules for the accreditation of environmental
15 laboratories and the scope of accreditation.

16 (3) Owners and operators of clean construction or
17 demolition debris fill operations must maintain all
18 documentation required under subdivision (f)(2) of this
19 Section for a minimum of 3 years following the receipt of each
20 load of clean construction or demolition debris or
21 uncontaminated soil, except that documentation relating to an
22 appeal, litigation, or other disputed claim must be maintained
23 until at least 3 years after the date of the final disposition
24 of the appeal, litigation, or other disputed claim. Copies of
25 the documentation must be made available to the Agency and to
26 units of local government for inspection and copying during

1 normal business hours. The Agency may prescribe forms and
2 formats for the documentation required under subdivision
3 (f)(2) of this Section.

4 Chemical analysis conducted under subdivision (f)(2) of
5 this Section must be conducted in accordance with the
6 requirements of 35 Ill. Adm. Code 742, as amended, and "Test
7 Methods for Evaluating Solid Waste, Physical/Chemical
8 Methods", USEPA Publication No. SW-846, as amended.

9 (g)(1) No person shall use soil other than uncontaminated
10 soil as fill material at a clean construction or demolition
11 debris fill operation.

12 (2) No person shall use construction or demolition debris
13 other than clean construction or demolition debris as fill
14 material at a clean construction or demolition debris fill
15 operation.

16 (Source: P.A. 96-1416, eff. 7-30-10; 97-137, eff. 7-14-11;
17 revised 7-10-25.)

18 (415 ILCS 5/57.5)

19 Sec. 57.5. Underground Storage Tanks; removal; repair;
20 abandonment.

21 (a) Notwithstanding the eligibility or the level of
22 deductibility of an owner or operator under the Underground
23 Storage Tank Fund, any owner or operator of an Underground
24 Storage Tank may seek to remove or abandon such tank under the
25 provisions of this Title. In order to be reimbursed under

1 Section 57.8, the owner or operator must comply with the
2 provisions of this Title. In no event will an owner or operator
3 be reimbursed for any costs which exceed the minimum
4 requirements necessary to comply with this Title.

5 (b) Removal or abandonment of an Underground Storage Tank
6 must be carried out in accordance with regulations adopted by
7 the Office of the State Fire Marshal.

8 (c) The Office of the State Fire Marshal or a designated
9 agent shall have an inspector on site at the time of removal,
10 abandonment, or such other times the Office of the State Fire
11 Marshal deems appropriate. At such time, the inspector shall,
12 upon preliminary excavation of the tank site, render an
13 opinion as to whether a release of petroleum has occurred and,
14 if so, the owner or operator shall report the known or
15 suspected release to the Illinois Emergency Management Agency.
16 The owner or operator shall determine whether or not a release
17 has occurred in conformance with the regulations adopted by
18 the Board and the Office of the State Fire Marshal. Except that
19 if the opinion of the Office of the State Fire Marshal
20 inspector is that a release of petroleum has occurred and the
21 owner or operator has reported the release to the Illinois
22 Emergency Management Agency within 24 hours of removal of the
23 tank, no such determination is required under this subsection.
24 In the event the owner or operator confirms the presence of a
25 release of petroleum, the owner or operator shall comply with
26 Section 57.6. The inspector shall provide the owner or

1 operator, or a designated agent, with an "Eligibility and
2 Deductibility Determination" form. The Office of the State
3 Fire Marshal shall provide on-site assistance to the owner or
4 operator or a designated agent with regard to the eligibility
5 and deductibility procedures as provided in Section 57.9. If
6 the Office of the State Fire Marshal is not on site, the Office
7 of the State Fire Marshal shall provide the owner or operator
8 with an "Eligibility and Deductibility Determination" form
9 within 15 days after receiving notice that the confirmed
10 release was reported by the owner or operator.

11 (d) In the event that a release of petroleum is confirmed
12 under subsection (c) of this Section, the owner or operator
13 may elect to backfill the preliminary excavation and proceed
14 under Section 57.6.

15 (e) In the event that an Underground Storage Tank is found
16 to be ineligible for payment from the Underground Storage Tank
17 Fund, the owner or operator shall proceed under Sections 57.6
18 and 57.7.

19 (f) In the event that no release of petroleum is
20 confirmed, the owner or operator shall proceed to complete the
21 removal of the underground storage tank, and when appropriate,
22 dispose of the tank and backfill the excavation or, in the
23 alternate, abandon the underground storage tank in place.
24 Either option shall be in accordance with regulations adopted
25 by the Office of the State Fire Marshal. The owner or operator
26 shall certify to the Office of the State Fire Marshal that the

1 tank removal or abandonment was conducted in accordance with
2 all applicable rules and regulations, and the Office of the
3 State Fire Marshal shall then issue a certificate of removal
4 or abandonment to the owner or operator. If the Office of the
5 State Fire Marshal fails to issue a certificate of removal or
6 abandonment within 30 days of receipt of the certification,
7 the certification shall be considered rejected by operation of
8 law and a final action appealable to the Board. Nothing in this
9 Title shall prohibit the Office of the State Fire Marshal from
10 making an independent inspection of the site and challenging
11 the veracity of the owner or operator certification.

12 (g) The owner or operator of an underground storage tank
13 taken out of operation before January 2, 1974, or an
14 underground storage tank used exclusively to store heating oil
15 for consumptive use on the premises where stored and which
16 serves other than a farm or residential unit shall not be
17 required to remove or abandon in place such underground
18 storage tank except in the case in which the Office of the
19 State Fire Marshal has determined that a release from the
20 underground storage tank poses a current or potential threat
21 to human health and the environment. In that case, and upon
22 receipt of an order from the Office of the State Fire Marshal,
23 the owner or operator of such underground storage tank shall
24 conduct removal and, if necessary, site investigation and
25 corrective action in accordance with this Title and
26 regulations promulgated by the Office of the State Fire

1 Marshal and the Board.

2 (h) In the event that a release of petroleum occurred
3 between September 13, 1993, and August 1, 1994, for which the
4 Office of the State Fire Marshal issued a certificate of
5 removal or abandonment based on its determination of "no
6 release" or "minor release," and the Office of the State Fire
7 Marshal subsequently has rescinded that determination and
8 required a report of a confirmed release to the Illinois
9 Emergency Management Agency, the owner or operator may be
10 eligible for reimbursement for the costs of site investigation
11 and corrective action incurred on or after the date of the
12 release but prior to the notification of the Illinois
13 Emergency Management Agency. The date of the release shall be
14 the date of the initial inspection by the Office of the State
15 Fire Marshal as recorded in its inspection log. Eligibility
16 and deductibility shall be determined in accordance with this
17 Title, the owner or operator must comply with the provisions
18 of this Act and its rules, and in no case shall the owner or
19 operator be reimbursed for costs exceeding the minimum
20 requirements of this Act and its rules.

21 (Source: P.A. 104-417, eff. 8-15-25; revised 12-12-25.)

22 (415 ILCS 5/57.8)

23 Sec. 57.8. Underground Storage Tank Fund; payment; options
24 for State payment; deferred correction election to commence
25 corrective action upon availability of funds. If an owner or

1 operator is eligible to access the Underground Storage Tank
2 Fund pursuant to an Office of the State Fire Marshal
3 eligibility/deductible final determination letter issued in
4 accordance with Section 57.9, the owner or operator may submit
5 a complete application for final or partial payment to the
6 Agency for activities taken in response to a confirmed
7 release. An owner or operator may submit a request for partial
8 or final payment regarding a site no more frequently than once
9 every 90 days.

10 (a) Payment after completion of corrective action
11 measures. The owner or operator may submit an application for
12 payment for activities performed at a site after completion of
13 the requirements of Sections 57.6 and 57.7, or after
14 completion of any other required activities at the underground
15 storage tank site.

16 (1) In the case of any approved plan and budget for
17 which payment is being sought, the Agency shall make a
18 payment determination within 120 days of receipt of both
19 the complete application for payment and the report
20 documenting completion of the activities approved in the
21 plan, whichever is received later. Such determination
22 shall be considered a final decision. The Agency's review
23 shall be limited to generally accepted auditing and
24 accounting practices. In no case shall the Agency conduct
25 additional review of any plan which was completed within
26 the budget, beyond auditing for adherence to the

1 corrective action measures in the proposal. If the Agency
2 fails to approve the payment application within 120 days,
3 such application shall be deemed approved by operation of
4 law and the Agency shall proceed to reimburse the owner or
5 operator the amount requested in the payment application.
6 However, in no event shall the Agency reimburse the owner
7 or operator an amount greater than the amount approved in
8 the plan.

9 (2) If sufficient funds are available in the
10 Underground Storage Tank Fund, the Agency shall, within 60
11 days, forward to the Office of the State Comptroller a
12 voucher in the amount approved under the payment
13 application.

14 (3) In the case of insufficient funds, the Agency
15 shall form a priority list for payment and shall notify
16 persons in such priority list monthly of the availability
17 of funds and when payment shall be made. Payment shall be
18 made to the owner or operator at such time as sufficient
19 funds become available for the costs associated with site
20 investigation and corrective action and costs expended for
21 activities performed where no proposal is required, if
22 applicable. Such priority list shall be available to any
23 owner or operator upon request. Priority for payment shall
24 be determined by the date the Agency receives a complete
25 request for partial or final payment. Upon receipt of
26 notification from the Agency that the requirements of this

1 Title have been met, the Comptroller shall make payment to
2 the owner or operator of the amount approved by the
3 Agency, if sufficient money exists in the Fund. If there
4 is insufficient money in the Fund, then payment shall not
5 be made. If the owner or operator appeals a final Agency
6 payment determination and it is determined that the owner
7 or operator is eligible for payment or additional payment,
8 the priority date for the payment or additional payment
9 shall be the same as the priority date assigned to the
10 original request for partial or final payment.

11 (4) Any deductible, as determined pursuant to the
12 Office of the State Fire Marshal's eligibility and
13 deductibility final determination in accordance with
14 Section 57.9, shall be subtracted from any payment invoice
15 paid to an eligible owner or operator. Only one deductible
16 shall apply per underground storage tank site.

17 (5) In the event that costs are or will be incurred in
18 addition to those approved by the Agency, or after
19 payment, the owner or operator may submit successive plans
20 containing amended budgets. The requirements of Section
21 57.7 shall apply to any amended plans.

22 (6) For purposes of this Section, a complete
23 application shall consist of:

24 (A) A certification from a Licensed Professional
25 Engineer or Licensed Professional Geologist as
26 required under this Title and acknowledged by the

1 owner or operator.

2 (B) A statement of the amounts approved in the
3 budget and the amounts actually sought for payment
4 along with a certified statement by the owner or
5 operator that the amounts so sought were expended in
6 conformance with the approved budget.

7 (C) A copy of the Office of the State Fire
8 Marshal's eligibility and deductibility determination.

9 (D) Proof that approval of the payment requested
10 will not result in the limitations set forth in
11 subsection (g) of this Section being exceeded.

12 (E) A federal taxpayer identification number and
13 legal status disclosure certification on a form
14 prescribed and provided by the Agency.

15 (F) If the Agency determined under subsection
16 (c)(3) of Section 57.7 of this Act that corrective
17 action must include a project labor agreement, a
18 certification from the owner or operator that the
19 corrective action was (i) performed under a project
20 labor agreement that meets the requirements of Section
21 25 of the Project Labor Agreements Act and (ii)
22 implemented in a manner consistent with the terms and
23 conditions of the Project Labor Agreements Act and in
24 full compliance with all statutes, regulations, and
25 Executive Orders as required under that Act and the
26 Prevailing Wage Act.

1 (b) Commencement of site investigation or corrective
2 action upon availability of funds. The Board shall adopt
3 regulations setting forth procedures based on risk to human
4 health or the environment under which the owner or operator
5 who has received approval for any budget plan submitted
6 pursuant to Section 57.7, and who is eligible for payment from
7 the Underground Storage Tank Fund pursuant to an Office of the
8 State Fire Marshal eligibility and deductibility
9 determination, may elect to defer site investigation or
10 corrective action activities until funds are available in an
11 amount equal to the amount approved in the budget. The
12 regulations shall establish criteria based on risk to human
13 health or the environment to be used for determining on a
14 site-by-site basis whether deferral is appropriate. The
15 regulations also shall establish the minimum investigatory
16 requirements for determining whether the risk based criteria
17 are present at a site considering deferral and procedures for
18 the notification of owners or operators of insufficient funds,
19 Agency review of request for deferral, notification of Agency
20 final decisions, returning deferred sites to active status,
21 and earmarking of funds for payment.

22 (c) When the owner or operator requests indemnification
23 for payment of costs incurred as a result of a release of
24 petroleum from an underground storage tank, if the owner or
25 operator has satisfied the requirements of subsection (a) of
26 this Section, the Agency shall forward a copy of the request to

1 the Attorney General. The Attorney General shall review and
2 approve the request for indemnification if:

3 (1) there is a legally enforceable judgment entered
4 against the owner or operator and such judgment was
5 entered due to harm caused by a release of petroleum from
6 an underground storage tank and such judgment was not
7 entered as a result of fraud; or

8 (2) a settlement with a third party due to a release of
9 petroleum from an underground storage tank is reasonable.

10 (d) (1) Notwithstanding any other provision of this Title,
11 the Agency shall not approve payment to an owner or operator
12 from the Fund for costs of corrective action or
13 indemnification incurred during a calendar year in excess of
14 the following aggregate amounts based on the number of
15 petroleum underground storage tanks owned or operated by such
16 owner or operator in Illinois.

17	Amount	Number of Tanks
18	\$2,000,000	fewer than 101
19	\$3,000,000	101 or more

20 (2) Costs incurred in excess of the aggregate amounts set
21 forth in paragraph (1) of this subsection shall not be
22 eligible for payment in subsequent years.

23 (3) For purposes of this subsection, requests submitted by
24 any of the agencies, departments, boards, committees, or
25 commissions of the State of Illinois shall be acted upon as
26 claims from a single owner or operator.

1 (4) For purposes of this subsection, owner or operator
2 includes (i) any subsidiary, parent, or joint stock company of
3 the owner or operator and (ii) any company owned by any parent,
4 subsidiary, or joint stock company of the owner or operator.

5 (e) Costs of corrective action or indemnification incurred
6 by an owner or operator which have been paid to an owner or
7 operator under a policy of insurance, another written
8 agreement, or a court order are not eligible for payment under
9 this Section. An owner or operator who receives payment under
10 a policy of insurance, another written agreement, or a court
11 order shall reimburse the State to the extent such payment
12 covers costs for which payment was received from the Fund. Any
13 monies received by the State under this subsection (e) shall
14 be deposited into the Fund.

15 (f) (Blank).

16 (g) The Agency shall not approve any payment from the Fund
17 to pay an owner or operator:

18 (1) for costs of corrective action incurred by such
19 owner or operator in an amount in excess of \$1,500,000 per
20 occurrence; and

21 (2) for costs of indemnification of such owner or
22 operator in an amount in excess of \$1,500,000 per
23 occurrence.

24 (h) Payment of any amount from the Fund for corrective
25 action or indemnification shall be subject to the State
26 acquiring by subrogation the rights of any owner, operator, or

1 other person to recover the costs of corrective action or
2 indemnification for which the Fund has compensated such owner,
3 operator, or person from the person responsible or liable for
4 the release.

5 (i) If the Agency refuses to pay or authorizes only a
6 partial payment, the affected owner or operator may petition
7 the Board for a hearing in the manner provided for the review
8 of permit decisions in Section 40 of this Act.

9 (j) Costs of corrective action or indemnification incurred
10 by an owner or operator prior to July 28, 1989, shall not be
11 eligible for payment or reimbursement under this Section.

12 (k) The Agency shall not pay costs of corrective action or
13 indemnification incurred before providing notification of the
14 release of petroleum in accordance with the provisions of this
15 Title.

16 (l) Corrective action does not include legal defense
17 costs. Legal defense costs include legal costs for seeking
18 payment under this Title unless the owner or operator prevails
19 before the Board in which case the Board may authorize payment
20 of legal fees.

21 (m) The Agency may apportion payment of costs for plans
22 submitted under Section 57.7 if:

23 (1) the owner or operator was deemed eligible to
24 access the Fund for payment of corrective action costs for
25 some, but not all, of the underground storage tanks at the
26 site; and

1 (2) the owner or operator failed to justify all costs
2 attributable to each underground storage tank at the site.

3 (n) The Agency shall not pay costs associated with a
4 corrective action plan incurred after the Agency provides
5 notification to the owner or operator pursuant to item (7) of
6 subsection (b) of Section 57.7 that a revised corrective
7 action plan is required. Costs associated with any
8 subsequently approved corrective action plan shall be eligible
9 for reimbursement if they meet the requirements of this Title.
10 (Source: P.A. 104-291, eff. 1-1-26; 104-417, eff. 8-15-25;
11 revised 9-15-25.)

12 Section 820. The Illinois Pesticide Act is amended by
13 changing Section 14 as follows:

14 (415 ILCS 60/14) (from Ch. 5, par. 814)

15 Sec. 14. Unlawful acts.

16 1. The following are violations of this Act, if any
17 person:

18 A. Made false or fraudulent claims through any media
19 misrepresenting the effect of pesticides or methods.

20 B. Applied known ineffective or improper pesticides.

21 C. Applied pesticides in a faulty, careless, or
22 negligent manner.

23 D. Used or made recommendation for use of a pesticide
24 inconsistent with the labeling of the pesticide.

1 E. Neglected~~r~~ or l after notice in writing, refused~~r~~ to
2 comply with the provisions of this Act, the regulations
3 adopted hereunder, or ~~of~~ any lawful order of the Director,
4 including the limitations specified in a duly issued
5 permit, certification, or registration.

6 F. Failed to keep and maintain records required by
7 this Act or failed to make reports when and as required or
8 made false or fraudulent records or reports.

9 G. Used or supervised the use of a pesticide without
10 qualifying as a certified applicator or licensed operator.

11 H. Used fraud or misrepresentation in making
12 application for, or renewal of, any license, permit,
13 certification, or registration or in demonstration of
14 competence.

15 I. Aided or abetted a person to evade provisions of
16 this Act, conspired with any person to evade provisions of
17 this Act or allowed a license, permit, certification~~r~~ or
18 registration to be used by another person.

19 J. Impersonated any federal, state, county, or city
20 official.

21 K. Purchased pesticides by using another person's
22 license or using or purchasing pesticides outside of a
23 specific category for which that person is licensed or any
24 other misrepresentation.

25 L. Fails to comply with the rules and regulations
26 adopted under the authority of this Act.

1 2. Except as provided in subsection 2.5 ~~Section 14 (2G)~~,
2 it is unlawful for any person to distribute in the State the
3 following:

4 A. A pesticide not registered pursuant to provisions
5 of this Act.

6 B. Any pesticide, if any claim made for it, use
7 recommendation, other labeling or formulation, differs
8 from the representations made in connection with
9 registration. However, a change in labeling or formulation
10 may be made within a registration if the change does not
11 violate provisions of FIFRA or this Act.

12 C. Any pesticide unless in the registrant's
13 ~~registrant's~~ unbroken container.

14 D. Any pesticide container to which all label
15 information required under provisions of this Act has not
16 been securely affixed.

17 E. Any pesticide which is adulterated or misbranded or
18 any device which is misbranded.

19 F. Any pesticide in a container which, due to damage,
20 is hazardous to handle and store.

21 2.5. 6. It shall not be unlawful to distribute pesticides
22 "in bulk" provided such distribution does not violate the
23 provisions of this Act, the rules ~~Rules~~ and regulations
24 ~~Regulations~~ under this Act, or FIFRA.

25 3. It shall be unlawful:

26 A. To sell any pesticide labeled for restricted use to

1 any applicator not certified, unless such applicator has a
2 valid permit authorizing purchase under a special
3 exemption from certification requirements.

4 B. To handle, store, display, use, or distribute
5 pesticides in such manner as to endanger man and his
6 environment or to endanger food, feed, or other products
7 that may be stored, displayed, or distributed with such
8 pesticides.

9 C. To use, dispose of, discard, or store pesticides or
10 their containers in such a manner as to endanger public
11 health and the environment or to pollute water supplies.

12 D. To use for personal advantage, reveal to persons,
13 other than the Director's ~~Director~~ designee or properly
14 designated official of other jurisdictions, or to a
15 physician or other qualified person in cases of emergency
16 for preparation of an antidote any information judged as
17 relating to trade secrets. To use or reveal a financial
18 information obtained by authority or marked as privileged
19 or confidential by a registrant.

20 E. To sell any pesticide labeled for restricted use
21 over an Internet website to an Illinois resident who is
22 not a certified pesticide applicator as provided under
23 Section 11 of this Act.

24 F. To apply a restricted use pesticide on or within
25 500 feet of school property during normal hours, except
26 for whole structure fumigation. However, if the pesticide

1 application information listed on the pesticide label is
2 more restrictive than this paragraph F ~~(F)~~, then the more
3 restrictive provision shall apply. The Department of
4 Agriculture shall adopt rules necessary to implement the
5 provisions of this paragraph F ~~(F)~~. As used in this
6 paragraph F ~~(F)~~, "normal ~~school~~ hours" means Monday
7 through Friday from 7 a.m. until 4 p.m., excluding days
8 when classes are not in session.

9 4. Exemptions from the violation provisions of this Act
10 are as follows:

11 A. Carriers lawfully engaged in transporting
12 pesticides within this State, provided that such carrier
13 shall upon request permit the Director to copy all records
14 showing transactions in the movement of the pesticide or
15 device.

16 B. Public officials of this State or the federal
17 government while engaged in the performance of official
18 duties in administration of pesticide laws or regulations.

19 C. Persons who ship a substance or mixture of
20 substances being tested for the purpose of determining its
21 value for pesticide use, to determine its toxicity or
22 other properties and from which such user does not derive
23 any benefit in pest control from its use.

24 5. No pesticide or device shall be deemed in violation of
25 this Act when intended solely for export to a foreign country.
26 If it is not exported, all the provisions of this Act shall

1 apply.

2 (Source: P.A. 102-548, eff. 1-1-22; revised 7-10-25.)

3 Section 825. The Lawn Care Products Application and Notice
4 Act is amended by changing Section 5 as follows:

5 (415 ILCS 65/5) (from Ch. 5, par. 855)

6 Sec. 5. Containment of spills, wash water, and rinsate
7 collection.

8 (a) No loading of lawn care products for distribution to a
9 customer or washing or rinsing of pesticide residues from
10 vehicles, application equipment, mixing equipment, floors, or
11 other items used for the storage, handling, preparation for
12 use, transport, or application of pesticides to lawns shall be
13 performed at a facility except in designated containment areas
14 in accordance with the requirements of this Section. A lawn
15 care containment permit, issued by the Department, shall be
16 obtained prior to the operation of the containment area. The
17 Department shall issue a lawn care containment permit when the
18 containment area or facility complies with the provisions of
19 this Section and the rules and regulations adopted under
20 Sections 5 and 6. A permit fee of \$250 shall be submitted to
21 the Department with each permit application or permit renewal
22 application. All moneys collected pursuant to this Section
23 shall be deposited into the Pesticide Control Fund.

24 (b) No later than January 1, 1993, containment areas shall

1 be in use in any facility as defined in this Act and no wash
2 water or rinsates may be released into the environment except
3 in accordance with applicable law. Containment areas shall
4 include the following requirements:

5 (1) The containment area shall be constructed of
6 concrete, asphalt, or other impervious materials that
7 ~~which~~ include, but are not limited to, polyethylene
8 containment pans and synthetic membrane liners. All
9 containment area materials shall be compatible with the
10 lawn care ~~lawncare~~ products to be contained.

11 (2) The containment area shall be designed to capture
12 spills, washwaters, and rinsates generated in the loading
13 of application devices, the lawn care ~~lawncare~~
14 product-related servicing of vehicles, and the triple
15 rinsing of pesticide containers and to prevent the release
16 of such spills, washwaters, or rinsates to the environment
17 other than as described in paragraph (3) of this
18 subsection (b).

19 (3) Spills, washwaters, and rinsates captured in the
20 containment area may be used in accordance with the label
21 rates of the lawn care ~~lawncare~~ products, reused as makeup
22 water for dilution of pesticides in preparation of
23 application, or disposed in accordance with applicable
24 local, State and federal regulations.

25 (c) The requirements of this Section shall not apply to
26 situations constituting an emergency where washing or rinsing

1 of pesticide residues from equipment or other items is
2 necessary to prevent imminent harm to human health or the
3 environment.

4 (d) The requirements of this Section shall not apply to
5 persons subject to the containment requirements of the
6 Illinois Pesticide Act or the Illinois Fertilizer Act of 1961
7 and any rules or regulations adopted thereunder.

8 (Source: P.A. 103-441, eff. 1-1-24; revised 7-10-25.)

9 Section 830. The Consumer Electronics Recycling Act is
10 amended by changing Sections 1-55 and 1-80 as follows:

11 (415 ILCS 151/1-55)

12 (Section scheduled to be repealed on December 31, 2031)

13 Sec. 1-55. Administrative citations.

14 (a) Any violation of a registration requirement in Section
15 ~~Sections~~ 1-30, 1-40, or 1-45 of this Act, any violation of the
16 reporting requirement in paragraph (4) of subsection (b) of
17 Section 1-10 of this Act, and any violation of a plan
18 submission requirement in Section 1-25 of this Act shall be
19 enforceable by administrative citation issued by the Agency.
20 Whenever Agency personnel shall, on the basis of direct
21 observation, determine that any person has violated any of
22 those provisions, the Agency may issue and serve, within 60
23 days after the observed violation, an administrative citation
24 upon that person. Each citation shall be served upon the

1 person named or the person's authorized agent for service of
2 process and shall include the following:

3 (1) a statement specifying the provisions of this Act
4 that the person has violated;

5 (2) the penalty imposed under subsection (d) of
6 Section 1-50 of this Act for that violation; and

7 (3) an affidavit by the personnel observing the
8 violation, attesting to their material actions and
9 observations.

10 (b) If the person named in the administrative citation
11 fails to petition the Illinois Pollution Control Board for
12 review within 35 days after the date of service, then the Board
13 shall adopt a final order, which shall include the
14 administrative citation and findings of violation as alleged
15 in the citation and shall impose the penalty specified in
16 subsection (d) of Section 1-50 of this Act.

17 (c) If a petition for review is filed with the Board to
18 contest an administrative citation issued under this Section,
19 then the Agency shall appear as a complainant at a hearing
20 before the Board to be conducted pursuant to subsection (d) of
21 this Section at a time not less than 21 days after notice of
22 the hearing has been sent by the Board to the Agency and the
23 person named in the citation. In those hearings, the burden of
24 proof shall be on the Agency. If, based on the record, the
25 Board finds that the alleged violation occurred, then the
26 Board shall adopt a final order, which shall include the

1 administrative citation and findings of violation as alleged
2 in the citation, and shall impose the penalty specified in
3 subsection (d) of Section 1-50 of this Act. However, if the
4 Board finds that the person appealing the citation has shown
5 that the violation resulted from uncontrollable circumstances,
6 then the Board shall adopt a final order that makes no finding
7 of violation and imposes no penalty.

8 (d) All hearings under this Section shall be held before a
9 qualified hearing officer, who may be attended by one or more
10 members of the Board, designated by the Chairman. All of these
11 hearings shall be open to the public, and any person may submit
12 written statements to the Board in connection with the subject
13 of these hearings. In addition, the Board may permit any
14 person to offer oral testimony. Any party to a hearing under
15 this Section may be represented by counsel, make oral or
16 written argument, offer testimony, cross-examine witnesses, or
17 take any combination of those actions. All testimony taken
18 before the Board shall be recorded stenographically. The
19 transcript so recorded and any additional matter accepted for
20 the record shall be open to public inspection, and copies of
21 those materials shall be made available to any person upon
22 payment of the actual cost of reproducing the original.

23 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17;
24 revised 9-25-25.)

1 (Section scheduled to be repealed on December 31, 2031)

2 Sec. 1-80. Collection of CEDs outside of the manufacturer
3 e-waste program.

4 (a) Nothing in this Act prohibits a waste hauler from
5 entering into a contractual agreement with a unit of local
6 government to establish a collection program for the recycling
7 or reuse of CEDs, including services such as curbside
8 collection, home pick-up, drop-off locations, or similar
9 methods of collection.

10 (b) Nothing in this Act prohibits ~~shall prohibit~~ a person
11 from establishing an e-waste program independently of a
12 manufacturer e-waste program.

13 (Source: P.A. 100-433, eff. 8-25-17; revised 9-25-25.)

14 Section 835. The PFAS Reduction Act is amended by changing
15 Section 5 as follows:

16 (415 ILCS 170/5)

17 Sec. 5. Definitions. In this Act, unless the context
18 otherwise requires:

19 "Agency" means the Illinois Environmental Protection
20 Agency.

21 "Auxiliary firefighting personal protective equipment"
22 means personal protective equipment other than firefighting
23 personal protective clothing, including self-contained
24 breathing apparatuses and other respiratory protection

1 products, hearing protection, protective communication
2 devices, and fall protection products.

3 "Class B firefighting foam" means foam designed to
4 extinguish flammable liquid fires or prevent the ignition of
5 flammable liquids.

6 "Cosmetics" means products that are:

7 (1) intended to be rubbed, poured, sprinkled, or
8 sprayed on, introduced into, or otherwise applied to the
9 human body or any part of the human body for the purpose of
10 cleansing, beautifying, promoting attractiveness, or
11 altering the appearance; or

12 (2) intended for use as a component of any product
13 described in paragraph (1).

14 "Cosmetics" includes soap.

15 "Dental floss" means a cord or cords of thin filaments
16 used in interdental cleaning to remove debris and dental
17 plaque from between teeth.

18 "Fire department" means the duly authorized fire
19 protection organization of a unit of local government, a
20 Regional Fire Protection Agency, a fire protection district,
21 or a volunteer fire department.

22 "Firefighting personal protective clothing" means any
23 clothing designed, intended, or marketed to be worn by
24 firefighting personnel in the performance of their duties,
25 designed with the intent for use in fire and rescue
26 activities, including jackets, pants, shoes, gloves, and

1 helmets.

2 "Intentionally added PFAS" means PFAS that are
3 deliberately added during the manufacture of a product if the
4 continued presence of the PFAS is desired in the final product
5 or desired in one of the product's components to perform a
6 specific function in the final product. "Intentionally added
7 PFAS" does not include PFAS that are present in the product due
8 to use of water containing PFAS if the manufacturer took no
9 action that resulted in the PFAS being present in the water.

10 "Intimate apparel" means garments intended to be worn
11 under clothes, usually with direct contact with skin.
12 "Intimate apparel" includes bras, boxers, briefs, shapewear,
13 sleepwear, thermals, loungewear, socks, and stockings.

14 "Juvenile product" means a product designed or marketed
15 for use by infants and children under 12 years of age.
16 "Juvenile product" includes a baby or toddler foam pillow,
17 bassinet, bedside sleeper, booster seat, changing pad, child
18 restraint system for use in a motor vehicle and aircraft,
19 co-sleeper, crib mattress, highchair, highchair pad, infant
20 bouncer, infant carrier, infant seat, infant sleep positioner,
21 infant swing, infant travel bed, infant walker, nap cot,
22 nursing pad, nursing pillow, play mat, playpen, play yard,
23 polyurethane foam mat, pad, or pillow, portable foam nap mat,
24 portable infant sleeper, portable hook-on chair, soft-sided
25 portable crib, stroller, and toddler mattress. "Juvenile
26 product" does not include: (1) a children's electronic

1 product, including a personal computer, audio and video
2 equipment, calculator, wireless phone, game console, handheld
3 device incorporating a video screen, or any associated
4 peripheral component, such as a mouse, keyboard, power supply
5 unit, or power cord; (2) an adult mattress; or (3) an internal
6 component of a product that does not come into direct contact
7 with a child's skin or mouth during reasonably foreseeable use
8 or abuse of the product.

9 "Local government" means a unit of local government or
10 other special purpose district that provides firefighting
11 services.

12 "Manufacturer" means a person that manufactures Class B
13 firefighting foam and any agents of that person, including an
14 importer, distributor, authorized servicer, factory branch, or
15 distributor branch.

16 "Menstrual product" means a product used to collect
17 menstruation and vaginal discharge, including tampons, pads,
18 sponges, menstruation underwear, disks, and menstrual cups,
19 whether disposable or reusable.

20 "Perfluoroalkyl substance or polyfluoroalkyl substance" or
21 "PFAS" means a class of fluorinated organic chemicals
22 containing at least one fully fluorinated carbon atom.

23 "Person" means any individual, partnership, association,
24 public or private corporation, limited liability company, or
25 any other type of legal or commercial entity, including, but
26 not limited to, members, managers, partners, directors, or

1 officers.

2 "Product" means an item that is manufactured, assembled,
3 packaged, or otherwise prepared for sale to consumers,
4 including, but not limited to, its product components, and
5 that is sold or distributed for personal, residential,
6 commercial, or industrial use. "Product" does not include:

7 (1) a prosthetic or orthotic device or any item that
8 is a medical device or drug or that is otherwise used in a
9 medical setting or in medical applications regulated by
10 the United States Food and Drug Administration;

11 (2) packaging for the items described in paragraph
12 (1); and

13 (3) products regulated by the Federal Insecticide,
14 Fungicide, and Rodenticide Act.

15 "Testing" means calibration testing, conformance testing,
16 and fixed system testing.

17 (Source: P.A. 104-221, eff. 1-1-26; 104-231, eff. 8-15-25;
18 revised 11-21-25.)

19 Section 840. The Portable and Medium-Format Battery
20 Stewardship Act is amended by changing Section 97 as follows:

21 (415 ILCS 205/97)

22 Sec. 97. Severability. If any provision of this Act or its
23 application to any person or circumstance is held invalid, the
24 remainder of this Act ~~the act~~ or the application of the

1 provision to other persons or circumstances is not affected.

2 (Source: P.A. 103-1033, eff. 8-9-24; revised 7-10-25.)

3 Section 845. The Illinois Low-Level Radioactive Waste
4 Management Act is amended by changing Section 3 as follows:

5 (420 ILCS 20/3)

6 (Text of Section before amendment by P.A. 104-458)

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

8 "Agency" or "IEMA-OHS" means the Illinois Emergency
9 Management Agency and Office of Homeland Security, or its
10 successor agency.

11 "Broker" means any person who takes possession of
12 low-level waste for purposes of consolidation and shipment.

13 "Compact" means the Central Midwest Interstate Low-Level
14 Radioactive Waste Compact.

15 "Decommissioning" means the measures taken at the end of a
16 facility's operating life to assure the continued protection
17 of the public from any residual radioactivity or other
18 potential hazards present at a facility.

19 "Director" means the Director of the Agency.

20 "Disposal" means the isolation of waste from the biosphere
21 in a permanent facility designed for that purpose.

22 "Facility" means a parcel of land or site, together with
23 structures, equipment and improvements on or appurtenant to
24 the land or site, which is used or is being developed for the

1 treatment, storage or disposal of low-level radioactive waste.
2 "Facility" does not include lands, sites, structures, or
3 equipment used by a generator in the generation of low-level
4 radioactive wastes.

5 "Generator" means any person who produces or possesses
6 low-level radioactive waste in the course of or incident to
7 manufacturing, power generation, processing, medical diagnosis
8 and treatment, research, education, or other activity.

9 "Hazardous waste" means a waste, or combination of wastes,
10 which because of its quantity, concentration, or physical,
11 chemical, or infectious characteristics may cause or
12 significantly contribute to an increase in mortality or an
13 increase in serious, irreversible, or incapacitating
14 reversible, illness; or pose a substantial present or
15 potential hazard to human health or the environment when
16 improperly treated, stored, transported, or disposed of, or
17 otherwise managed, and which has been identified, by
18 characteristics or listing, as hazardous under Section 3001 of
19 the Resource Conservation and Recovery Act of 1976, P.L.
20 94-580 or under regulations of the Pollution Control Board.

21 "High-level radioactive waste" means:

22 (1) the highly radioactive material resulting from the
23 reprocessing of spent nuclear fuel including liquid waste
24 produced directly in reprocessing and any solid material
25 derived from the liquid waste that contains fission
26 products in sufficient concentrations; and

1 (2) the highly radioactive material that the Nuclear
2 Regulatory Commission has determined, on July 21, 1988
3 (the effective date of Public Act 85-1133), to be
4 high-level radioactive waste requiring permanent
5 isolation.

6 "Low-level radioactive waste" or "waste" means radioactive
7 waste not classified as (1) high-level radioactive waste, (2)
8 transuranic waste, (3) spent nuclear fuel, or (4) byproduct
9 material as defined in Sections 11e(2), 11e(3), and 11e(4) of
10 the Atomic Energy Act of 1954 (42 U.S.C. 2014). This
11 definition shall apply notwithstanding any declaration by the
12 federal government, a state, or any regulatory agency that any
13 radioactive material is exempt from any regulatory control.

14 "Mixed waste" means waste that is both "hazardous waste"
15 and "low-level radioactive waste" as defined in this Act.

16 "Nuclear facilities" means nuclear power plants,
17 facilities housing nuclear test and research reactors,
18 facilities for the chemical conversion of uranium, and
19 facilities for the storage of spent nuclear fuel or high-level
20 radioactive waste.

21 "Nuclear power plant" or "nuclear steam-generating
22 facility" means a thermal power plant in which the energy
23 (heat) released by the fissioning of nuclear fuel is used to
24 boil water to produce steam.

25 "Nuclear power reactor" means an apparatus, other than an
26 atomic weapon, designed or used to sustain nuclear fission in

1 a self-supporting chain reaction.

2 "Person" means an individual, corporation, business
3 enterprise, or other legal entity either public or private and
4 any legal successor, representative, agent, or agency of that
5 individual, corporation, business enterprise, or legal entity.

6 "Post-closure care" means the continued monitoring of the
7 regional disposal facility after closure for the purposes of
8 detecting a need for maintenance, ensuring environmental
9 safety, and determining compliance with applicable licensure
10 and regulatory requirements, and includes undertaking any
11 remedial actions necessary to protect public health and the
12 environment from radioactive releases from the facility.

13 "Regional disposal facility" or "disposal facility" means
14 the facility established by the State of Illinois under this
15 Act for disposal away from the point of generation of waste
16 generated in the region of the Compact.

17 "Release" means any spilling, leaking, pumping, pouring,
18 emitting, emptying, discharging, injecting, escaping,
19 leaching, dumping, or disposing into the environment of
20 low-level radioactive waste.

21 "Remedial action" means those actions taken in the event
22 of a release or threatened release of low-level radioactive
23 waste into the environment to prevent or minimize the release
24 of the waste so that it does not migrate to cause substantial
25 danger to present or future public health or welfare or the
26 environment. The term includes, but is not limited to, actions

1 at the location of the release such as storage, confinement,
2 perimeter protection using dikes, trenches or ditches, clay
3 cover, neutralization, cleanup of released low-level
4 radioactive wastes, recycling or reuse, dredging or
5 excavations, repair or replacement of leaking containers,
6 collection of leachate and runoff, onsite treatment or
7 incineration, provision of alternative water supplies, and any
8 monitoring reasonably required to assure that these actions
9 protect human health and the environment.

10 "Scientific Surveys" means, collectively, the Illinois
11 State Geological Survey and the Illinois State Water Survey of
12 the University of Illinois.

13 "Shallow land burial" means a land disposal facility in
14 which radioactive waste is disposed of in or within the upper
15 30 meters of the earth's surface. However, this definition
16 shall not include an enclosed, engineered, structurally
17 re-enforced and solidified bunker that extends below the
18 earth's surface.

19 "Small modular reactor" or "SMR" means an advanced nuclear
20 reactor: (1) with a rated nameplate capacity of 300 electrical
21 megawatts or less; and (2) that may be constructed and
22 operated in combination with similar reactors at a single
23 site.

24 "Storage" means the temporary holding of waste for
25 treatment or disposal for a period determined by Agency
26 regulations.

1 "Treatment" means any method, technique, or process,
2 including storage for radioactive decay, designed to change
3 the physical, chemical, or biological characteristics or
4 composition of any waste in order to render the waste safer for
5 transport, storage, or disposal, amenable to recovery,
6 convertible to another usable material, or reduced in volume.

7 "Waste management" means the storage, transportation,
8 treatment, or disposal of waste.

9 "Water treatment residuals" means biosolids, sludge,
10 filter media, anthracite, scales, or other solids, either
11 alone or as a component of liquid mixtures or solutions, that
12 are technologically enhanced in combined radium concentration
13 (radium-226, radium-228 or associated progeny) as a result of
14 the treatment of water or sewage containing naturally
15 occurring radium from groundwater.

16 (Source: P.A. 103-306, eff. 7-28-23; 103-569, eff. 6-1-24;
17 104-148, eff. 1-1-26; 104-417, eff. 8-15-25.)

18 (Text of Section after amendment by P.A. 104-458)

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

20 "Agency" or "IEMA-OHS" means the Illinois Emergency
21 Management Agency and Office of Homeland Security, or its
22 successor agency.

23 "Broker" means any person who takes possession of
24 low-level waste for purposes of consolidation and shipment.

25 "Compact" means the Central Midwest Interstate Low-Level

1 Radioactive Waste Compact.

2 "Decommissioning" means the measures taken at the end of a
3 facility's operating life to assure the continued protection
4 of the public from any residual radioactivity or other
5 potential hazards present at a facility.

6 "Director" means the Director of the Agency.

7 "Disposal" means the isolation of waste from the biosphere
8 in a permanent facility designed for that purpose.

9 "Facility" means a parcel of land or site, together with
10 structures, equipment and improvements on or appurtenant to
11 the land or site, which is used or is being developed for the
12 treatment, storage or disposal of low-level radioactive waste.
13 "Facility" does not include lands, sites, structures, or
14 equipment used by a generator in the generation of low-level
15 radioactive wastes.

16 "Generator" means any person who produces or possesses
17 low-level radioactive waste in the course of or incident to
18 manufacturing, power generation, processing, medical diagnosis
19 and treatment, research, education, or other activity.

20 "Hazardous waste" means a waste, or combination of wastes,
21 which because of its quantity, concentration, or physical,
22 chemical, or infectious characteristics may cause or
23 significantly contribute to an increase in mortality or an
24 increase in serious, irreversible, or incapacitating
25 reversible, illness; or pose a substantial present or
26 potential hazard to human health or the environment when

1 improperly treated, stored, transported, or disposed of, or
2 otherwise managed, and which has been identified, by
3 characteristics or listing, as hazardous under Section 3001 of
4 the Resource Conservation and Recovery Act of 1976, P.L.
5 94-580 or under regulations of the Pollution Control Board.

6 "High-level radioactive waste" means:

7 (1) the highly radioactive material resulting from the
8 reprocessing of spent nuclear fuel including liquid waste
9 produced directly in reprocessing and any solid material
10 derived from the liquid waste that contains fission
11 products in sufficient concentrations; and

12 (2) the highly radioactive material that the Nuclear
13 Regulatory Commission has determined ~~July 21, 1988~~ (~~Public Act 85-1133~~)
14 to be high-level radioactive waste
15 requiring permanent isolation.

16 "Low-level radioactive waste" or "waste" means radioactive
17 waste not classified as (1) high-level radioactive waste, (2)
18 transuranic waste, (3) spent nuclear fuel, or (4) byproduct
19 material as defined in Sections 11e(2), 11e(3), and 11e(4) of
20 the Atomic Energy Act of 1954 (42 U.S.C. 2014). This
21 definition shall apply notwithstanding any declaration by the
22 federal government, a state, or any regulatory agency that any
23 radioactive material is exempt from any regulatory control.

24 "Mixed waste" means waste that is both "hazardous waste"
25 and "low-level radioactive waste" as defined in this Act.

26 "Nuclear facilities" means nuclear power plants,

1 facilities housing nuclear test and research reactors,
2 facilities for the chemical conversion of uranium, and
3 facilities for the storage of spent nuclear fuel or high-level
4 radioactive waste.

5 "Nuclear power plant" or "nuclear steam-generating
6 facility" means a thermal power plant in which the energy
7 (heat) released by the fissioning of nuclear fuel is used to
8 boil water to produce steam.

9 "Nuclear power reactor" means an apparatus, other than an
10 atomic weapon, designed or used to sustain nuclear fission in
11 a self-supporting chain reaction.

12 "Person" means an individual, corporation, business
13 enterprise, or other legal entity either public or private and
14 any legal successor, representative, agent, or agency of that
15 individual, corporation, business enterprise, or legal entity.

16 "Post-closure care" means the continued monitoring of the
17 regional disposal facility after closure for the purposes of
18 detecting a need for maintenance, ensuring environmental
19 safety, and determining compliance with applicable licensure
20 and regulatory requirements, and includes undertaking any
21 remedial actions necessary to protect public health and the
22 environment from radioactive releases from the facility.

23 "Regional disposal facility" or "disposal facility" means
24 the facility established by the State of Illinois under this
25 Act for disposal away from the point of generation of waste
26 generated in the region of the Compact.

1 "Release" means any spilling, leaking, pumping, pouring,
2 emitting, emptying, discharging, injecting, escaping,
3 leaching, dumping, or disposing into the environment of
4 low-level radioactive waste.

5 "Remedial action" means those actions taken in the event
6 of a release or threatened release of low-level radioactive
7 waste into the environment to prevent or minimize the release
8 of the waste so that it does not migrate to cause substantial
9 danger to present or future public health or welfare or the
10 environment. The term includes, but is not limited to, actions
11 at the location of the release such as storage, confinement,
12 perimeter protection using dikes, trenches or ditches, clay
13 cover, neutralization, cleanup of released low-level
14 radioactive wastes, recycling or reuse, dredging or
15 excavations, repair or replacement of leaking containers,
16 collection of leachate and runoff, onsite treatment or
17 incineration, provision of alternative water supplies, and any
18 monitoring reasonably required to assure that these actions
19 protect human health and the environment.

20 "Scientific Surveys" means, collectively, the Illinois
21 State Geological Survey and the Illinois State Water Survey of
22 the University of Illinois.

23 "Shallow land burial" means a land disposal facility in
24 which radioactive waste is disposed of in or within the upper
25 30 meters of the earth's surface. However, this definition
26 shall not include an enclosed, engineered, structurally

1 re-enforced and solidified bunker that extends below the
2 earth's surface.

3 "Storage" means the temporary holding of waste for
4 treatment or disposal for a period determined by Agency
5 regulations.

6 "Treatment" means any method, technique, or process,
7 including storage for radioactive decay, designed to change
8 the physical, chemical, or biological characteristics or
9 composition of any waste in order to render the waste safer for
10 transport, storage, or disposal, amenable to recovery,
11 convertible to another usable material, or reduced in volume.

12 "Waste management" means the storage, transportation,
13 treatment, or disposal of waste.

14 "Water treatment residuals" means biosolids, sludge,
15 filter media, anthracite, scales, or other solids, either
16 alone or as a component of liquid mixtures or solutions, that
17 are technologically enhanced in combined radium concentration
18 (radium-226, radium-228 or associated progeny) as a result of
19 the treatment of water or sewage containing naturally
20 occurring radium from groundwater.

21 (Source: P.A. 103-306, eff. 7-28-23; 103-569, eff. 6-1-24;
22 104-148, eff. 1-1-26; 104-417, eff. 8-15-25; 104-458, eff.
23 6-1-26; revised 1-12-26.)

24 Section 850. The Uranium and Thorium Mill Tailings Control
25 Act is amended by changing Section 15 as follows:

1 (420 ILCS 42/15)

2 Sec. 15. Storage fees.

3 (a) Beginning January 1, 1994, an annual fee shall be
4 imposed on the owner or operator of any property that has been
5 used in whole or in part for the milling of source material and
6 is being used for the storage or disposal of by-product
7 material, equal to \$2 per cubic foot of by-product material
8 being stored or disposed of by the facility. After a facility
9 is cleaned up in accordance with the Agency's radiological
10 soil clean-up criteria, no fee shall be due, imposed upon, or
11 collected from an owner. No fee shall be imposed upon any
12 by-product material moved to a facility in contemplation of
13 the subsequent removal of the by-product material pursuant to
14 law or upon any by-product material moved to a facility in
15 contemplation of processing the material through a physical
16 separation facility. No fees shall be collected from any
17 State, county, municipal, or local governmental agency. In
18 connection with settling litigation regarding the amount of
19 the fee to be imposed, the Director may enter into an agreement
20 with the owner or operator of any facility specifying that the
21 fee to be imposed shall not exceed \$26,000,000 in any calendar
22 year. The fees assessed under this Section are separate and
23 distinct from any license fees imposed under Section 11 of the
24 Radiation Protection Act of 1990.

25 The fee shall be due on June 1 of each year or at such

1 other times in such installments as the Director may provide
2 by rule. To facilitate the expeditious removal of by-product
3 material, rules establishing payment dates or schedules may be
4 adopted as emergency rules under Section 5-45 of the Illinois
5 Administrative Procedure Act. The fee shall be collected and
6 administered by the Agency⁷ and shall be deposited into the
7 General Revenue Fund.

8 (b) Moneys may be expended by the Agency, subject to
9 appropriation, for the following purposes but only as the
10 moneys relate to by-product material attributable to the owner
11 or operator who pays the fees under subsection (a):

12 (1) the costs of monitoring, inspecting, and otherwise
13 regulating the storage and disposal of by-product
14 material, wherever located;

15 (2) the costs of undertaking any maintenance,
16 decommissioning activities, cleanup, responses to
17 radiation emergencies, or remedial action that would
18 otherwise be required of the owner or operator by law or
19 under a license amendment or condition in connection with
20 by-product materials;

21 (3) the costs that would otherwise be required of the
22 owner or operator, by law or under a license amendment or
23 condition, incurred by the State arising from the
24 transportation of the by-product material from a storage
25 or unlicensed disposal location to a licensed permanent
26 disposal facility; and

1 (4) reimbursement to the owner or operator of any
2 facility used for the storage or disposal of by-product
3 material for costs incurred by the owner or operator in
4 connection with the decontamination or decommissioning of
5 the storage or disposal facility or other properties
6 contaminated with by-product material. However, the amount
7 of the reimbursements paid to the owner or operator of a
8 by-product material storage or disposal facility shall not
9 be reduced for any amounts recovered by the owner or
10 operator pursuant to Title X of the federal Energy Policy
11 Act of 1992 and shall not exceed the amount of money paid
12 by that owner or operator under subsection (a) plus the
13 interest attributable to amounts paid by that owner or
14 operator.

15 An owner or operator who incurs costs in connection with
16 the decontamination or decommissioning of the storage or
17 disposal facility or other properties contaminated with
18 by-product material is entitled to have those costs promptly
19 reimbursed as provided in this Section. In the event the owner
20 or operator has incurred reimbursable costs for which there
21 are not adequate moneys with which to provide reimbursement,
22 the Director shall reduce the amount of any fee payable in the
23 future imposed under this Act by the amount of the
24 reimbursable expenses incurred by the owner or operator. An
25 owner or operator of a facility shall submit requests for
26 reimbursement to the Director in a form reasonably required by

1 the Director. Upon receipt of a request, the Director shall
2 give written notice approving or disapproving each of the
3 owner's or operator's request for reimbursement within 60
4 days. The Director shall approve requests for reimbursement
5 unless the Director finds that the amount is excessive,
6 erroneous, or otherwise inconsistent with paragraph (4) of
7 this subsection or with any license or license amendments
8 issued in connection with that owner's or operator's
9 decontamination or decommissioning plan. If the Director
10 disapproves a reimbursement request, the Director shall set
11 forth in writing to the owner or operator the reasons for
12 disapproval. The owner or operator may resubmit to the Agency
13 a disapproved reimbursement request with additional
14 information as may be required. Disapproval of a reimbursement
15 request shall constitute final action for purposes of the
16 Administrative Review Law unless the owner or operator
17 resubmits the denied request within 35 days. To the extent
18 there are funds available, the Director shall prepare and
19 certify to the Comptroller the disbursement of the approved
20 sums to the owners or operators or, if there are insufficient
21 funds available, the Director shall off-set future fees
22 otherwise payable by the owner or operator by the amount of the
23 approved reimbursable expenses.

24 (c) To the extent that costs identified in parts (1), (2),
25 and (3) of subsection ~~subsections~~ (b) are recovered by the
26 Agency under the Radiation Protection Act of 1990 or its

1 rules, the Agency shall not use money under this Section to
2 cover these costs.

3 (d) (Blank).

4 (Source: P.A. 94-91, eff. 7-1-05; 95-777, eff. 8-4-08; revised
5 7-11-25.)

6 Section 855. The Illinois Radon Awareness Act is amended
7 by changing Section 26 as follows:

8 (420 ILCS 46/26)

9 Sec. 26. Disclosure of radon hazard to current and
10 prospective tenants.

11 (a) At the time of a prospective tenant's application to
12 lease a dwelling unit, before a lease is entered into, or at
13 any time during the leasing period, upon request, the lessor
14 shall provide the prospective tenant or tenant of a dwelling
15 unit with:

16 (1) the Illinois Emergency Management Agency pamphlet
17 entitled "Radon Guide for Tenants" or an equivalent
18 pamphlet approved for use by the Illinois Emergency
19 Management Agency;

20 (2) copies of any records or reports pertaining to
21 radon concentrations within the dwelling unit that
22 indicate a radon hazard to the tenant, as provided in
23 subsection (c); and

24 (3) the Disclosure of Information on Radon Hazards to

1 Tenants form, as set forth in subsection (f).

2 (b) At the commencement of the agreed leasing period, a
3 tenant shall have 90 days to conduct his or her own radon test
4 of the dwelling unit. If the tenant chooses to have a radon
5 test performed, the tenant shall provide the lessor with
6 copies of the results, including any records or reports
7 pertaining to radon concentrations, within 10 days after
8 receiving the results of the radon test. If the tenant's radon
9 test provides a result in excess of the Illinois Emergency
10 Management Agency's recommended Radon Action Level and the
11 lessor has elected to not mitigate ~~mitigated~~ the radon hazard,
12 the tenant may terminate the lease.

13 (1) Nothing in this subsection is intended to or shall
14 be construed to imply that a tenant is not permitted to
15 conduct a radon test of the tenant's dwelling unit
16 following the completion of the 90-day period. Following
17 the 90-day period the tenant may conduct further radon
18 testing if he or she elects to; however, upon a result of a
19 radon hazard, he or she does not have a right to terminate
20 the lease under this Section.

21 (2) Nothing in this subsection is intended to or shall
22 be construed to imply that a tenant waives any other right
23 to terminate the lease if he or she conducts a radon test
24 after the completion of the 90-day period under any other
25 applicable State or federal law.

26 (c) If the tenant elects to conduct a radon test during the

1 90-day period and the results indicate a radon hazard, the
2 lessor may hire a radon contractor to perform an additional
3 radon test within 30 days after the tenant notifies the lessor
4 of the results of his or her radon test. The results of a
5 measurement by a radon contract may be used by the lessor to
6 disprove the presence of a radon hazard. Test results are
7 valid for a period of 2 years after the date of the testing
8 unless any renovations, additions, or modifications are made
9 to the building containing the dwelling unit.

10 (d) Nothing in this Section is intended to or shall be
11 construed to imply an obligation of a lessor or tenant to
12 conduct any radon testing activity or perform any radon
13 mitigation activity.

14 (e) If a lessor fails to provide the prospective tenant or
15 tenant with the documents as required in subsection (a), then,
16 at any point during the term of the lease the tenant may elect
17 to have a radon test conducted under this Section. If the radon
18 test shows the existence of a radon hazard, the tenant shall
19 provide the lessor with copies of the results of the test,
20 including records or reports pertaining to radon
21 concentrations, within 10 days after receiving the results of
22 the radon test. If the lessor disputes the results of the radon
23 test performed by the tenant, the lessor may elect, at the
24 lessor's expense, to hire a radon contractor to perform a
25 radon test within 30 days of the tenant notifying the lessor of
26 the results of the tenant's radon test. The results of a

1 measurement by a radon contract may be used by the lessor to
2 disprove the presence of a radon hazard. Test results are
3 valid for a period of 2 years after the date of testing unless
4 any renovation, addition, or substantial modifications are
5 made to the building containing the dwelling unit. If the
6 lessor declines to dispute the results of the tenant's radon
7 test showing a radon hazard or does not mitigate the hazard,
8 the tenant may, within 60 days:

9 (1) hire, at the tenant's expense, a radon contractor
10 to perform radon mitigation activities. If the tenant
11 chooses to conduct mitigation activities, the mitigation
12 activities shall only be done with express consent of the
13 lessor; or

14 (2) terminate the lease.

15 (f) The following Disclosure of Information on Radon
16 Hazards to Tenants shall be provided to each tenant of a
17 dwelling unit:

18 "DISCLOSURE OF INFORMATION ON RADON HAZARDS TO TENANTS

19 Radon Warning Statement

20 Each tenant in this residence or dwelling unit is notified
21 that the property may present exposure to levels of indoor
22 radon gas that may place the occupants at risk of developing
23 radon-induced lung cancer. Radon, a Class-A human carcinogen,
24 is the leading cause of death in private homes and the leading

1 cause of lung cancer in nonsmokers. The lessor of any
2 residence is required to provide each tenant with any
3 information on radon test results of the dwelling unit that
4 present a radon hazard to the tenant.

5 The Illinois Emergency Management Agency (IEMA) strongly
6 recommends that ALL rental properties have a radon test
7 performed and radon hazards mitigated if elevated levels are
8 found in a dwelling unit or a routinely occupied area of a
9 multiple family residence. Elevated radon concentrations can
10 easily be reduced by a radon contractor.

11 Dwelling Unit Address:

12 Lessor's Disclosure (initial each of the following that
13 apply)

14 Lessor has no knowledge of elevated radon
15 concentrations (or records or reports pertaining to elevated
16 radon concentrations) in the dwelling unit.

17 Radon concentrations (at or above the IEMA
18 recommended Radon Action Level 4.0 pCi/L) are known to be
19 present within the dwelling unit.

20 Lessor has provided the tenant with copies of all
21 available records and reports, if any, pertaining to radon
22 concentrations within the dwelling unit.

23 Tenant's Acknowledgment (initial each of the following

1 that apply)

2 Tenant has received copies of all information listed
3 above.

4 Tenant has received the pamphlet "Radon Guide for
5 Tenants".

6 Certification of Accuracy

7 The following parties have reviewed the information above
8 and each party certifies, to the best of his or her knowledge,
9 that the information he or she provided is true and accurate.

10 Lessor Date

11 Tenant Date"

12 (g) This Section applies to leases entered into on or
13 after January 1, 2024 (the effective date of Public Act
14 103-298) ~~this amendatory Act of the 103rd General Assembly.~~

15 (Source: P.A. 103-298, eff. 1-1-24; revised 7-11-25.)

16 Section 860. The Gasoline Storage Act is amended by
17 changing Section 2 as follows:

18 (430 ILCS 15/2) (from Ch. 127 1/2, par. 154)

19 Sec. 2. Jurisdiction; regulation of tanks.

20 (1)(a) Except as otherwise provided in this Act, the
21 jurisdiction of the Office of the State Fire Marshal under
22 this Act shall be concurrent with that of municipalities and

1 other political subdivisions. The Office of the State Fire
2 Marshal has power to promulgate, pursuant to the Illinois
3 Administrative Procedure Act, reasonable rules and regulations
4 governing the keeping, storage, transportation, sale, or use
5 of gasoline and volatile oils. Nothing in this Act shall
6 relieve any person, corporation, or other entity from
7 complying with any zoning ordinance of a municipality or home
8 rule unit enacted pursuant to Section 11-13-1 of the Illinois
9 Municipal Code or any ordinance enacted pursuant to Section
10 11-8-4 of the Illinois Municipal Code.

11 (b) The rulemaking power shall include the power to
12 promulgate rules providing for the issuance and revocation of
13 permits allowing the self-service ~~self-service~~ dispensing of
14 motor fuels as such term is defined in the Motor Fuel Tax Law
15 in retail service stations or any other place of business
16 where motor fuels are dispensed into the fuel tanks of motor
17 vehicles, internal combustion engines, or portable containers.
18 Such rules shall specify the requirements that must be met
19 both prior and subsequent to the issuance of such permits in
20 order to ensure ~~insure~~ the safety and welfare of the general
21 public. The operation of such service stations without a
22 permit shall be unlawful. The Office of the State Fire Marshal
23 shall revoke such permit if the self-service ~~self-service~~
24 operation of such a service station is found to pose a
25 significant risk to the safety and welfare of the general
26 public.

1 (c) However, except in any county with a population of
2 1,000,000 or more, the Office of the State Fire Marshal shall
3 not have the authority to prohibit the operation of a service
4 station solely on the basis that it is an unattended
5 self-service station which utilizes key or card operated
6 self-service motor fuel dispensing devices. Nothing in this
7 paragraph shall prohibit the Office of the State Fire Marshal
8 from adopting reasonable rules and regulations governing the
9 safety of self-service motor fuel dispensing devices.

10 (d) The State Fire Marshal shall not prohibit the
11 dispensing or delivery of flammable or combustible motor
12 vehicle fuels directly into the fuel tanks of vehicles from
13 tank trucks, tank wagons, or other portable tanks. The State
14 Fire Marshal shall adopt rules (i) for the issuance of permits
15 for the dispensing of motor vehicle fuels in the manner
16 described in this paragraph (d), (ii) that establish fees for
17 permits and inspections, and provide for those fees to be
18 deposited into the Fire Prevention Fund, (iii) that require
19 the dispensing of motor fuel in the manner described in this
20 paragraph (d) to meet conditions consistent with nationally
21 recognized standards such as those of the National Fire
22 Protection Association, and (iv) that restrict the dispensing
23 of motor vehicle fuels in the manner described in this
24 paragraph (d) to the following:

25 (A) agriculture sites for agricultural purposes;

26 (B) construction sites for refueling construction

1 equipment used at the construction site;

2 (C) sites used for the parking, operation, or
3 maintenance of a commercial vehicle fleet, but only if the
4 site is located in a county with 3,000,000 or more
5 inhabitants or a county contiguous to a county with
6 3,000,000 or more inhabitants and the site is not normally
7 accessible to the public;

8 (D) sites used for the refueling of police, fire, or
9 emergency medical services vehicles or other vehicles that
10 are owned, leased, or operated by (or operated under
11 contract with) the State, a unit of local government, or a
12 school district, or any agency of the State and that are
13 not normally accessible to the public; and

14 (E) any of the following sites permitted under the
15 Environmental Protection Act, provided that the only
16 refueling at the sites is limited to off-road vehicles and
17 equipment used at and for the operation of the sites:

18 (i) waste disposal sites;

19 (ii) sanitary landfills; and

20 (iii) municipal solid waste landfill units.

21 (2)(a) The Office of the State Fire Marshal shall adopt
22 rules and regulations regarding underground storage tanks and
23 associated piping and no municipality or other political
24 subdivision shall adopt or enforce any ordinances or
25 regulations regarding such underground tanks and piping other
26 than those which are identical to the rules and regulations of

1 the Office of the State Fire Marshal. It is declared to be the
2 law of this State, pursuant to paragraphs (h) and (i) of
3 Section 6 of Article VII of the Illinois Constitution, that
4 the establishment and enforcement of standards regarding
5 underground storage tanks and associated piping within the
6 jurisdiction of the Office of the State Fire Marshal is an
7 exclusive State function which may not be exercised
8 concurrently by a home rule unit except as expressly permitted
9 in this Act.

10 (b) The Office of the State Fire Marshal may enter into
11 written contracts with municipalities of over 500,000 in
12 population to enforce the rules and regulations adopted under
13 this subsection.

14 (3)(a) The Office of the State Fire Marshal shall have
15 authority over underground storage tanks which contain, have
16 contained, or are designed to contain petroleum, hazardous
17 substances and regulated substances as those terms are used in
18 Subtitle I of the Hazardous and Solid Waste Amendments of 1984
19 (P.L. 98-616), as amended by the Superfund Amendments and
20 Reauthorization Act of 1986 (P.L. 99-499). The Office shall
21 have the power with regard to underground storage tanks to
22 require any person who tests, installs, repairs, replaces,
23 relines, or removes any underground storage tank system
24 containing, formerly containing, or which is designed to
25 contain petroleum or other regulated substances, to obtain a
26 permit to install, repair, replace, reline, or remove the

1 particular tank system, and to pay a fee set by the Office for
2 a permit to install, repair, replace, reline, upgrade, test,
3 or remove any portion of an underground storage tank system.
4 All persons who do repairs above grade level for themselves
5 need not pay a fee or be certified. All fees received by the
6 Office from certification and permits shall be deposited in
7 the Fire Prevention Fund for the exclusive use of the Office in
8 administering the Underground Storage Tank program.

9 (b)(i) Within 120 days after the promulgation of
10 regulations or amendments thereto by the Administrator of the
11 United States Environmental Protection Agency to implement
12 Section 9003 of Subtitle I of the Hazardous and Solid Waste
13 Amendments of 1984 (P.L. 98-616) of the Resource Conservation
14 and Recovery Act of 1976 (P.L. 94-580), as amended, the Office
15 of the State Fire Marshal shall adopt regulations or
16 amendments thereto which are identical in substance. The
17 rulemaking provisions of Section 5-35 of the Illinois
18 Administrative Procedure Act shall not apply to regulations or
19 amendments thereto adopted pursuant to this subparagraph (i).

20 (ii) The Office of the State Fire Marshal may adopt
21 additional regulations relating to an underground storage tank
22 program that are not inconsistent with and at least as
23 stringent as Section 9003 of Subtitle I of the Hazardous and
24 Solid Waste Amendments of 1984 (P.L. 98-616) of the Resource
25 Conservation and Recovery Act of 1976 (P.L. 94-580), as
26 amended, or regulations adopted thereunder. Except as provided

1 otherwise in subparagraph (i) of this paragraph (b), the
2 Office of the State Fire Marshal shall not adopt regulations
3 relating to corrective action at underground storage tanks.
4 Regulations adopted pursuant to this subsection shall be
5 adopted in accordance with the procedures for rulemaking in
6 Section 5-35 of the Illinois Administrative Procedure Act.

7 (c) The Office of the State Fire Marshal shall require any
8 person, corporation, or other entity who tests an underground
9 tank or its piping or cathodic protection for another to
10 report the results of such test to the Office.

11 (d) In accordance with constitutional limitations, the
12 Office shall have authority to enter at all reasonable times
13 upon any private or public property for the purpose of:

14 (i) Inspecting and investigating to ascertain possible
15 violations of this Act, of regulations thereunder, or of
16 permits or terms or conditions thereof; or

17 (ii) In accordance with the provisions of this Act,
18 taking whatever emergency action, that is necessary or
19 appropriate, to ensure ~~assure~~ that the public health or
20 safety is not threatened whenever there is a release or a
21 substantial threat of a release of petroleum or a
22 regulated substance from an underground storage tank.

23 (e) The Office of the State Fire Marshal may issue an
24 Administrative Order to any person who it reasonably believes
25 has violated the rules and regulations governing underground
26 storage tanks, including the installation, repair, leak

1 detection, cathodic protection tank testing, removal, or
2 release notification. Such an order shall be served by
3 registered or certified mail or in person. Any person served
4 with such an order may appeal such order by submitting in
5 writing any such appeal to the Office within 10 days of the
6 date of receipt of such order. The Office shall conduct an
7 administrative hearing governed by the Illinois Administrative
8 Procedure Act and enter an order to sustain, modify, or revoke
9 such order. Any appeal from such order shall be to the circuit
10 court of the county in which the violation took place and shall
11 be governed by the Administrative Review Law.

12 (f) The Office of the State Fire Marshal shall not require
13 the removal of an underground tank system taken out of
14 operation before January 2, 1974, except in the case in which
15 the office of the State Fire Marshal has determined that a
16 release from the underground tank system poses a current or
17 potential threat to human health and the environment. In that
18 case, and upon receipt of an Order from the Office of the State
19 Fire Marshal, the owner or operator of the nonoperational
20 underground tank system shall assess the excavation zone and
21 close the system in accordance with regulations promulgated by
22 the Office of the State Fire Marshal.

23 (4)(a) The Office of the State Fire Marshal shall adopt
24 rules and regulations regarding aboveground storage tanks and
25 associated piping and no municipality or other political
26 subdivision shall adopt or enforce any ordinances or

1 regulations regarding such aboveground tanks and piping other
2 than those which are identical to the rules and regulations of
3 the Office of the State Fire Marshal unless, in the interest of
4 fire safety, the Office of the State Fire Marshal delegates
5 such authority to municipalities, political subdivisions, or
6 home rule units. A facility used for: (i) agricultural
7 purposes at an agricultural site; (ii) refueling construction
8 equipment at a construction site; or (iii) parking, operating,
9 or maintaining a commercial vehicle fleet, may store an
10 aggregate total of 12,000 gallons of fuel for dispensing in
11 aboveground storage tanks, as long as the facility complies
12 with all other requirements of the rules of the Office of the
13 State Fire Marshal. It is declared to be the law of this State,
14 pursuant to paragraphs (h) and (i) of Section 6 of Article VII
15 of the Illinois Constitution, that the establishment of
16 standards regarding aboveground storage tanks and associated
17 piping within the jurisdiction of the Office of the State Fire
18 Marshal is an exclusive State function which may not be
19 exercised concurrently by a home rule unit except as expressly
20 permitted in this Act.

21 (b) The Office of the State Fire Marshal shall enforce its
22 rules and regulations concerning aboveground storage tanks and
23 associated piping; however, municipalities may enforce any of
24 their zoning ordinances or zoning regulations regarding
25 aboveground tanks. The Office of the State Fire Marshal may
26 issue an administrative order to any owner of an aboveground

1 storage tank and associated piping it reasonably believes to
2 be in violation of such rules and regulations to remedy or
3 remove any such violation. Such an order shall be served by
4 registered or certified mail or in person. Any person served
5 with such an order may appeal such order by submitting in
6 writing any such appeal to the Office within 10 days of the
7 date of receipt of such order. The Office shall conduct an
8 administrative hearing governed by the Illinois Administrative
9 Procedure Act and enter an order to sustain, modify or revoke
10 such order. Any appeal from such order shall be to the circuit
11 court of the county in which the violation took place and shall
12 be governed by the Administrative Review Law.

13 (Source: P.A. 100-299, eff. 8-24-17; 100-637, eff. 7-27-18;
14 revised 7-11-25.)

15 Section 865. The Firearm Owners Identification Card Act is
16 amended by changing Sections 8, 8.1, and 10 as follows:

17 (430 ILCS 65/8)

18 Sec. 8. Grounds for denial and revocation. The Illinois
19 State Police has authority to deny an application for or to
20 revoke and seize a Firearm Owner's Identification Card
21 previously issued under this Act only if the Illinois State
22 Police finds that the applicant or the person to whom such card
23 was issued is or was at the time of issuance:

24 (a) A person under 21 years of age who has been

1 convicted of a misdemeanor other than a traffic offense or
2 adjudged delinquent;

3 (b) This subsection (b) applies through the 180th day
4 following July 12, 2019 (the effective date of Public Act
5 101-80). A person under 21 years of age who does not have
6 the written consent of his parent or guardian to acquire
7 and possess firearms and firearm ammunition, or whose
8 parent or guardian has revoked such written consent, or
9 where such parent or guardian does not qualify to have a
10 Firearm Owner's Identification Card;

11 (b-5) This subsection (b-5) applies on and after the
12 181st day following July 12, 2019 (the effective date of
13 Public Act 101-80). A person under 21 years of age who is
14 not an active duty member of the United States Armed
15 Forces or the Illinois National Guard and does not have
16 the written consent of his or her parent or guardian to
17 acquire and possess firearms and firearm ammunition, or
18 whose parent or guardian has revoked such written consent,
19 or where such parent or guardian does not qualify to have a
20 Firearm Owner's Identification Card;

21 (c) A person convicted of a felony under the laws of
22 this or any other jurisdiction;

23 (d) A person addicted to narcotics;

24 (e) A person who has been a patient of a mental health
25 facility within the past 5 years or a person who has been a
26 patient in a mental health facility more than 5 years ago

1 who has not received the certification required under
2 subsection (u) of this Section. An active law enforcement
3 officer employed by a unit of government or a Department
4 of Corrections employee authorized to possess firearms who
5 is denied, revoked, or has his or her Firearm Owner's
6 Identification Card seized under this subsection (e) may
7 obtain relief as described in subsection (c-5) of Section
8 10 of this Act if the officer or employee did not act in a
9 manner threatening to the officer or employee, another
10 person, or the public as determined by the treating
11 clinical psychologist or physician, and the officer or
12 employee seeks mental health treatment;

13 (f) A person whose mental condition is of such a
14 nature that it poses a clear and present danger to the
15 applicant, any other person or persons, or the community;

16 (g) A person who has an intellectual disability;

17 (h) A person who intentionally makes a false statement
18 in the Firearm Owner's Identification Card application or
19 endorsement affidavit;

20 (i) A noncitizen who is unlawfully present in the
21 United States under the laws of the United States;

22 (i-5) A noncitizen who has been admitted to the United
23 States under a non-immigrant visa (as that term is defined
24 in Section 101(a)(26) of the Immigration and Nationality
25 Act (8 U.S.C. 1101(a)(26))), except that this subsection
26 (i-5) does not apply to any noncitizen who has been

1 lawfully admitted to the United States under a
2 non-immigrant visa if that noncitizen is:

3 (1) admitted to the United States for lawful
4 hunting or sporting purposes;

5 (2) an official representative of a foreign
6 government who is:

7 (A) accredited to the United States Government
8 or the Government's mission to an international
9 organization having its headquarters in the United
10 States; or

11 (B) en route to or from another country to
12 which that noncitizen is accredited;

13 (3) an official of a foreign government or
14 distinguished foreign visitor who has been so
15 designated by the Department of State;

16 (4) a foreign law enforcement officer of a
17 friendly foreign government entering the United States
18 on official business; or

19 (5) one who has received a waiver from the
20 Attorney General of the United States pursuant to 18
21 U.S.C. 922(y)(3);

22 (j) (Blank);

23 (k) A person who has been convicted within the past 5
24 years of battery, assault, aggravated assault, violation
25 of an order of protection, or a substantially similar
26 offense in another jurisdiction, in which a firearm was

1 used or possessed;

2 (1) A person who has been convicted of domestic
3 battery, aggravated domestic battery, or a substantially
4 similar offense in another jurisdiction committed before,
5 on or after January 1, 2012 (the effective date of Public
6 Act 97-158). If the applicant or person who has been
7 previously issued a Firearm Owner's Identification Card
8 under this Act knowingly and intelligently waives the
9 right to have an offense described in this paragraph (1)
10 tried by a jury, and by guilty plea or otherwise, results
11 in a conviction for an offense in which a domestic
12 relationship is not a required element of the offense but
13 in which a determination of the applicability of 18 U.S.C.
14 922(g)(9) is made under Section 112A-11.1 of the Code of
15 Criminal Procedure of 1963, an entry by the court of a
16 judgment of conviction for that offense shall be grounds
17 for denying an application for and for revoking and
18 seizing a Firearm Owner's Identification Card previously
19 issued to the person under this Act;

20 (m) (Blank);

21 (n) A person who is prohibited from acquiring or
22 possessing firearms or firearm ammunition by any Illinois
23 State statute or by federal law;

24 (o) A minor subject to a petition filed under Section
25 5-520 of the Juvenile Court Act of 1987 alleging that the
26 minor is a delinquent minor for the commission of an

1 offense that if committed by an adult would be a felony;

2 (p) An adult who had been adjudicated a delinquent
3 minor under the Juvenile Court Act of 1987 for the
4 commission of an offense that if committed by an adult
5 would be a felony;

6 (q) A person who is not a resident of the State of
7 Illinois, except as provided in subsection (a-10) of
8 Section 4;

9 (r) A person who has been adjudicated as a person with
10 a mental disability;

11 (s) A person who has been found to have a
12 developmental disability;

13 (t) A person involuntarily admitted into a mental
14 health facility;

15 (u) A person who has had his or her Firearm Owner's
16 Identification Card revoked or denied under subsection (e)
17 of this Section or item (iv) of paragraph (2) of
18 subsection (a) of Section 4 of this Act because he or she
19 was a patient in a mental health facility as provided in
20 subsection (e) of this Section, shall not be permitted to
21 obtain a Firearm Owner's Identification Card, after the
22 5-year period has lapsed, unless he or she has received a
23 mental health evaluation by a physician, clinical
24 psychologist, advanced practice psychiatric nurse, or
25 qualified examiner as those terms are defined in the
26 Mental Health and Developmental Disabilities Code, and has

1 received a certification that he or she is not a clear and
2 present danger to himself, herself, or others. The
3 physician, clinical psychologist, advanced practice
4 psychiatric nurse, or qualified examiner making the
5 certification and his or her employer shall not be held
6 criminally, civilly, or professionally liable for making
7 or not making the certification required under this
8 subsection, except for willful or wanton misconduct. This
9 subsection does not apply to a person whose firearm
10 possession rights have been restored through
11 administrative or judicial action under Section 10 or 11
12 of this Act; or

13 (v) A person who fails 2 or more times to report a loss
14 or theft of a firearm within 48 hours of the discovery of
15 such loss or theft to local law enforcement as required
16 under subsection (a) of Section 24-4.1 of the Criminal
17 Code of 2012.

18 Upon revocation of a person's Firearm Owner's
19 Identification Card, the Illinois State Police shall provide
20 notice to the person and the person shall comply with Section
21 9.5 of this Act.

22 (Source: P.A. 104-31, eff. 1-1-26; 104-270, eff. 8-15-25;
23 revised 11-21-25.)

24 (430 ILCS 65/8.1)

25 Sec. 8.1. Notifications to the Illinois State Police.

1 (a) The Circuit Clerk shall, in the form and manner
2 required by the Supreme Court, notify the Illinois State
3 Police of all final dispositions of cases for which the
4 Department has received information reported to it under
5 Sections 2.1 and 2.2 of the Criminal Identification Act.

6 (b) Upon adjudication of any individual as a person with a
7 mental disability as defined in Section 1.1 of this Act or a
8 finding that a person has been involuntarily admitted, the
9 court shall direct the circuit court clerk to immediately
10 notify the Illinois State Police, Firearm Owner's
11 Identification (FOID) department, and shall forward a copy of
12 the court order to the Department.

13 (b-1) Beginning July 1, 2016, and each July 1 and December
14 30 of every year thereafter, the circuit court clerk shall, in
15 the form and manner prescribed by the Illinois State Police,
16 notify the Illinois State Police, Firearm Owner's
17 Identification (FOID) department if the court has not directed
18 the circuit court clerk to notify the Illinois State Police,
19 Firearm Owner's Identification (FOID) department under
20 subsection (b) of this Section, within the preceding 6 months,
21 because no person has been adjudicated as a person with a
22 mental disability by the court as defined in Section 1.1 of
23 this Act or if no person has been involuntarily admitted. The
24 Supreme Court may adopt any orders or rules necessary to
25 identify the persons who shall be reported to the Illinois
26 State Police under subsection (b), or any other orders or

1 rules necessary to implement the requirements of this Act.

2 (c) The Department of Human Services shall, in the form
3 and manner prescribed by the Illinois State Police, report all
4 information collected under subsection (b) of Section 12 of
5 the Mental Health and Developmental Disabilities
6 Confidentiality Act for the purpose of determining whether a
7 person who may be or may have been a patient in a mental health
8 facility is disqualified under State or federal law from
9 receiving or retaining a Firearm Owner's Identification Card,
10 or purchasing a weapon.

11 (d) If a person is determined to pose a clear and present
12 danger to himself, herself, or to others:

13 (1) by a physician, clinical psychologist, advanced
14 practice psychiatric nurse, or qualified examiner, or is
15 determined to have a developmental disability by a
16 physician, clinical psychologist, advanced practice
17 psychiatric nurse, or qualified examiner, whether employed
18 by the State or privately, then the physician, clinical
19 psychologist, advanced practice psychiatric nurse, or
20 qualified examiner shall, within 24 hours of making the
21 determination, notify the Department of Human Services
22 that the person poses a clear and present danger or has a
23 developmental disability; or

24 (2) by a law enforcement official or school
25 administrator, then the law enforcement official or school
26 administrator shall, within 24 hours of making the

1 determination, notify the Illinois State Police that the
2 person poses a clear and present danger.

3 The Department of Human Services shall immediately update
4 its records and information relating to mental health and
5 developmental disabilities, and if appropriate, shall under
6 paragraph (1) of subsection (d) of this Section notify the
7 Illinois State Police in a form and manner prescribed by the
8 Illinois State Police. The Illinois State Police shall deny
9 the application or suspend or revoke the person's Firearm
10 Owner's Identification Card under Section 8 of this Act. Any
11 information disclosed under this subsection shall remain
12 privileged and confidential, and shall not be redisclosed,
13 except as required under subsection (e) of Section 3.1 and
14 subsection (c-5) or (f) of Section 10 of this Act, nor used for
15 any other purpose. The method of providing this information
16 shall guarantee that the information is not released beyond
17 what is necessary for the purpose of these Sections. Reports
18 from the Department of Human Services shall be provided by
19 rule by the Department of Human Services. The identity of the
20 person reporting under paragraph (1) of subsection (d) of this
21 Section shall only be disclosed to the subject of the report if
22 required by the Board or a court with jurisdiction consistent
23 with proceedings under subsections (c-5) or (f) of Section 10
24 of this Act.

25 The law enforcement official or school administrator under
26 paragraph (2) of subsection (d) of this Section shall notify

1 the Illinois State Police in the form and manner prescribed by
2 the Illinois State Police. The Illinois State Police shall
3 determine whether to deny the application or suspend or revoke
4 the person's Firearm Owner's Identification Card under Section
5 8 of this Act. Any information disclosed under this subsection
6 shall remain confidential and shall not be redisclosed or used
7 for any other purpose except as required under subsection (e)
8 of Section 3.1 and subsection (c-5) or (f) of Section 10 of
9 this Act. The method of providing this information shall
10 guarantee that the information is not released beyond what is
11 necessary for the purpose of these Sections. The identity of
12 the person reporting under paragraph (2) of subsection (d) of
13 this Section shall be disclosed only to the subject of the
14 report if required by the Board or a court with jurisdiction
15 consistent with proceedings under subsection (c-5) or (f) of
16 Section 10 of this Act.

17 The physician, clinical psychologist, advanced practice
18 psychiatric nurse, qualified examiner, law enforcement
19 official, or school administrator making the determination and
20 his or her employer shall not be held criminally, civilly, or
21 professionally liable for making or not making the
22 notification required under this subsection, except for
23 willful or wanton misconduct.

24 (d-5) If a law enforcement official determines that a
25 person has failed to report a lost or stolen firearm as
26 required by Section 24-4.1 of the Criminal Code of 2012, then

1 the law enforcement official shall, within 24 hours of making
2 that determination, notify the Illinois State Police that the
3 person has failed to report a lost or stolen firearm. The law
4 enforcement official shall notify the Illinois State Police in
5 a form and manner prescribed by the Illinois State Police. Any
6 information disclosed under this subsection shall remain
7 privileged and confidential, and shall not be redisclosed,
8 except as required under subsection (e) of Section 3.1 of this
9 Act, nor used for any other purpose.

10 (e) The Illinois State Police shall adopt rules to
11 implement this Section.

12 (Source: P.A. 104-5, eff. 6-16-25; 104-31, eff. 1-1-26;
13 104-270, eff. 8-15-25; revised 11-21-25.)

14 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

15 Sec. 10. Appeals; hearing; relief from firearm
16 prohibitions.

17 (a) Whenever an application for a Firearm Owner's
18 Identification Card is denied or whenever such a Card is
19 suspended or revoked as provided for in Section 8, 8.2, or 8.3
20 of this Act, upon complying with the requirements of Section
21 9.5 of the Act, the aggrieved party may (1) file a record
22 challenge with the Director regarding the record upon which
23 the decision to deny or revoke the Firearm Owner's
24 Identification Card was based under subsection (a-5); or (2)
25 appeal to the Director of the Illinois State Police through

1 December 31, 2022, or beginning January 1, 2023, the Firearm
2 Owner's Identification Card Review Board for a hearing seeking
3 relief from such denial, suspension, or revocation unless the
4 denial, suspension, or revocation was based upon a forcible
5 felony, stalking, aggravated stalking, domestic battery, any
6 violation of the Illinois Controlled Substances Act, the
7 Methamphetamine Control and Community Protection Act, or the
8 Cannabis Control Act that is classified as a Class 2 or greater
9 felony, any felony violation of Article 24 of the Criminal
10 Code of 1961 or the Criminal Code of 2012, or any adjudication
11 as a delinquent minor for the commission of an offense that if
12 committed by an adult would be a felony, in which case the
13 aggrieved party may petition the circuit court in writing in
14 the county of his or her residence for a hearing seeking relief
15 from such denial or revocation.

16 (a-5) There is created a Firearm Owner's Identification
17 Card Review Board to consider any appeal under subsection (a)
18 beginning January 1, 2023, other than an appeal directed to
19 the circuit court and except when the applicant is challenging
20 the record upon which the decision to deny or revoke was based
21 as provided in subsection (a-10).

22 (0.05) In furtherance of the policy of this Act that
23 the Board shall exercise its powers and duties in an
24 independent manner, subject to the provisions of this Act
25 but free from the direction, control, or influence of any
26 other agency or department of State government. All

1 expenses and liabilities incurred by the Board in the
2 performance of its responsibilities hereunder shall be
3 paid from funds which shall be appropriated to the Board
4 by the General Assembly for the ordinary and contingent
5 expenses of the Board.

6 (1) The Board shall consist of 7 members appointed by
7 the Governor, with the advice and consent of the Senate,
8 with 3 members residing within the First Judicial District
9 and one member residing within each of the 4 remaining
10 Judicial Districts. No more than 4 members shall be
11 members of the same political party. The Governor shall
12 designate one member as the chairperson. The members shall
13 have actual experience in law, education, social work,
14 behavioral sciences, law enforcement, or community affairs
15 or in a combination of those areas.

16 (2) The terms of the members initially appointed after
17 January 1, 2022 (the effective date of Public Act 102-237)
18 shall be as follows: one of the initial members shall be
19 appointed for a term of one year, 3 shall be appointed for
20 terms of 2 years, and 3 shall be appointed for terms of 4
21 years. Thereafter, members shall hold office for 4 years,
22 with terms expiring on the second Monday in January
23 immediately following the expiration of their terms and
24 every 4 years thereafter. Members may be reappointed.
25 Vacancies in the office of member shall be filled in the
26 same manner as the original appointment, for the remainder

1 of the unexpired term. The Governor may remove a member
2 for incompetence, neglect of duty, malfeasance, or
3 inability to serve. Members shall receive compensation in
4 an amount equal to the compensation of members of the
5 Executive Ethics Commission and, beginning July 1, 2023,
6 shall be compensated from appropriations provided to the
7 Comptroller for this purpose. Members may be reimbursed,
8 from funds appropriated for such a purpose, for reasonable
9 expenses actually incurred in the performance of their
10 Board duties. The Illinois State Police shall designate an
11 employee to serve as Executive Director of the Board and
12 provide logistical and administrative assistance to the
13 Board.

14 (3) The Board shall meet at least quarterly each year
15 and at the call of the chairperson as often as necessary to
16 consider appeals of decisions made with respect to
17 applications for a Firearm Owner's Identification Card
18 under this Act. If necessary to ensure the participation
19 of a member, the Board shall allow a member to participate
20 in a Board meeting by electronic communication. Any member
21 participating electronically shall be deemed present for
22 purposes of establishing a quorum and voting.

23 (4) The Board shall adopt rules for the review of
24 appeals and the conduct of hearings. The Board shall
25 maintain a record of its decisions and all materials
26 considered in making its decisions. All Board decisions

1 and voting records shall be kept confidential and all
2 materials considered by the Board shall be exempt from
3 inspection except upon order of a court.

4 (5) In considering an appeal, the Board shall review
5 the materials received concerning the denial or revocation
6 by the Illinois State Police. By a vote of at least 4
7 members, the Board may request additional information from
8 the Illinois State Police or the applicant or the
9 testimony of the Illinois State Police or the applicant.
10 The Board may require that the applicant submit electronic
11 fingerprints to the Illinois State Police for an updated
12 background check if the Board determines it lacks
13 sufficient information to determine eligibility. The Board
14 may consider information submitted by the Illinois State
15 Police, a law enforcement agency, or the applicant. The
16 Board shall review each denial or revocation and determine
17 by a majority of members whether an applicant should be
18 granted relief under subsection (c).

19 (6) The Board shall by order issue summary decisions.
20 The Board shall issue a decision within 45 days of
21 receiving all completed appeal documents from the Illinois
22 State Police and the applicant. However, the Board need
23 not issue a decision within 45 days if:

24 (A) the Board requests information from the
25 applicant, including, but not limited to, electronic
26 fingerprints to be submitted to the Illinois State

1 Police, in accordance with paragraph (5) of this
2 subsection, in which case the Board shall make a
3 decision within 30 days of receipt of the required
4 information from the applicant;

5 (B) the applicant agrees, in writing, to allow the
6 Board additional time to consider an appeal; or

7 (C) the Board notifies the applicant and the
8 Illinois State Police that the Board needs an
9 additional 30 days to issue a decision. The Board may
10 only issue 2 extensions under this subparagraph (C).
11 The Board's notification to the applicant and the
12 Illinois State Police shall include an explanation for
13 the extension.

14 (7) If the Board determines that the applicant is
15 eligible for relief under subsection (c), the Board shall
16 notify the applicant and the Illinois State Police that
17 relief has been granted and the Illinois State Police
18 shall issue the Card.

19 (8) Meetings of the Board shall not be subject to the
20 Open Meetings Act and records of the Board shall not be
21 subject to the Freedom of Information Act.

22 (9) The Board shall report monthly to the Governor and
23 the General Assembly on the number of appeals received and
24 provide details of the circumstances in which the Board
25 has determined to deny Firearm Owner's Identification
26 Cards under this subsection (a-5). The report shall not

1 contain any identifying information about the applicants.

2 (a-10) Whenever an applicant or cardholder is not seeking
3 relief from a firearms prohibition under subsection (c) but
4 rather does not believe the applicant is appropriately denied
5 or revoked and is challenging the record upon which the
6 decision to deny or revoke the Firearm Owner's Identification
7 Card was based, or whenever the Illinois State Police fails to
8 act on an application within 30 days of its receipt, the
9 applicant shall file such challenge with the Director. The
10 Director shall render a decision within 60 business days of
11 receipt of all information supporting the challenge. The
12 Illinois State Police shall adopt rules for the review of a
13 record challenge.

14 (b) At least 30 days before any hearing in the circuit
15 court, the petitioner shall serve the relevant State's
16 Attorney with a copy of the petition. The State's Attorney may
17 object to the petition and present evidence. At the hearing,
18 the court shall determine whether substantial justice has been
19 done. Should the court determine that substantial justice has
20 not been done, the court shall issue an order directing the
21 Illinois State Police to issue a Card. However, the court
22 shall not issue the order if the petitioner is otherwise
23 prohibited from obtaining, possessing, or using a firearm
24 under federal law.

25 (c) Any person prohibited from possessing a firearm under
26 Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or

1 acquiring a Firearm Owner's Identification Card under Section
2 8 of this Act may apply to the Firearm Owner's Identification
3 Card Review Board or petition the circuit court in the county
4 where the petitioner resides, whichever is applicable in
5 accordance with subsection (a) of this Section, requesting
6 relief from such prohibition and the Board or court may grant
7 such relief if it is established by the applicant to the
8 court's or the Board's satisfaction that:

9 (0.05) when in the circuit court, the State's Attorney
10 has been served with a written copy of the petition at
11 least 30 days before any such hearing in the circuit court
12 and at the hearing the State's Attorney was afforded an
13 opportunity to present evidence and object to the
14 petition;

15 (1) the applicant has not been convicted of a forcible
16 felony under the laws of this State or any other
17 jurisdiction within 20 years of the applicant's
18 application for a Firearm Owner's Identification Card, or
19 at least 20 years have passed since the end of any period
20 of imprisonment imposed in relation to that conviction;

21 (2) the circumstances regarding a criminal conviction,
22 where applicable, the applicant's criminal history and his
23 reputation are such that the applicant will not be likely
24 to act in a manner dangerous to public safety;

25 (3) granting relief would not be contrary to the
26 public interest; and

1 (4) granting relief would not be contrary to federal
2 law.

3 (c-5) (1) An active law enforcement officer employed by a
4 unit of government or a Department of Corrections employee
5 authorized to possess firearms who is denied, revoked, or has
6 his or her Firearm Owner's Identification Card seized under
7 subsection (e) of Section 8 of this Act may apply to the
8 Firearm Owner's Identification Card Review Board requesting
9 relief if the officer or employee did not act in a manner
10 threatening to the officer or employee, another person, or the
11 public as determined by the treating clinical psychologist or
12 physician, and as a result of his or her work is referred by
13 the employer for or voluntarily seeks mental health evaluation
14 or treatment by a licensed clinical psychologist,
15 psychiatrist, advanced practice psychiatric nurse, or
16 qualified examiner, and:

17 (A) the officer or employee has not received treatment
18 involuntarily at a mental health facility, regardless of
19 the length of admission; or has not been voluntarily
20 admitted to a mental health facility for more than 30 days
21 and not for more than one incident within the past 5 years;
22 and

23 (B) the officer or employee has not left the mental
24 institution against medical advice.

25 (2) The Firearm Owner's Identification Card Review Board
26 shall grant expedited relief to active law enforcement

1 officers and employees described in paragraph (1) of this
2 subsection (c-5) upon a determination by the Board that the
3 officer's or employee's possession of a firearm does not
4 present a threat to themselves, others, or public safety. The
5 Board shall act on the request for relief within 30 business
6 days of receipt of:

7 (A) a notarized statement from the officer or employee
8 in the form prescribed by the Board detailing the
9 circumstances that led to the hospitalization;

10 (B) all documentation regarding the admission,
11 evaluation, treatment and discharge from the treating
12 licensed clinical psychologist or psychiatrist of the
13 officer;

14 (C) a psychological fitness for duty evaluation of the
15 person completed after the time of discharge; and

16 (D) written confirmation in the form prescribed by the
17 Board from the treating licensed clinical psychologist or
18 psychiatrist that the provisions set forth in paragraph
19 (1) of this subsection (c-5) have been met, the person
20 successfully completed treatment, and their professional
21 opinion regarding the person's ability to possess
22 firearms.

23 (3) Officers and employees eligible for the expedited
24 relief in paragraph (2) of this subsection (c-5) have the
25 burden of proof on eligibility and must provide all
26 information required. The Board may not consider granting

1 expedited relief until the proof and information is received.

2 (4) "Clinical psychologist", "psychiatrist", "advanced
3 practice psychiatric nurse", and "qualified examiner" shall
4 have the same meaning as provided in Chapter I of the Mental
5 Health and Developmental Disabilities Code.

6 (5) No later than January 1, 2026, the Firearm Owner's
7 Identification Card Review Board shall establish a process by
8 which any person who is subject to the provisions of
9 subsection (f) of Section 8 of this Act may request expedited
10 review from the Firearm Owner's Identification Card Review
11 Board.

12 (A) The Board shall disclose to an individual
13 requesting an expedited review any information relating to
14 the individual that was provided by the Department under
15 subsection (d) of Section 8.1, subject to redactions.

16 (B) The individual requesting expedited review may
17 submit to the Firearm Owner's Identification Card Review
18 Board an objection to any redaction made pursuant to
19 subparagraph (A) of paragraph (5) of subsection (c-5) of
20 this Section. The objection must specify the basis for the
21 individual's belief that the redacted information is
22 necessary for a full and fair review.

23 (C) In determining whether information should be
24 unredacted, the Board may consider any relevant factor,
25 including, but not limited to, (i) the extent to which the
26 disclosure of such information is necessary to provide the

1 individual with a meaningful opportunity to understand,
2 respond to, or rebut evidence for the basis for the denial
3 or revocation and (ii) the safety and well-being of any
4 person who, directly or indirectly, is the source or
5 reporter of such information.

6 (D) The Board, Illinois State Police, or the employees
7 and agents of the Board and Illinois State Police
8 participating in this process under this Act shall not be
9 held liable for damages in any civil action arising from
10 the disclosure or non-disclosure of the information
11 released to an individual as part of this process.

12 (c-10) (1) An applicant, who is denied, revoked, or has
13 his or her Firearm Owner's Identification Card seized under
14 subsection (e) of Section 8 of this Act based upon a
15 determination of a developmental disability or an intellectual
16 disability may apply to the Firearm Owner's Identification
17 Card Review Board requesting relief.

18 (2) The Board shall act on the request for relief within 60
19 business days of receipt of written certification, in the form
20 prescribed by the Board, from a physician or clinical
21 psychologist, advanced practice psychiatric nurse, or
22 qualified examiner, that the aggrieved party's developmental
23 disability or intellectual disability condition is determined
24 by a physician, clinical psychologist, or qualified to be
25 mild. If a fact-finding conference is scheduled to obtain
26 additional information concerning the circumstances of the

1 denial or revocation, the 60 business days the Director has to
2 act shall be tolled until the completion of the fact-finding
3 conference.

4 (3) The Board may grant relief if the aggrieved party's
5 developmental disability or intellectual disability is mild as
6 determined by a physician, clinical psychologist, advanced
7 practice psychiatric nurse, or qualified examiner and it is
8 established by the applicant to the Board's satisfaction that:

9 (A) granting relief would not be contrary to the
10 public interest; and

11 (B) granting relief would not be contrary to federal
12 law.

13 (4) The Board may not grant relief if the condition is
14 determined by a physician, clinical psychologist, advanced
15 practice psychiatric nurse, or qualified examiner to be
16 moderate, severe, or profound.

17 (5) The changes made to this Section by Public Act 99-29
18 apply to requests for relief pending on or before July 10, 2015
19 (the effective date of Public Act 99-29), except that the
20 60-day period for the Director to act on requests pending
21 before the effective date shall begin on July 10, 2015 (the
22 effective date of Public Act 99-29). All appeals as provided
23 in subsection (a-5) pending on January 1, 2023 shall be
24 considered by the Board.

25 (d) When a minor is adjudicated delinquent for an offense
26 which if committed by an adult would be a felony, the court

1 shall notify the Illinois State Police.

2 (e) The court shall review the denial of an application or
3 the revocation of a Firearm Owner's Identification Card of a
4 person who has been adjudicated delinquent for an offense that
5 if committed by an adult would be a felony if an application
6 for relief has been filed at least 10 years after the
7 adjudication of delinquency and the court determines that the
8 applicant should be granted relief from disability to obtain a
9 Firearm Owner's Identification Card. If the court grants
10 relief, the court shall notify the Illinois State Police that
11 the disability has been removed and that the applicant is
12 eligible to obtain a Firearm Owner's Identification Card.

13 (f) Any person who is subject to the disabilities of 18
14 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act
15 of 1968 because of an adjudication or commitment that occurred
16 under the laws of this State or who was determined to be
17 subject to the provisions of subsections (e), (f), or (g) of
18 Section 8 of this Act may apply to the Board requesting relief
19 from that prohibition. The Board shall grant the relief if it
20 is established by a preponderance of the evidence that the
21 person will not be likely to act in a manner dangerous to
22 public safety and that granting relief would not be contrary
23 to the public interest. In making this determination, the
24 Board shall receive evidence concerning (i) the circumstances
25 regarding the firearms disabilities from which relief is
26 sought; (ii) the petitioner's mental health and criminal

1 history records, if any; (iii) the petitioner's reputation,
2 developed at a minimum through character witness statements,
3 testimony, or other character evidence; and (iv) changes in
4 the petitioner's condition or circumstances since the
5 disqualifying events relevant to the relief sought.
6 Notwithstanding any other provision of this Act or any other
7 law to the contrary, the Illinois State Police shall provide
8 the Board or any court with jurisdiction with all records
9 relevant to the request for relief under Section 8.1. If
10 relief is granted under this subsection or by order of a court
11 under this Section, the Director shall as soon as practicable
12 but in no case later than 15 business days, update, correct,
13 modify, or remove the person's record in any database that the
14 Illinois State Police makes available to the National Instant
15 Criminal Background Check System and notify the United States
16 Attorney General that the basis for the record being made
17 available no longer applies. The Illinois State Police shall
18 adopt rules for the administration of this Section.

19 (Source: P.A. 103-605, eff. 7-1-24; 104-5, eff. 6-16-25;
20 104-270, eff. 8-15-25; revised 9-12-25.)

21 Section 870. The Firearm Concealed Carry Act is amended by
22 changing Section 65 as follows:

23 (430 ILCS 66/65)

24 Sec. 65. Prohibited areas.

1 (a) A licensee under this Act shall not knowingly carry a
2 firearm on or into:

3 (1) Any building, real property, and parking area
4 under the control of a public or private elementary or
5 secondary school.

6 (2) Any building, real property, and parking area
7 under the control of a pre-school or child care facility,
8 including any room or portion of a building under the
9 control of a pre-school or child care facility. Nothing in
10 this paragraph shall prevent the operator of a child care
11 facility in a family home from owning or possessing a
12 firearm in the home or license under this Act, if no child
13 under child care at the home is present in the home or the
14 firearm in the home is stored in a locked container when a
15 child under child care at the home is present in the home.

16 (3) Any building, parking area, or portion of a
17 building under the control of an officer of the executive
18 or legislative branch of government, provided that nothing
19 in this paragraph shall prohibit a licensee from carrying
20 a concealed firearm onto the real property, bikeway, or
21 trail in a park regulated by the Department of Natural
22 Resources or any other designated public hunting area or
23 building where firearm possession is permitted as
24 established by the Department of Natural Resources under
25 Section 1.8 of the Wildlife Code.

26 (4) Any building designated for matters before a

1 circuit court, an appellate court, or the Supreme Court,
2 or any building or portion of a building under the control
3 of the Supreme Court.

4 (5) Any building or portion of a building under the
5 control of a unit of local government.

6 (6) Any building, real property, and parking area
7 under the control of an adult or juvenile detention or
8 correctional institution, prison, or jail.

9 (7) Any building, real property, and parking area
10 under the control of a public or private hospital or
11 hospital affiliate, mental health facility, or nursing
12 home.

13 (8) Any bus, train, or form of transportation paid for
14 in whole or in part with public funds, and any building,
15 real property, and parking area under the control of a
16 public transportation facility paid for in whole or in
17 part with public funds.

18 (9) Any building, real property, and parking area
19 under the control of an establishment that serves alcohol
20 on its premises, if more than 50% of the establishment's
21 gross receipts within the prior 3 months are ~~is~~ from the
22 sale of alcohol. The owner of an establishment who
23 knowingly fails to prohibit concealed firearms on its
24 premises as provided in this paragraph or who knowingly
25 makes a false statement or record to avoid the prohibition
26 on concealed firearms under this paragraph is subject to

1 the penalty under subsection (c-5) of Section 10-1 of the
2 Liquor Control Act of 1934.

3 (10) Any public gathering or special event conducted
4 on property open to the public that requires the issuance
5 of a permit from the unit of local government, provided
6 this prohibition shall not apply to a licensee who must
7 walk through a public gathering in order to access his or
8 her residence, place of business, or vehicle.

9 (11) Any building or real property that has been
10 issued a special event retailer's ~~Special Event Retailer's~~
11 license as defined in Section 1-3.17.1 of the Liquor
12 Control Act of 1934 during the time designated for the
13 sale of alcohol by the special event retailer's ~~Special~~
14 ~~Event Retailer's~~ license, or a special ~~Special~~ use permit
15 license as defined in subsection (q) of Section 5-1 of the
16 Liquor Control Act of 1934 during the time designated for
17 the sale of alcohol by the special ~~Special~~ use permit
18 license.

19 (12) Any public playground.

20 (13) Any public park, athletic area, or athletic
21 facility under the control of a municipality or park
22 district, provided nothing in this Section shall prohibit
23 a licensee from carrying a concealed firearm while on a
24 trail or bikeway if only a portion of the trail or bikeway
25 includes a public park.

26 (14) Any real property under the control of the Cook

1 County Forest Preserve District.

2 (15) Any building, classroom, laboratory, medical
3 clinic, hospital, artistic venue, athletic venue,
4 entertainment venue, officially recognized
5 university-related organization property, whether owned or
6 leased, and any real property, including parking areas,
7 sidewalks, and common areas under the control of a public
8 or private community college, college, or university.

9 (16) Any building, real property, or parking area
10 under the control of a gaming facility licensed under the
11 Illinois Gambling Act or the Illinois Horse Racing Act of
12 1975, including an inter-track wagering location licensee.

13 (17) Any stadium, arena, or the real property or
14 parking area under the control of a stadium, arena, or any
15 collegiate or professional sporting event.

16 (18) Any building, real property, or parking area
17 under the control of a public library.

18 (19) Any building, real property, or parking area
19 under the control of an airport.

20 (20) Any building, real property, or parking area
21 under the control of an amusement park.

22 (21) Any building, real property, or parking area
23 under the control of a zoo or museum.

24 (22) Any street, driveway, parking area, property,
25 building, or facility, owned, leased, controlled, or used
26 by a nuclear energy, storage, weapons, or development site

1 or facility regulated by the federal Nuclear Regulatory
2 Commission. The licensee shall not under any circumstance
3 store a firearm or ammunition in his or her vehicle or in a
4 compartment or container within a vehicle located anywhere
5 in or on the street, driveway, parking area, property,
6 building, or facility described in this paragraph.

7 (23) Any area where firearms are prohibited under
8 federal law.

9 (a-5) Nothing in this Act shall prohibit a public or
10 private community college, college, or university from:

11 (1) prohibiting persons from carrying a firearm within
12 a vehicle owned, leased, or controlled by the college or
13 university;

14 (2) developing resolutions, regulations, or policies
15 regarding student, employee, or visitor misconduct and
16 discipline, including suspension and expulsion;

17 (3) developing resolutions, regulations, or policies
18 regarding the storage or maintenance of firearms, which
19 must include designated areas where persons can park
20 vehicles that carry firearms; and

21 (4) permitting the carrying or use of firearms for the
22 purpose of instruction and curriculum of officially
23 recognized programs, including, but not limited to,
24 military science and law enforcement training programs, or
25 in any designated area used for hunting purposes or target
26 shooting.

1 (a-10) The owner of private real property of any type may
2 prohibit the carrying of concealed firearms on the property
3 under his or her control. The owner must post a sign in
4 accordance with subsection (d) of this Section indicating that
5 firearms are prohibited on the property, unless the property
6 is a private residence.

7 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
8 this Section except under paragraph (22) or (23) of subsection
9 (a), any licensee prohibited from carrying a concealed firearm
10 into the parking area of a prohibited location specified in
11 subsection (a), (a-5), or (a-10) of this Section shall be
12 permitted to carry a concealed firearm on or about his or her
13 person within a vehicle into the parking area and may store a
14 firearm or ammunition concealed in a case within a locked
15 vehicle or locked container out of plain view within the
16 vehicle in the parking area. A licensee may carry a concealed
17 firearm in the immediate area surrounding his or her vehicle
18 within a prohibited parking lot area only for the limited
19 purpose of storing or retrieving a firearm within the
20 vehicle's trunk. For purposes of this subsection, "case"
21 includes a glove compartment or console that completely
22 encloses the concealed firearm or ammunition, the trunk of the
23 vehicle, or a firearm carrying box, shipping box, or other
24 container.

25 (c) A licensee shall not be in violation of this Section
26 while he or she is traveling along a public right of way that

1 touches or crosses any of the premises under subsection (a),
2 (a-5), or (a-10) of this Section if the concealed firearm is
3 carried on his or her person in accordance with the provisions
4 of this Act or is being transported in a vehicle by the
5 licensee in accordance with all other applicable provisions of
6 law.

7 (d) Signs stating that the carrying of firearms is
8 prohibited shall be clearly and conspicuously posted at the
9 entrance of a building, premises, or real property specified
10 in this Section as a prohibited area, unless the building or
11 premises is a private residence. Signs shall be of a uniform
12 design as established by the Illinois State Police and shall
13 be 4 inches by 6 inches in size. The Illinois State Police
14 shall adopt rules for standardized signs to be used under this
15 subsection.

16 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21;
17 revised 7-11-25.)

18 Section 875. The Illinois Emergency Planning and Community
19 Right to Know Act is amended by changing Section 12 as follows:

20 (430 ILCS 100/12) (from Ch. 111 1/2, par. 7712)

21 Sec. 12. Inventory forms.

22 (a) The owner or operator of any facility which is
23 required to prepare or have available a material safety data
24 sheet for a hazardous chemical under the Occupational Safety

1 and Health Act of 1970 and regulations promulgated under that
2 Act shall, in accordance with the threshold levels for
3 reporting as established by regulations promulgated under the
4 Federal Act, prepare and submit an emergency and hazardous
5 chemical inventory form (hereafter in this Act referred to as
6 an "inventory form") to each of the following:

7 (1) the appropriate local emergency planning
8 committee;

9 (2) the State Emergency Response Commission; and

10 (3) the fire department with jurisdiction over the
11 facility.

12 The inventory form shall be submitted annually on or
13 before March 1⁷ and shall contain tier I data with respect to
14 the preceding calendar year.

15 (b) The requirement of subsection (a) does not apply if an
16 owner or operator provides, to the recipients described in
17 subsection (a), by the same deadline and with respect to the
18 same calendar year, an inventory form containing tier II
19 information.

20 (c) An owner or operator may meet the requirements of this
21 Section with respect to a hazardous chemical which is a
22 mixture by doing one of the following:

23 (1) Providing information on the inventory form on
24 each element or compound in the mixture which is a
25 hazardous chemical. If more than one mixture has the same
26 element or compound, only one listing on the inventory

1 form for the element or compound at the facility is
2 necessary.

3 (2) Providing information on the inventory form on the
4 mixture itself.

5 (d) A hazardous chemical shall be subject to the
6 requirements of this Section only if it is a hazardous
7 chemical for which a material safety data sheet or a listing is
8 required under Section 311 of the Federal Act.

9 (e) A tier I inventory form shall provide the following
10 information in aggregate terms for hazardous chemicals in
11 categories of health and physical hazards as set forth under
12 the Occupational Safety and Health Act of 1970 and regulations
13 promulgated under that Act:

14 (1) an estimate (in ranges) of the maximum amount of
15 hazardous chemicals in each category present at the
16 facility at any time during the preceding calendar year;

17 (2) an estimate (in ranges) of the maximum amount of
18 hazardous chemicals in each category present at the
19 facility at any time during the preceding calendar year;
20 and

21 (3) the general location of hazardous chemicals in
22 each category.

23 (f) A tier II inventory form shall provide the following
24 additional information for each hazardous chemical present at
25 the facility, but only upon request and in accordance with
26 subsection (g):

1 (1) the chemical name or the common name of the
2 chemical as provided on the material safety data sheet;

3 (2) an estimate (in ranges) of the maximum amount of
4 the hazardous chemical present at the facility at any time
5 during the preceding calendar year;

6 (3) an estimate (in ranges) of the average daily
7 amount of the hazardous chemical present at the facility
8 during the preceding calendar year;

9 (4) a brief description of the manner of storage of
10 the hazardous chemical;

11 (5) the location at the facility of the hazardous
12 chemical; and

13 (6) an indication of whether the owner elects to
14 withhold location information of a specific hazardous
15 chemical from disclosure to the public under Section 324
16 of the Federal Act.

17 (g) Availability of tier II information shall be as
18 follows:

19 (1) Upon request by the State Emergency Planning
20 Commission, a local emergency planning committee, or a
21 fire department with jurisdiction over the facility, the
22 owner or operator of a facility shall provide tier II
23 information, as described in subsection (g), to the person
24 making the request.

25 (2) A State or local official acting in his or her
26 official capacity may have access to tier II information

1 by submitting a request to the SERC or the local emergency
2 planning committee. Upon receipt of a request for tier II
3 information, the SERC or local committee shall, pursuant
4 to paragraph (1), request the facility owner or operator
5 for the tier II information and make available such
6 information to the official.

7 (3) Any person may request the SERC or a local
8 emergency planning committee for tier II information
9 relating to the preceding calendar year with respect to a
10 facility. Any such request shall be in writing and shall
11 be with respect to a specific facility.

12 (4) Any tier II information which the SERC or a local
13 emergency planning committee has in its possession shall
14 be made available to a person making a request under this
15 paragraph in accordance with Section 324 of the Federal
16 Act. If the SERC or local emergency planning committee
17 does not have the tier II information in its possession,
18 upon receiving a request for tier II information the SERC
19 or local emergency planning committee shall, pursuant to
20 paragraph (1), request the facility owner or operator for
21 tier II information with respect to a hazardous chemical
22 which a facility has stored in an amount in excess of
23 10,000 pounds present at the facility at any time during
24 the preceding calendar year and make such information
25 available to the person making the request in accordance
26 with Section 324 of the Federal Act.

1 (5) In the case of tier II information which is not in
2 the possession of the SERC or local emergency planning
3 committee and which relates to a hazardous chemical which
4 a facility has stored in an amount less than 10,000 pounds
5 present at the facility at any time during the preceding
6 calendar year, a request from a person must include the
7 general need for the information. The SERC or local
8 emergency planning committee may, pursuant to paragraph
9 (1), make a request to the facility owner or operator for
10 the tier II information on behalf of the person making the
11 request. Upon receipt of any information requested on
12 behalf of such person, the SERC or local emergency
13 planning committee shall make the information available to
14 the person in accordance with Section 324 of the Federal
15 Act.

16 (6) The SERC or local emergency planning committee
17 shall respond to a request for tier II information under
18 this Section no later than 45 days after the date of
19 receipt of the request.

20 (7) Upon request to an owner or operator of a facility
21 which files an inventory form under this Section by the
22 fire department with jurisdiction over the facility, the
23 owner or operator of the facility shall allow the fire
24 department to conduct an on-site inspection of the
25 facility and shall provide to the fire department specific
26 location information on hazardous chemicals at the

1 facility.

2 (8) The SERC shall provide and maintain a tier ~~Tier~~ II
3 reporting system that has the capability to allow the
4 reporting facility filing a tier ~~Tier~~ II inventory form to
5 verify the accuracy of the facility's chemical storage
6 address, including the latitude and longitude associated
7 with that address, using a mapping-based software.

8 (h) The tier I ~~I~~ and tier II ~~II~~ inventory forms promulgated
9 by USEPA for use in meeting the requirements of Section 312 of
10 the Federal Act may be used to fulfill the requirements of this
11 Section.

12 (Source: P.A. 103-1000, eff. 1-1-25; revised 7-11-25.)

13 Section 880. The First Informer Broadcasters Act is
14 amended by changing Section 5 as follows:

15 (430 ILCS 170/5)

16 Sec. 5. Definitions. In this Act:

17 "Broadcaster" means a radio broadcasting station, cable
18 operator, or television broadcasting station primarily engaged
19 in, and deriving income from, the business of facilitating
20 speech via over-the-air communications, both as to pure speech
21 and commercial speech.

22 "First informer broadcaster" means a person who has been
23 certified as a first informer broadcaster pursuant to Section
24 15 of this Act.

(Source: P.A. 97-1155, eff. 1-25-13; revised 7-11-25.)

Section 885. The Rooftop Safety for First Responders Act is amended by changing Section 5 as follows:

(430 ILCS 180/5)

Sec. 5. Definitions. In this Act:

"Court" means an open space on a lot, other than a yard or portion of a yard, that is unobstructed from its lowest level to the sky and bounded, in whole or part, by abutting property lines, exterior building walls or other enclosing devices.

"Low-sloped roof" means a ~~mean~~ roof with a slope of less than 2 units vertical in 12 units horizontal (17% slope).

"Parapet" means a barrier that extends upward from the edge of a structure, such as a roof, balcony, walkway, or terrace.

"Shaft" means a continuous vertical space substantially enclosed on all sides that extends for 2 or more floors, including, but not limited to, an elevator shaft, a ventilation shaft, a stairwell, or a service shaft.

(Source: P.A. 104-121, eff. 1-1-26; revised 12-12-25.)

Section 890. The Herptiles-Herps Act is amended by changing Sections 1-15, 5-5, 40-5, 65-5, and 110-5 as follows:

(510 ILCS 68/1-15)

1 Sec. 1-15. Definitions. For the purposes of this Act,
2 unless the context clearly requires otherwise, the following
3 terms are defined as:

4 "Administrative rule" means a regulatory measure issued by
5 the Director under this Act.

6 "Authorized law enforcement officer" means all sworn
7 members of the Law Enforcement Division of the Department and
8 those persons specifically granted law enforcement
9 authorization by the Director.

10 "Bona fide scientific or educational institution" means
11 confirming educational or scientific tax-exemption, from the
12 federal Internal Revenue Service or the applicant's national,
13 state, or local tax authority, or a statement of accreditation
14 or recognition as an educational institution.

15 "Contraband" means all herptiles or any part of a herptile
16 taken, bought, sold or bartered, shipped, or held in
17 possession or any conveyance, vehicle, watercraft, or other
18 means of transportation whatsoever, except sealed railroad
19 cars or other sealed common carriers, used to transport or
20 ship any herptile or any part of a herptile taken, contrary to
21 this Act, including administrative rules, or used to
22 transport, contrary to this Act, including administrative
23 rules, any of the specified species when taken illegally.

24 "Culling" means picking out from others and removing
25 rejected members because of inferior quality.

26 "Department" means the Illinois Department of Natural

1 Resources.

2 "Director" means the Director of the Illinois Department
3 of Natural Resources.

4 "Educational program" means a program of organized
5 instruction or study for providing education intended to meet
6 a public need.

7 "Endangered or threatened species" means any reptile or
8 amphibian species listed as endangered or threatened to the
9 species level on either the Illinois List of Endangered and
10 Threatened Fauna or the federal U.S. Fish and Wildlife Service
11 List of Threatened and Endangered Species.

12 "Herpetoculture" means the breeding, hatching,
13 propagation, or raising of indigenous or native herptiles in
14 captivity.

15 "Herptile" means any amphibian or reptile taxon and
16 includes any species, hybrid, or intergrade thereof.

17 "Hybrid" means the offspring of 2 herptiles of different
18 breeds, varieties, species, or genera.

19 "Indigenous or native taxa" means those amphibians and
20 reptiles to the subspecies level that can be found naturally
21 in this State.

22 "Individual" means a natural person.

23 "Intergrade" means the offspring of 2 herptiles of
24 different subspecies.

25 "Medically significant" means a venomous or poisonous
26 species whose venom or toxin can cause death or serious

1 illness or injury in humans that may require emergency room
2 care or the immediate care of a physician. These species are
3 categorized as being "medically significant" or "medically
4 important".

5 "Morphological variation" means the form and structure of
6 a herptile or any part of a herptile. "Morphological
7 variation" includes the outward appearance, structure, shape,
8 color, pattern, and size of a herptile.

9 "Owner" means an individual who has a legal right to the
10 possession of a herptile.

11 "Person" means any individual, partnership, corporation,
12 organization, trade or professional association, firm, limited
13 liability company, joint venture, or group.

14 "Possession limit" means the maximum number or amount of
15 herptiles that can be lawfully held or possessed by one person
16 at any time.

17 "Possessor" means any person who possesses, keeps,
18 harbors, brings into the State, cares for, acts as a custodian
19 for, has in his or her custody or control, or holds a property
20 right to a herptile.

21 "Propagation" means the act or process of maintaining any
22 herptile in its natural environment or in a controlled
23 environment that intentionally or unintentionally results in
24 the production of eggs or offspring from the parent stock.
25 "Propagation" includes the attempt to produce eggs or
26 offspring from the parent stock.

1 "Reptile show" means any event open to the public, for a
2 fee or without a fee, that is not a licensed pet store, where
3 herptiles or herptiles together with other animals are
4 exhibited, displayed, sold, bought, traded, or otherwise made
5 available for public display.

6 "Resident" means a person who in good faith makes
7 application for any license or permit and verifies by
8 statement that he or she has maintained his or her permanent
9 abode in this State for a period of at least 30 consecutive
10 days immediately preceding the person's application, and who
11 does not maintain permanent abode or claim residency in
12 another state for the purposes of obtaining any of the same or
13 similar licenses or permits under this Act. A person's
14 permanent abode is his or her fixed and permanent dwelling
15 place, as distinguished from a temporary or transient place of
16 residence. Domiciliary intent is required to establish that
17 the person is maintaining his or her permanent abode in this
18 State. Evidence of domiciliary intent includes, but is not
19 limited to, the location where the person votes, pays personal
20 income tax, or obtains a driver's ~~drivers~~ license. Any person
21 on active duty in the Armed Forces shall be considered a
22 resident of Illinois during his or her period of military
23 duty.

24 "Special use herptile" means any taxon of amphibian or
25 reptile set forth in administrative rule for which a Herptile
26 Special Use permit is required.

1 "Take" means possess, collect, catch, detain, hunt, shoot,
2 pursue, lure, kill, destroy, capture, gig or spear, trap or
3 ensnare, harass, or an attempt to do so.

4 "Transport" or "ship" means to convey by parcel post,
5 express, freight, baggage, or shipment by common carrier or
6 any description; by automobile, motorcycle, or other vehicle
7 of any kind; by water or aircraft of any kind; or by any other
8 means of transportation.

9 "Turtle farming" means the act of breeding, hatching,
10 raising, selling turtles, or any combination commercially for
11 the purpose of providing turtles, turtle eggs, or turtle parts
12 to pet suppliers, exporters, and food industries.

13 (Source: P.A. 102-315, eff. 1-1-22; revised 7-1-25.)

14 (510 ILCS 68/5-5)

15 Sec. 5-5. Possession limits.

16 (a) The possession limit for herptiles (excluding common
17 snapping turtles and bullfrogs) is no more than 4 total per
18 species. The possession of one or more parts of the body of the
19 same individual herptile shall equal one individual herptile
20 of a species. In no case shall a person possess more than 8
21 indigenous amphibians ~~amphibian~~ or reptiles in total. Young of
22 gravid wild-collected amphibians and reptiles shall be
23 returned to the site of adult capture after birth. The
24 possession limit for common snapping turtles and bullfrogs
25 shall be set by administrative rule.

1 (b) Only residents may possess herptiles collected from
2 the wild within this State under a valid sport fishing
3 license; non-residents may not possess herptiles collected
4 from the wild within this State except for scientific purposes
5 after first obtaining a Herptile Scientific Collection
6 permit.

7 (c) All herptile species (other than bullfrogs and common
8 snapping turtles) shall be captured by hand only, unless
9 otherwise authorized by this Act or administrative rule. This
10 shall not restrict the use of legally taken herptiles as bait
11 by anglers only, unless otherwise authorized by this Act or
12 administrative rule. Any captured herptiles that are not to be
13 retained in the possession of the captor shall be immediately
14 released at the site of capture, unless taken with a lethal
15 method such as bow and arrow, gig, spear, or pitchfork which
16 does not permit release without harm. All common snapping
17 turtles and bullfrogs taken from the wild must be kept and
18 counted in the daily catch creel or bag. No culling of species
19 taken from the wild is permitted.

20 (d) The trier of fact may infer that a person is collecting
21 from the wild within this State if he or she possesses
22 indigenous reptiles or amphibians, in whole or in part, if no
23 documentation exists stating that the animals were legally
24 collected from the wild outside of this State.

25 (e) A resident of this State in possession of more than the
26 allowed possession limit set forth in subsection (a) must

1 obtain and have in his or her possession either a Herptile
2 Scientific Collection permit or Herpetoculture permit from the
3 Department, regardless of the origin of the species. Unless
4 exempt under the provisions of Section 20 of the Fish and
5 Aquatic Life Code, a sport fishing license is required for
6 residents to legally collect any native herptile taxon on
7 private land, with the landowner's permission. Collecting
8 herptiles on public lands shall require the agency that
9 manages the land to authorize the collecting of herptiles on
10 the public land under its control.

11 (f) Any resident wishing to possess more than his or her
12 allowed possession limit shall first apply to the Department
13 for a Herptile Scientific Collection permit or Herpetoculture
14 permit to do so. Issuance, modification, or denial of any and
15 all of these permits shall be at the sole discretion of the
16 Department. Procedures for the issuance, modification, or
17 denial of permits shall be set forth by administrative rule.

18 (g) (Blank).

19 (Source: P.A. 102-315, eff. 1-1-22; revised 6-26-25.)

20 (510 ILCS 68/40-5)

21 Sec. 40-5. Permit issuance. Herptile Scientific Collection
22 permits may be granted by the Department under administrative
23 rule, to any properly accredited person at least 18 years of
24 age, permitting the capture, marking, handling, banding, or
25 collecting (including hide, skin, bones, teeth, claws, nests,

1 eggs, or young), for strictly scientific purposes, of any of
2 the herptiles not listed as endangered or threatened but now
3 protected under this Act. A Herptile Scientific Collection
4 permit may be granted under administrative rule for the
5 purpose of salvaging dead, sick, or injured herptiles not
6 listed as endangered or threatened but protected by this Act
7 for permanent donation to bona fide public or state
8 scientific, educational, or zoological institutions.
9 Collecting herptiles on public lands shall require additional
10 permits.

11 (Source: P.A. 102-315, eff. 1-1-22; revised 6-26-25.)

12 (510 ILCS 68/65-5)

13 Sec. 65-5. Permit application and fees. An applicant for a
14 Herptile Special Use permit must file an application with the
15 Department on a form provided by the Department. The
16 application must include all information and requirements as
17 set forth by administrative rule.

18 The annual fee for a residential Herptile Special Use
19 permit shall be set by administrative rule. The Herptile
20 Special Use permit shall not be based on the number of special
21 use herptiles ~~herptile~~ kept by an owner or possessor. All fees
22 shall be deposited into the Illinois Wildlife Preservation
23 Fund.

24 The Department shall adopt, by administrative rule,
25 procedures for the renewal of annual Herptile Special Use

1 permits.

2 Any person possessing and in legal possession of a special
3 use herptile, as stipulated in this Article, that no longer
4 wishes to keep the herptile may be assisted by the Department,
5 at no charge to them and without prosecution, to place the
6 special use herptile in a new home, within 30 days after
7 January 1, 2015 (the effective date of this Act).

8 The Department may issue a Limited Entry permit to an
9 applicant who: (i) is not a resident of this State; (ii)
10 complies with the requirements of this Act and all rules
11 adopted by the Department under the authority of this Act;
12 (iii) provides proof to the Department that he or she shall,
13 during the permit term, maintain sufficient liability
14 insurance coverage; (iv) pays to the Department, along with
15 each application for a Limited Entry permit, a non-refundable
16 fee as set by administrative rule, which the Department shall
17 deposit into the Illinois Wildlife Preservation Fund; and (v)
18 uses the herptile for an activity authorized in the Limited
19 Entry permit. A Limited Entry permit shall be valid for not
20 more than 15 consecutive days. The application, review, and
21 procedures to obtain or renew a Limited Entry permit shall be
22 set by administrative rule.

23 (Source: P.A. 102-315, eff. 1-1-22; 103-363, eff. 7-28-23;
24 revised 6-26-25.)

1 Sec. 110-5. Exemptions. When acting in their official
2 capacity, the following entities and their agents are exempt
3 from ~~Sections~~ Section 75-5 and 85-5 of this Act:

4 (1) public zoos or aquaria accredited by the
5 Association of Zoos and Aquariums or the Zoological
6 Association of America;

7 (2) licensed veterinarians or anyone operating under
8 the authority of a licensed veterinarian who is actively
9 treating a special use herptile that is being maintained
10 in the veterinarian facility in accordance with Sections
11 10-25, 20-15, and 25-15 of this Act in order to prevent the
12 escape of the herptile and protect public health and
13 safety;

14 (3) (blank);

15 (4) accredited research or medical institutions;

16 (5) licensed or accredited educational institutions;

17 (6) circuses licensed and in compliance with the
18 Animal Welfare Act and all rules adopted by the Department
19 of Agriculture;

20 (7) federal, State, and local law enforcement
21 officers, including animal control officers acting under
22 the authority of this Act;

23 (8) members of federal, State, or local agencies
24 approved by the Department; and

25 (9) (blank);

26 (10) any motion picture or television production

1 company that uses licensed dealers, exhibitors, and
2 transporters under the federal Animal Welfare Act, 7
3 U.S.C. 2132.

4 (Source: P.A. 102-315, eff. 1-1-22; revised 6-26-25.)

5 Section 895. The Protection of Dogs and Cats from
6 Unnecessary Testing Act is amended by changing Section 5 as
7 follows:

8 (510 ILCS 87/5)

9 Sec. 5. Definitions. In this Act:

10 "Alternative test method" means a test method that does
11 not use animals, or in some cases reduces or refines the use of
12 animals, for which the reliability and relevance for a
13 specific purpose has been established by validation bodies,
14 including, but not limited to, the Interagency ~~Inter Agency~~
15 Coordinating Committee on ~~for~~ the Validation of Alternative
16 Methods and the Organisation for Economic Co-operation and
17 Development. Alternative test methods include, but are not
18 limited to, high-throughput screening methods, testing of
19 categories of chemical substances, tiered testing methods, in
20 vitro studies, and systems biology.

21 "Cat" means a small domesticated carnivorous mammal that
22 is a member of the family Felidae, order Carnivora.

23 "Canine or feline toxicological experiment" means any test
24 or study of any duration that seeks to determine the effect, if

1 any, of the application or exposure, whether internal or
2 external, of any amount of a chemical substance on a dog or
3 cat. "Application or exposure" includes, but is not limited
4 to, oral ingestion, skin or eye contact, or inhalation.
5 "Application or exposure" does not include testing of
6 veterinary products for canine or feline health.

7 "Chemical substance" means any organic or inorganic
8 substance, including, but not limited to, a drug, as defined
9 in Section 321(g) of Title 21 of the United States Code, a
10 pesticide, as defined in Section 136(u) of Title 7 of the
11 United States Code, a chemical substance, as defined in
12 Section 2602(2) of Title 15 of the United States Code, or a
13 food additive, as defined in Section 321(s) of Title 21 of the
14 United States Code.

15 "Testing facility" means any partnership, corporation,
16 association, school, institution, organization, or other legal
17 relationship, whether privately or government owned, leased,
18 or operated, that tests chemicals, ingredients, product
19 formulations, or products in this State.

20 "Dog" means any member of the species *Canis familiaris*.

21 "Medical research" means research related to the causes,
22 progression, diagnosis, treatment, control, or prevention of
23 physical or mental diseases and impairments or chronic
24 conditions of humans or animals or related to the development
25 of biomedical products or devices, as defined under Section
26 321(h) of Title 21 of the United States Code. "Medical

1 research" does not include research related to the development
2 of drugs as defined in Section 321(g)(1) of Title 21 of the
3 United States Code.

4 (Source: P.A. 103-238, eff. 6-30-23; revised 6-26-25.)

5 Section 900. The Fish and Aquatic Life Code is amended by
6 changing Section 20-45 as follows:

7 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

8 Sec. 20-45. License fees for residents. Fees for licenses
9 for residents of the State of Illinois shall be as follows:

10 (a) Except as otherwise provided in this Section, for
11 sport fishing devices as defined in Section 10-95 or
12 spearing devices as defined in Section 10-110, the fee is
13 \$14.50 for individuals 16 to 64 years old, one-half of the
14 current fishing license fee for individuals age 65 or
15 older, and, commencing with the 2012 license year,
16 one-half of the current fishing license fee for resident
17 veterans of the United States Armed Forces after returning
18 from service abroad or mobilization by the President of
19 the United States as an active duty member of the United
20 States Armed Forces, the Illinois National Guard, or the
21 Reserves of the United States Armed Forces. Veterans must
22 provide to the Department acceptable verification of their
23 service. The Department shall establish by administrative
24 rule the procedure by which such verification of service

1 shall be made to the Department for the purpose of issuing
2 fishing licenses to resident veterans at a reduced fee.

3 (a-3) Except as otherwise provided in this Section,
4 for sport fishing devices as defined in Section 10-95 or
5 spearing devices as defined in Section 10-110, residents
6 of this State may obtain a 3-year fishing license. The fee
7 for a 3-year fishing license is 3 times the annual fee. For
8 residents age 65 or older, the fee is one half of the fee
9 charged for a 3-year fishing license. For resident
10 veterans of the United States Armed Forces after returning
11 from service abroad or mobilization by the President of
12 the United States, the fee is one-half of the fee charged
13 for a 3-year fishing license. Veterans must provide to the
14 Department, per administrative rule, verification of their
15 service. The Department shall establish what constitutes
16 suitable verification of service for the purpose of
17 issuing 3-year fishing licenses to resident veterans at a
18 reduced fee.

19 (a-5) The fee for all sport fishing licenses shall be
20 \$1 for an annual license and 3 times the annual fee for a
21 3-year license for residents over 75 years of age.

22 (b) All residents before using any commercial fishing
23 device shall obtain a commercial fishing license, the fee
24 for which shall be \$60, and a resident fishing license,
25 the fee for which is \$14.50. Each and every commercial
26 device used shall be licensed by a resident commercial

1 fisherman as follows:

2 (1) For each 100 lineal yards, or fraction
3 thereof, of seine the fee is \$18. For each minnow
4 seine, minnow trap, or net for commercial purposes the
5 fee is \$20.

6 (2) For each device to fish with a 100 hook trot
7 line device, basket trap, hoop net, or dip net the fee
8 is \$3.

9 (3) When used in the waters of Lake Michigan, for
10 the first 2000 lineal feet, or fraction thereof, of
11 gill net the fee is \$10; and for each 1000 additional
12 lineal feet, or fraction thereof, the fee is \$10.
13 These fees shall apply to all gill nets in use in the
14 water or on drying reels on the shore.

15 (4) For each 100 lineal yards, or fraction
16 thereof, of gill net or trammel net the fee is \$18.

17 (c) Residents of this State may obtain a sportsmen's
18 combination license that shall entitle the holder to the
19 same non-commercial fishing privileges as residents
20 holding a license as described in subsection (a) of this
21 Section and to the same hunting privileges as residents
22 holding a license to hunt all species as described in
23 Section 3.1 of the Wildlife Code. No sportsmen's
24 combination license shall be issued to any individual who
25 would be ineligible for either the fishing or hunting
26 license separately. The sportsmen's combination license

1 fee shall be \$25.50. For residents age 65 or older, the fee
2 is one-half of the fee charged for a sportsmen's
3 combination license. For resident veterans of the United
4 States Armed Forces after returning from service abroad or
5 mobilization by the President of the United States as an
6 active duty member of the United States Armed Forces, the
7 Illinois National Guard, or the Reserves of the United
8 States Armed Forces, the fee, commencing with the 2012
9 license year, is one-half of the fee charged for a
10 sportsmen's combination license. Veterans must provide to
11 the Department acceptable verification of their service.
12 The Department shall establish by administrative rule the
13 procedure by which such verification of service shall be
14 made to the Department for the purpose of issuing
15 sportsmen's combination licenses to resident veterans at a
16 reduced fee.

17 (c-5) Residents of this State may obtain a 3-year
18 sportsmen's combination license that shall entitle the
19 holder to the same non-commercial fishing privileges as
20 residents holding a license as described in subsection
21 (a-3) and to the same hunting privileges as residents
22 holding a license to hunt all species as described in
23 Section 3.1 of the Wildlife Code. A 3-year sportsmen's
24 combination license shall not be issued to any individual
25 who would be ineligible for either the fishing or hunting
26 license separately. The 3-year sportsmen's combination

1 license fee shall be 3 times the annual fee. For residents
2 age 65 or older, the fee is one-half of the fee charged for
3 a 3-year sportsmen's combination license. For resident
4 veterans of the United States Armed Forces after returning
5 from service abroad or mobilization by the President of
6 the United States, the fee is one-half of the fee charged
7 for a 3-year sportsmen's combination license. Veterans
8 must provide to the Department, per administrative rule,
9 verification of their service. The Department shall
10 establish what constitutes suitable verification of
11 service for the purpose of issuing 3-year sportsmen's
12 combination licenses to resident veterans at a reduced
13 fee.

14 (d) For 24 hours of fishing by sport fishing devices
15 as defined in Section 10-95 or by spearing devices as
16 defined in Section 10-110 the fee is \$5. This license does
17 not exempt the licensee from the requirement for a salmon
18 or inland trout stamp. The licenses provided for by this
19 subsection are not required for residents of the State of
20 Illinois who have obtained the license provided for in
21 subsection (a) or (a-3) of this Section.

22 (e) All residents before using any commercial mussel
23 device shall obtain a commercial mussel license, the fee
24 for which shall be \$50.

25 (f) Residents of this State, upon establishing
26 residency as required by the Department, may obtain a

1 lifetime hunting or fishing license or lifetime
2 sportsmen's combination license which shall entitle the
3 holder to the same non-commercial fishing privileges as
4 residents holding a license as described in subsection
5 ~~paragraph~~ (a) of this Section and to the same hunting
6 privileges as residents holding a license to hunt all
7 species as described in Section 3.1 of the Wildlife Code.
8 No lifetime sportsmen's combination license shall be
9 issued to or retained by any individual who would be
10 ineligible for either the fishing or hunting license
11 separately, either upon issuance, or in any year a
12 violation would subject an individual to have either or
13 both fishing or hunting privileges rescinded. The lifetime
14 hunting and fishing license fees shall be as follows:

15 (1) Lifetime fishing: 30 x the current fishing
16 license fee.

17 (2) Lifetime hunting: 30 x the current hunting
18 license fee.

19 (3) Lifetime sportsmen's combination license: 30 x
20 the current sportsmen's combination license fee.

21 Lifetime licenses shall not be refundable. A \$10 fee shall
22 be charged for reissuing any lifetime license. The Department
23 may establish rules and regulations for the issuance and use
24 of lifetime licenses and may suspend or revoke any lifetime
25 license issued under this Section for violations of those
26 rules or regulations or other provisions under this Code or

1 the Wildlife Code, or a violation of the United States Code
2 that involves the taking, possessing, killing, harvesting,
3 transportation, selling, exporting, or importing any fish or
4 aquatic life protected by this Code or the taking, possessing,
5 killing, harvesting, transportation, selling, exporting, or
6 importing any fauna protected by the Wildlife Code when any
7 part of the United States Code violation occurred in Illinois.
8 Individuals under 16 years of age who possess a lifetime
9 hunting or sportsmen's combination license shall have in their
10 possession, while in the field, a certificate of competency as
11 required under Section 3.2 of the Wildlife Code. Any lifetime
12 license issued under this Section shall not exempt individuals
13 from obtaining additional stamps or permits required under the
14 provisions of this Code or the Wildlife Code. Individuals
15 required to purchase additional stamps shall sign the stamps
16 and have them in their possession while fishing or hunting
17 with a lifetime license. All fees received from the issuance
18 of lifetime licenses shall be deposited in the Fish and
19 Wildlife Endowment Fund.

20 Except for licenses issued under subsection (e) of this
21 Section, all licenses provided for in this Section shall
22 expire on March 31 of each year, except that the license
23 provided for in subsection (d) of this Section shall expire 24
24 hours after the effective date and time listed on the face of
25 the license. Licenses issued under subsection (a-3) or (c-5)
26 shall expire on March 31 of the 2nd year after the year in

1 which the license is issued.

2 The Department shall by administrative rule provide for
3 the automatic renewal of a fishing license upon the request of
4 the applicant.

5 All individuals required to have and failing to have the
6 license provided for in subsection (a), (a-3), or (d) of this
7 Section shall be fined according to the provisions of Section
8 20-35 of this Code.

9 All individuals required to have and failing to have the
10 licenses provided for in subsections (b) and (e) of this
11 Section shall be guilty of a Class B misdemeanor.

12 (g) For the purposes of this Section, "acceptable
13 verification" means official documentation from the Department
14 of Defense or the appropriate Major Command showing
15 mobilization dates or service abroad dates, including: (i) a
16 DD-214, (ii) a letter from the Illinois Department of Military
17 Affairs for members of the Illinois National Guard, (iii) a
18 letter from the Regional Reserve Command for members of the
19 Armed Forces Reserve, (iv) a letter from the Major Command
20 covering Illinois for active duty members, (v) personnel
21 records for mobilized State employees, and (vi) any other
22 documentation that the Department, by administrative rule,
23 deems acceptable to establish dates of mobilization or service
24 abroad.

25 For the purposes of this Section, the term "service
26 abroad" means active duty service outside of the 50 United

1 States and the District of Columbia, and includes all active
2 duty service in territories and possessions of the United
3 States.

4 (Source: P.A. 102-780, eff. 5-13-22; 102-837, eff. 5-13-22;
5 103-154, eff. 6-30-23; 103-456, eff. 1-1-24; revised 7-3-25.)

6 Section 905. The Wildlife Code is amended by changing
7 Section 3.1-6 as follows:

8 (520 ILCS 5/3.1-6)

9 (Text of Section before amendment by P.A. 104-361)

10 Sec. 3.1-6. Special deer, turkey, and combination hunting
11 licenses.

12 (a) For the purpose of this Section:

13 "Bona fide equity member" means an individual who:

14 (1)(i) became a member upon the formation of the
15 limited liability company or (ii) has purchased a
16 distributional interest in a limited liability company for
17 a value equal to the percentage of the appraised value of
18 the limited liability company's ~~LLC~~ assets represented by
19 the distributional interest in the limited liability
20 company ~~LLC~~ and subsequently becomes a member of the
21 company under Article 30 of the Limited Liability Company
22 Act; and

23 (2) intends to retain the membership for at least 5
24 years.

1 "Bona fide equity partner" means an individual who:

2 (1) (i) became a partner, either general or limited,
3 upon the formation of a partnership or limited
4 partnership, or (ii) has purchased, acquired, or been
5 gifted a partnership interest accurately representing his
6 or her percentage distributional interest in the profits,
7 losses, and assets of a partnership or limited
8 partnership;

9 (2) intends to retain ownership of the partnership
10 interest for at least 5 years; and

11 (3) is a resident of this State.

12 "Bona fide equity shareholder" means an individual who:

13 (1) purchased, for market price, publicly sold stock
14 shares in a corporation, purchased shares of a
15 privately-held corporation for a value equal to the
16 percentage of the appraised value of the corporate assets
17 represented by the ownership in the corporation, or is a
18 member of a closely-held family-owned corporation and has
19 purchased or been gifted with shares of stock in the
20 corporation accurately reflecting his or her percentage of
21 ownership; and

22 (2) intends to retain the ownership of the shares of
23 stock for at least 5 years.

24 (b) Landowner deer, turkey, and combination permits shall
25 be issued without charge to:

26 (1) Illinois landowners residing in this State who own

1 at least 40 acres of Illinois land and wish to hunt upon
2 their land only;

3 (2) resident tenants of at least 40 acres of
4 commercial agricultural land where they will hunt; and

5 (3) bona fide equity shareholders of a corporation,
6 bona fide equity members of a limited liability company,
7 or bona fide equity partners of a general or limited
8 partnership which owns at least 40 acres of land in a
9 county in this State who wish to hunt on the
10 corporation's, company's, or partnership's land only. One
11 permit shall be issued without charge to one bona fide
12 equity shareholder, one bona fide equity member, or one
13 bona fide equity partner for each 40 acres of land owned by
14 the corporation, company, or partnership in a county;
15 however, the number of permits issued without charge to
16 bona fide equity shareholders of any corporation or bona
17 fide equity members of a limited liability company in any
18 county shall not exceed 15, and shall not exceed 3 in the
19 case of bona fide equity partners of a partnership.

20 Bona fide landowners or tenants who do not wish to hunt
21 only on the land they own, rent, or lease or bona fide equity
22 shareholders, bona fide equity members, or bona fide equity
23 partners who do not wish to hunt only on the land owned by the
24 corporation, limited liability company, or partnership shall
25 be charged the same fee as the applicant who is not a
26 landowner, tenant, bona fide equity shareholder, bona fide

1 equity member, or bona fide equity partner. Nonresidents of
2 this State who own at least 40 acres of land and wish to hunt
3 on their land only shall be charged a fee set by administrative
4 rule. The method for obtaining these permits shall be
5 prescribed by administrative rule.

6 (b-5) Landowner deer permits shall be issued without
7 charge to:

8 (1) Illinois landowners residing in this State who own
9 at least 20 acres of Illinois land that is located in a
10 county where the Department has positively identified
11 chronic wasting disease cases in the deer herd⁷ and who
12 wish to hunt upon their land only;

13 (2) resident tenants of at least 20 acres of
14 commercial agricultural land that is located in a county
15 where the Department has positively identified chronic
16 wasting disease cases in the deer herd where they will
17 hunt ~~and~~ who wish to hunt upon the land they are tenants of
18 only; and

19 (3) bona fide equity shareholders of a corporation,
20 bona fide equity members of a limited liability company,
21 or bona fide equity partners of a general or limited
22 partnership who own ~~which owns~~ at least 20 acres of land in
23 a county in this State where the Department has positively
24 identified chronic wasting disease cases in the deer herd
25 and who wish to hunt on the corporation's, company's, or
26 partnership's land only. One permit shall be issued

1 without charge to one bona fide equity shareholder, one
2 bona fide equity member, or one bona fide equity partner
3 for each 20 acres of land owned by the corporation,
4 company, or partnership in a county; however, the number
5 of permits issued without charge to bona fide equity
6 shareholders of any corporation or bona fide equity
7 members of a limited liability company in any county shall
8 not exceed 15, and shall not exceed 3 in the case of bona
9 fide equity partners of a partnership.

10 Bona fide landowners or tenants who do not wish to
11 hunt only on the land they own, rent, or lease or bona fide
12 equity shareholders, bona fide equity members, or bona
13 fide equity partners who do not wish to hunt only on the
14 land owned by the corporation, limited liability company,
15 or partnership shall be charged the same fee as an ~~the~~
16 applicant who is not a landowner, tenant, bona fide equity
17 shareholder, bona fide equity member, or bona fide equity
18 partner.

19 Nonresidents of this State who own at least 20 acres of
20 land where the Department has positively identified chronic
21 wasting disease cases in the deer herd and who wish to hunt on
22 their land only shall be charged a fee set by administrative
23 rule. The method for obtaining these permits shall be
24 prescribed by administrative rule.

25 (c) The deer, turkey, or combination hunting permit issued
26 without fee shall be valid on all farm lands which the person

1 to whom it is issued owns, leases, or rents, except that in the
2 case of a permit issued to a bona fide equity shareholder, bona
3 fide equity member, or bona fide equity partner, the permit
4 shall be valid on all lands owned by the corporation, limited
5 liability company, or partnership in the county.

6 (Source: P.A. 104-59, eff. 1-1-26; revised 9-15-25.)

7 (Text of Section after amendment by P.A. 104-361)

8 Sec. 3.1-6. Landowner or tenant deer and turkey hunting
9 permits.

10 (a) For the purpose of this Section:

11 "Bona fide current income beneficiary" means an individual
12 who, at the time of application for a permit, is:

13 (1) entitled to income, whether income exists or not,
14 from the trust that owns Illinois land on which the
15 applicant wishes to hunt with no condition precedent, such
16 as surviving another person or reaching a certain age,
17 other than the trustee distributing the income; and

18 (2) listed by name in the trust documents as an income
19 beneficiary.

20 "Bona fide equity member" means an individual who:

21 (1)(i) became a member upon the formation of the
22 limited liability company or (ii) has purchased a
23 distributional interest in a limited liability company for
24 a value equal to the percentage of the appraised value of
25 the limited liability company's ~~LLC~~ assets represented by

1 the distributional interest in the limited liability
2 company LLC and subsequently becomes a member of the
3 company under Article 30 of the Limited Liability Company
4 Act; and

5 (2) intends to retain the membership for at least 5
6 years.

7 "Bona fide equity partner" means an individual who:

8 (1)(i) became a partner, either general or limited,
9 upon the formation of a partnership or limited
10 partnership, or (ii) has purchased, acquired, or been
11 gifted a partnership interest accurately representing his
12 or her percentage distributional interest in the profits,
13 losses, and assets of a partnership or limited
14 partnership;

15 (2) intends to retain ownership of the partnership
16 interest for at least 5 years; and

17 (3) is a resident of this State.

18 "Bona fide equity shareholder" means an individual who:

19 (1) purchased, for market price, publicly sold stock
20 shares in a corporation, purchased shares of a
21 privately-held corporation for a value equal to the
22 percentage of the appraised value of the corporate assets
23 represented by the ownership in the corporation, or is a
24 member of a closely-held family-owned corporation and has
25 purchased or been gifted with shares of stock in the
26 corporation accurately reflecting his or her percentage of

1 ownership; and

2 (2) intends to retain the ownership of the shares of
3 stock for at least 5 years.

4 "Current owners" means one or more bona fide landowners,
5 one or more bona fide current income beneficiaries, one or
6 more bona fide equity shareholders of a corporation, one or
7 more bona fide equity members of a limited liability company,
8 or one or more bona fide equity partners of a partnership that
9 all own the same 240 acres of Illinois land.

10 "Immediate family of a bona fide landowner, a tenant, or a
11 bona fide current income beneficiary" means the spouse,
12 children, brothers, sisters, grandchildren, grandparents, and
13 parents permanently residing on the same property as the bona
14 fide landowner, tenant, or bona fide current income
15 beneficiary.

16 "Tenant" means a person who rents 40 acres or more of
17 Illinois land for commercial agricultural purposes under a
18 written notarized agreement with the landowner.

19 (b) Landowner deer and turkey permits shall be issued
20 without charge to an Illinois resident who ~~that~~ owns at least
21 40 acres of Illinois land and who ~~that~~ wishes to hunt only on
22 the land that Illinois resident owns. Deer permits issued
23 under this Section shall consist of one either-sex permit and
24 one antlerless-only permit for the deer firearm season and one
25 either-sex permit and one antlerless-only permit for the
26 archery deer season. Land ownership shall only be accepted by

1 the Department for:

2 (1) bona fide landowners;

3 (2) bona fide current income beneficiaries of a trust
4 in which the trust owns Illinois land; and

5 (3) bona fide equity shareholders of a corporation,
6 bona fide equity members of a limited liability company,
7 or bona fide equity partners of a general or limited
8 partnership which owns land in this State.

9 (b-5) Landowner deer permits shall be issued without
10 charge to:

11 (1) Illinois landowners residing in this State who own
12 at least 20 acres of Illinois land that is located in a
13 county where the Department has positively identified
14 chronic wasting disease cases in the deer herd⁷ and who
15 wish to hunt upon their land only;

16 (2) resident tenants of at least 20 acres of
17 commercial agricultural land that is located in a county
18 where the Department has positively identified chronic
19 wasting disease cases in the deer herd where they will
20 hunt ~~and~~ who wish to hunt upon the land they are tenants of
21 only; and

22 (3) bona fide equity shareholders of a corporation,
23 bona fide equity members of a limited liability company,
24 or bona fide equity partners of a general or limited
25 partnership who own ~~which owns~~ at least 20 acres of land in
26 a county in this State where the Department has positively

1 identified chronic wasting disease cases in the deer herd
2 and who wish to hunt on the corporation's, company's, or
3 partnership's land only. One permit shall be issued
4 without charge to one bona fide equity shareholder, one
5 bona fide equity member, or one bona fide equity partner
6 for each 20 acres of land owned by the corporation,
7 company, or partnership in a county; however, the number
8 of permits issued without charge to bona fide equity
9 shareholders of any corporation or bona fide equity
10 members of a limited liability company in any county shall
11 not exceed 15, and shall not exceed 3 in the case of bona
12 fide equity partners of a partnership.

13 Bona fide landowners or tenants who do not wish to
14 hunt only on the land they own, rent, or lease or bona fide
15 equity shareholders, bona fide equity members, or bona
16 fide equity partners who do not wish to hunt only on the
17 land owned by the corporation, limited liability company,
18 or partnership shall be charged the same fee as an ~~the~~
19 applicant who is not a landowner, tenant, bona fide equity
20 shareholder, bona fide equity member, or bona fide equity
21 partner.

22 Nonresidents of this State who own at least 20 acres of
23 land where the Department has positively identified chronic
24 wasting disease cases in the deer herd and who wish to hunt on
25 their land only shall be charged a fee set by administrative
26 rule. The method for obtaining these permits shall be

1 prescribed by administrative rule.

2 (b-10) ~~(b-5)~~ Tenant deer and turkey permits shall be
3 issued without charge to Illinois resident tenants of at least
4 40 acres of commercial agricultural land who ~~that~~ wish to hunt
5 only on the land of which they are resident tenants. Deer
6 permits issued under this Section shall consist of (i) one
7 either-sex permit and one antlerless-only permit for the deer
8 firearm season and (ii) one either-sex permit and one
9 antlerless-only permit for the archery deer season.

10 (b-15) ~~(b-10)~~ The total number of deer or turkey permits
11 that may be issued to a person under this Section shall be
12 established by administrative rule.

13 (b-20) ~~(b-15)~~ Bona fide landowners who do not wish to hunt
14 only on the land they own, tenants who do not wish to hunt only
15 on the land they rent or lease, or bona fide equity
16 shareholders, bona fide equity members, bona fide current
17 income beneficiaries of a trust, or bona fide equity partners
18 who do not wish to hunt only on the land owned by the
19 corporation, limited liability company, trust, or partnership
20 shall be charged the same fee as the applicant who is not a
21 bona fide landowner, Illinois resident tenant, bona fide
22 equity shareholder, bona fide equity member, bona fide current
23 income beneficiary of a trust, or bona fide equity partner.
24 Nonresidents of this State who own at least 40 acres of land as
25 a bona fide landowner, a bona fide current income beneficiary
26 of a trust, a bona fide equity shareholder, or a bona fide

1 equity member and wish to hunt on their land only shall be
2 charged a fee set by administrative rule. The method for
3 obtaining these permits shall be prescribed by administrative
4 rule.

5 (c) A deer or turkey hunting permit issued without fee
6 shall be valid on all Illinois lands which the person to whom
7 it is issued owns, including land owned by the individual as a
8 bona fide landowner, land owned as a bona fide equity
9 shareholder of a corporation, land owned by the individual as
10 a bona fide equity member of a limited liability company, and
11 land owned by the individual as a bona fide equity partner of a
12 partnership.

13 (d) Except for a person hunting under a permit issued
14 under subsection (e) or (f), while hunting under a permit
15 issued under this Section, a person must carry the permit and
16 documentation showing proof ~~of~~ that the person is a bona fide
17 landowner, a bona fide equity shareholder of a corporation, a
18 bona fide equity member of a limited liability company, a bona
19 fide current income beneficiary, a bona fide equity partner
20 ~~partners~~ of a general or limited partnership, or a tenant.
21 While hunting under a permit issued under subsection (e) or
22 (f), a person must carry the permit and documentation showing
23 that the person is actively hunting on land covered by the
24 permit.

25 (e) The Department may, by administrative rule, issue
26 permits under this Section to the immediate family of a bona

1 fide landowner, a tenant, or a bona fide current income
2 beneficiary, ~~or tenant~~.

3 (f) For every 240 acres of Illinois land owned by the
4 current owners, the Department may issue one guest either-sex
5 deer permit and one guest antlerless-only deer permit. The
6 guest permits shall be for the same deer hunting season and for
7 the same method of take as issued to the current owner. A guest
8 permit shall be issued to an individual who is not a current
9 owner and is listed on the application for the issuance of
10 guest deer hunting permits by a current owner. An individual
11 designated by a current owner must meet all the eligibility
12 requirements to hunt under this Code and shall pay all fees
13 required under Section 2.26 for the permits issued, including
14 non-resident fees if that individual is a non-resident.
15 Permits issued under this subsection may not be offered for
16 resale by the landowner receiving the permit and are
17 nontransferable. No more than 5 individuals, regardless of the
18 total number of 240 acres of Illinois land owned by the current
19 owners, may be issued guest permits under this subsection.

20 (g) The Department may adopt rules to administer and
21 enforce this Section, including, but not limited to,
22 application requirements, proof of ownership requirements,
23 proof of residency requirements, eligibility requirements,
24 restrictions, and suspension and revocation of permits.

25 (h) No person shall be issued more than (i) one either-sex
26 permit and one antlerless-only permit for the deer firearm

1 season and (ii) one either-sex permit and one antlerless-only
2 permit for the deer archery season under this Section.

3 (Source: P.A. 104-59, eff. 1-1-26; 104-361, eff. 1-1-27;
4 revised 9-15-25.)

5 Section 910. The Healthy Forests, Wetlands, and Prairies
6 Act is amended by changing Section 25 as follows:

7 (525 ILCS 22/25)

8 Sec. 25. Healthy Forests, Wetlands, and Prairies Grant
9 Fund. The Healthy Forests ~~Forest~~, Wetlands, and Prairies Grant
10 Fund shall be administered by the Department of Natural
11 Resources. The Fund may receive moneys appropriated by the
12 General Assembly or from the federal government, private
13 donations, or any other legal source. Subject to the
14 limitations in subsection (c) of Section 20 of this Act,
15 moneys in the Fund shall be used by the Department for the
16 purpose of providing grant assistance in accordance with this
17 Act and for the purpose of administering the grant program
18 established under this Act.

19 (Source: P.A. 103-923, eff. 1-1-25; revised 6-26-25.)

20 Section 915. The Toll Highway Act is amended by changing
21 Section 8.5 as follows:

22 (605 ILCS 10/8.5)

1 Sec. 8.5. Toll Highway Inspector General.

2 (a) The Governor shall, with the advice and consent of the
3 Senate by three-fifths of the elected members concurring by
4 record vote, appoint a Toll Highway Inspector General for the
5 purpose of detection, deterrence, and prevention of fraud,
6 corruption, and mismanagement in the Authority. The Toll
7 Highway Inspector General shall serve a 5-year term. If,
8 during a recess of the Senate, there is a vacancy in the office
9 of the Toll Highway Inspector General, the Governor shall make
10 a temporary appointment until the next meeting of the Senate
11 when the Governor shall make a nomination to fill that office.
12 No person rejected for the office of the Toll Highway
13 Inspector General shall, except by the Senate's request, be
14 nominated again for that office at the same session of the
15 Senate or be appointed to that office during a recess of that
16 Senate. The Governor may not appoint a relative, as defined by
17 item (6) of Section 10-15 of the State Officials and Employees
18 Ethics Act, as the Toll Highway Inspector General. The Toll
19 Highway Inspector General may be removed only for cause and
20 may be removed only by the Governor.

21 (b) The Toll Highway Inspector General shall have the
22 following qualifications:

23 (1) has not been convicted of any felony under the
24 laws of this State, another state, or the United States;

25 (2) has earned a baccalaureate degree from an
26 institution of higher education; and

1 (3) has 5 or more years of cumulative service (i) with
2 a federal, state, or local law enforcement agency, at
3 least 2 years of which have been in a progressive
4 investigatory capacity; (ii) as a federal, state, or local
5 prosecutor; (iii) as a federal or state judge with a
6 criminal docket; (iv) as a senior manager or executive of
7 a federal, state, or local agency; or (v) representing any
8 combination of (i) through (iv).

9 (c) The term of the initial Toll Highway Inspector General
10 shall commence upon qualification and shall run through June
11 30, 2015. The initial appointments shall be made within 60
12 days after January 1, 2011 (the effective date of Public Act
13 96-1347) ~~this amendatory Act of the 96th General Assembly.~~
14 After the initial term, each Toll Highway Inspector General
15 shall serve for 5-year terms commencing on July 1 of the year
16 of appointment and running through June 30 of the fifth
17 following year. A Toll Highway Inspector General may be
18 reappointed to one or more subsequent terms. A vacancy
19 occurring other than at the end of a term shall be filled by
20 the Governor only for the balance of the term of the Toll
21 Highway Inspector General whose office is vacant. Terms shall
22 run regardless of whether the position is filled.

23 (d) The Toll Highway Inspector General shall have
24 jurisdiction over the Authority and all board members,
25 officers, and employees of, and vendors, subcontractors, and
26 others doing business with, the Authority. The jurisdiction of

1 the Toll Highway Inspector General is to investigate
2 allegations of fraud, waste, abuse, mismanagement, misconduct,
3 nonfeasance, misfeasance, or malfeasance. Investigations may
4 be based on complaints from any source, including anonymous
5 sources, and may be self-initiated, without a complaint. An
6 investigation may not be initiated more than 5 ~~five~~ years
7 after the most recent act of the alleged violation or of a
8 series of alleged violations except where there is reasonable
9 cause to believe that fraudulent concealment has occurred. To
10 constitute fraudulent concealment sufficient to toll this
11 limitations period, there must be an affirmative act or
12 representation calculated to prevent discovery of the fact
13 that a violation has occurred. The authority to investigate
14 alleged violations of the State Officials and Employees Ethics
15 Act by officers, employees, vendors, subcontractors, and
16 others doing business with the Authority shall remain with the
17 Office of the Governor's Executive Inspector General. The Toll
18 Highway Inspector General shall refer allegations of
19 misconduct under the State Officials and Employees Ethics Act
20 to the Office of the Governor's Executive Inspector General
21 for investigation. Upon completion of its investigation into
22 such allegations, the Office of the Governor's Executive
23 Inspector General shall report the results to the Toll Highway
24 Inspector General, and the results of the investigation shall
25 remain subject to any applicable confidentiality provisions in
26 the State Officials and Employees Ethics Act. Where an

1 investigation into a target or targets is split between
2 allegations of misconduct under the State Officials and
3 Employees Ethics Act, investigated by the Office of the
4 Governor's Executive Inspector General, and allegations that
5 are not of misconduct under the State Officials and Employees
6 Ethics Act, investigated by the Toll Highway Inspector
7 General, the Toll Highway Inspector General shall take
8 reasonable steps, including continued consultation with the
9 Office of the Governor's Executive Inspector General, to
10 ensure that its investigation will not interfere with or
11 disrupt any investigation by the Office of the Governor's
12 Executive Inspector General or law enforcement authorities. In
13 instances in which the Toll Highway Inspector General
14 continues to investigate other allegations associated with
15 allegations that have been referred to the Office of the
16 Governor's Executive Inspector General pursuant to this
17 subsection, the Toll Highway Inspector General shall report
18 the results of its investigation to the Office of the
19 Governor's Executive Inspector General.

20 (e)(1) If the Toll Highway Inspector General, upon the
21 conclusion of an investigation, determines that reasonable
22 cause exists to believe that fraud, waste, abuse,
23 mismanagement, misconduct, nonfeasance, misfeasance, or
24 malfeasance has occurred, then the Toll Highway Inspector
25 General shall issue a summary report of the investigation. The
26 report shall be delivered to the appropriate authority

1 pursuant to paragraph (3) of subsection (f) of this Section,
2 which shall have 20 days to respond to the report.

3 (2) The summary report of the investigation shall
4 include the following:

5 (A) a description of any allegations or other
6 information received by the Toll Highway Inspector
7 General pertinent to the investigation.

8 (B) a description of any alleged misconduct
9 discovered in the course of the investigation.

10 (C) recommendations for any corrective or
11 disciplinary action to be taken in response to any
12 alleged misconduct described in the report, including
13 but not limited to, a discharge.

14 (D) other information the Toll Highway Inspector
15 General deems relevant to the investigation or
16 resulting recommendations.

17 (3) Within 60 days after issuance of a final summary
18 report that resulted in a suspension of at least 3 days or
19 termination of employment, the Toll Highway Inspector
20 General shall make the report available to the public by
21 presenting the report to the Board of the Authority and by
22 posting to the Authority's public website. The Toll
23 Highway Inspector General shall redact information in the
24 summary report that may reveal the identity of witnesses,
25 complainants, or informants or if the Toll Highway
26 Inspector General determines it is appropriate to protect

1 the identity of a person before the report is made public.
2 The Toll Highway Inspector General may also redact any
3 information that he or she believes should not be made
4 public, taking into consideration the factors set forth in
5 this subsection and paragraph (1) of subsection (k) of
6 this Section and other factors deemed relevant by the Toll
7 Highway Inspector General to protect the Authority and any
8 investigations by the Toll Highway Inspector General,
9 other inspector general offices, or law enforcement
10 agencies. Prior to publication, the Toll Highway Inspector
11 General shall permit the respondents and the appropriate
12 authority pursuant to paragraph (3) of subsection (f) of
13 this Section to review the report and the documents to be
14 made public and offer suggestions for redaction or provide
15 a response that shall be made public with the summary
16 report, provided, however, that the Toll Highway Inspector
17 General shall have the sole and final authority to decide
18 what redactions should be made. The Toll Highway Inspector
19 General may make available to the public any other summary
20 report and any such responses or a redacted version of the
21 report and responses.

22 (4) When the Toll Highway Inspector General concludes
23 that there is insufficient evidence that a violation has
24 occurred, the Toll Highway Inspector General shall close
25 the investigation. The Toll Highway Inspector General
26 shall provide the appropriate authority pursuant to

1 paragraph (3) of subsection (f) of this Section with a
2 written statement of the Toll Highway Inspector General's
3 decision to close the investigation. At the request of the
4 subject of the investigation, the Toll Highway Inspector
5 General shall provide a written statement to the subject
6 of the investigation of the Toll Highway Inspector
7 General's decision to close the investigation. Closure by
8 the Toll Highway Inspector General does not bar the Toll
9 Highway Inspector General from resuming the investigation
10 if circumstances warrant.

11 (f) The Toll Highway Inspector General shall:

12 (1) have access to all information and personnel
13 necessary to perform the duties of the office.

14 (2) have the power to subpoena witnesses and compel
15 the production of books and papers pertinent to an
16 investigation authorized by this Section. A subpoena may
17 be issued under this paragraph ~~subparagraph~~ (2) only by
18 the Toll Highway Inspector General and not by members of
19 the Toll Highway Inspector General's staff. Any person
20 subpoenaed by the Toll Highway Inspector General has the
21 same rights, under Illinois law, as a person subpoenaed by
22 a grand jury. The power to subpoena or to compel the
23 production of books and papers, however, shall not extend
24 to the person or documents of a labor organization or its
25 representatives insofar as the person or documents of a
26 labor organization relate to the function of representing

1 an employee subject to investigation under this Section.
2 Subject to a person's privilege against
3 self-incrimination, any person who fails to appear in
4 response to a subpoena, answer any question, or produce
5 any books or papers pertinent to an investigation under
6 this Section, except as otherwise provided in this
7 Section, or who knowingly gives false testimony in
8 relation to an investigation under this Section is guilty
9 of a Class A misdemeanor.

10 (3) submit reports as required by this Section and
11 applicable administrative rules. Final reports and
12 recommendations shall be submitted to the Authority's
13 Executive Director and the Board of Directors for
14 investigations not involving the Board. Final reports and
15 recommendations shall be submitted to the Chair of the
16 Board and to the Governor for investigations of any Board
17 member other than the Chair of the Board. Final reports
18 and recommendations for investigations of the Chair of the
19 Board shall be submitted to the Governor.

20 (4) assist and coordinate with the ethics officer for
21 the Authority.

22 (5) participate in or conduct, when appropriate,
23 multi-jurisdictional investigations provided the
24 investigation involves the Authority in some way,
25 including, but not limited to, joint investigations with
26 the Office of the Governor's Executive Inspector General,

1 or with State, local, or federal law enforcement
2 authorities.

3 (6) serve as the Authority's primary liaison with law
4 enforcement, investigatory, and prosecutorial agencies
5 and, in that capacity, the Toll Highway Inspector General
6 may request any information or assistance that may be
7 necessary for carrying out the duties and responsibilities
8 provided by this Section from any local, state, or federal
9 governmental agency or unit thereof.

10 (7) review hiring and employment files of the
11 Authority to ensure compliance with *Rutan v. Republican*
12 *Party of Illinois*, 497 U.S. 62 (1990), and with all
13 applicable employment laws.

14 (8) establish a policy that ensures the appropriate
15 handling and correct recording of all investigations
16 conducted by the Office, and ensures that the policy is
17 accessible via the Internet in order that those seeking to
18 report suspected wrongdoing are familiar with the process
19 and that the subjects of those allegations are treated
20 fairly.

21 (9) receive and investigate complaints or information
22 from an employee of the Authority concerning the possible
23 existence of an activity constituting a violation of law,
24 rules, or regulations, mismanagement, abuse of authority,
25 or substantial and specific danger to the public health
26 and safety. Any employee of the Authority who knowingly

1 files a false complaint or files a complaint with reckless
2 disregard for the truth or falsity of the facts underlying
3 the complaint may be subject to discipline.

4 (10) review, coordinate, and recommend methods and
5 procedures to increase the integrity of the Authority.

6 (g) Within 6 ~~six~~ months of appointment, the initial Toll
7 Highway Inspector General shall propose rules, in accordance
8 with the provisions of the Illinois Administrative Procedure
9 Act, establishing minimum requirements for initiating,
10 conducting, and completing investigations. The rules must
11 establish criteria for determining, based upon the nature of
12 the allegation, the appropriate method of investigation, which
13 may include, but is not limited to, site visits, telephone
14 contacts, personal interviews, or requests for written
15 responses. The rules must establish the process, contents, and
16 timing for final reports and recommendations by the Toll
17 Highway Inspector General and for a response and any remedial,
18 disciplinary, or both action by an individual or individuals
19 receiving the final reports and recommendations. The rules
20 must also clarify how the Office of the Toll Highway Inspector
21 General shall interact with other local, state, and federal
22 law enforcement authorities and investigations. Such rules
23 shall provide that investigations and inquiries by the Office
24 of the Toll Highway Inspector General must be conducted in
25 compliance with the provisions of any collective bargaining
26 agreement that applies to the affected employees of the

1 Authority and that any recommendation for discipline or other
2 action against any employee by the Office of the Toll Highway
3 Inspector General must comply with the provisions of any
4 applicable collective bargaining agreement.

5 (h) The Office of the Toll Highway Inspector General shall
6 be an independent office of the Authority. Within its annual
7 budget, the Authority shall provide a clearly delineated
8 budget for the Office of the Toll Highway Inspector General.
9 The budget of the Office of the Toll Highway Inspector General
10 shall be adequate to support an independent and effective
11 office. Except with the consent of the Toll Highway Inspector
12 General, the Authority shall not reduce the budget of the
13 Office of the Toll Highway Inspector General by more than 10%
14 ~~10 percent~~ (i) within any fiscal year or (ii) over the 5-year
15 ~~five-year~~ term of each Toll Highway Inspector General. To the
16 extent allowed by law and the Authority's policies, the Toll
17 Highway Inspector General shall have sole responsibility for
18 organizing the Office of the Toll Highway Inspector General
19 within the budget established by the Toll Highway Board,
20 including the recruitment, supervision, and discipline of the
21 employees of that Office ~~office~~. The Toll Highway Inspector
22 General shall report directly to the Board of Directors of the
23 Authority with respect to the prompt and efficient operation
24 of the Office of the Toll ~~Tollway~~ Highway Inspector General.

25 (i)(1) No Toll Highway Inspector General or employee of
26 the Office of the Toll Highway Inspector General may, during

1 his or her term of appointment or employment:

2 (A) become a candidate for any elective office;

3 (B) hold any other elected or appointed public office
4 except for appointments on governmental advisory boards or
5 study commissions or as otherwise expressly authorized by
6 law;

7 (C) be actively involved in the affairs of any
8 political party or political organization; or

9 (D) advocate for the appointment of another person to
10 an appointed public office or elected office or position
11 or actively participate in any campaign for any elective
12 office. As used in this paragraph (1), "appointed public
13 office" means a position authorized by law that is filled
14 by an appointing authority as provided by law and does not
15 include employment by hiring in the ordinary course of
16 business.

17 (2) No Toll Highway Inspector General or employee of the
18 Office of the Toll Highway Inspector General may, for one year
19 after the termination of his or her appointment or employment:

20 (A) become a candidate for any elective office;

21 (B) hold any elected public office; or

22 (C) hold any appointed State, county, or local
23 judicial office.

24 (3) The requirements of subparagraph (C) of paragraph (2)
25 of this subsection may be waived by the Executive Ethics
26 Commission.

1 (j) All Board members, officers, and employees of the
2 Authority have a duty to cooperate with the Toll Highway
3 Inspector General and employees of the Office of the Toll
4 Highway Inspector General in any investigation undertaken
5 pursuant to this Section. Failure to cooperate includes, but
6 is not limited to, intentional omissions and knowing false
7 statements. Failure to cooperate with an investigation
8 pursuant to this Section is grounds for disciplinary action,
9 including termination of employment. Nothing in this Section
10 limits or alters a person's existing rights or protections
11 under State or federal law.

12 (k)(1) The identity of any individual providing
13 information or reporting any possible or alleged misconduct to
14 the Toll Highway Inspector General shall be kept confidential
15 and may not be disclosed without the consent of that
16 individual, unless the individual consents to disclosure of
17 his or her name or disclosure of the individual's identity is
18 otherwise required by law. The confidentiality granted by this
19 subsection does not preclude the disclosure of the identity of
20 a person in any capacity other than as the source of an
21 allegation.

22 (2) Subject to the provisions of subsection (e) of this
23 Section, the Toll Highway Inspector General, and employees and
24 agents of the Office of the Toll Highway Inspector General,
25 shall keep confidential and shall not disclose information
26 exempted from disclosure under the Freedom of Information Act

1 or by this Act.

2 (1) If the Toll Highway Inspector General determines that
3 any alleged misconduct involves any person not subject to the
4 jurisdiction of the Toll Highway Inspector General, the Toll
5 Highway Inspector General shall refer the reported allegations
6 to the appropriate Inspector General, appropriate ethics
7 commission, or other appropriate body. If the Toll Highway
8 Inspector General determines that any alleged misconduct may
9 give rise to criminal penalties, the Toll Highway Inspector
10 General may refer the allegations regarding that misconduct to
11 the appropriate law enforcement authority. If a Toll Highway
12 Inspector General determines that any alleged misconduct
13 resulted in the loss of public funds in an amount of \$5,000 or
14 greater, the Toll Highway Inspector General shall refer the
15 allegations regarding that misconduct to the Attorney General
16 and any other appropriate law enforcement authority.

17 (m) The Toll Highway Inspector General shall provide to
18 the Governor, the Board of the Authority, and the General
19 Assembly a summary of reports and investigations made under
20 this Section no later than March 31 and September 30 of each
21 year. The summaries shall detail the final disposition of the
22 Inspector General's recommendations. The summaries shall not
23 contain any confidential or identifying information concerning
24 the subjects of the reports and investigations. The summaries
25 shall also include detailed, recommended administrative
26 actions and matters for consideration by the Governor, the

1 Board of the Authority, and the General Assembly.

2 (n) Any employee of the Authority subject to investigation
3 or inquiry by the Toll Highway Inspector General or any agent
4 or representative of the Toll Highway Inspector General
5 concerning misconduct that is criminal in nature shall have
6 the right to be notified of the right to remain silent during
7 the investigation or inquiry and the right to be represented
8 in the investigation or inquiry by an attorney or a
9 representative of a labor organization that is the exclusive
10 collective bargaining representative of employees of the
11 Authority. Any investigation or inquiry by the Toll Highway
12 Inspector General or any agent or representative of the Toll
13 Highway Inspector General must be conducted in accordance with
14 the rights of the employees as set forth in State and federal
15 law and applicable judicial decisions. Any recommendations for
16 discipline or any action taken against any employee by the
17 Toll Highway Inspector General or any representative or agent
18 of the Toll Highway Inspector General must comply with the
19 provisions of the collective bargaining agreement that applies
20 to the employee.

21 (o) Nothing in this Section shall diminish the rights,
22 privileges, or remedies of a State employee under any other
23 federal or State law, rule, or regulation or under any
24 collective bargaining agreement.

25 (Source: P.A. 96-1347, eff. 1-1-11; revised 7-3-25.)

1 Section 920. The Illinois Dig Once Act is amended by
2 changing Section 20 as follows:

3 (605 ILCS 145/20)

4 Sec. 20. Rulemaking. The Department of Transportation, the
5 Illinois State Toll Highway Authority, the Illinois Commerce
6 Commission, and the Department of Commerce and Economic
7 Opportunity shall adopt the rules that were developed under
8 Section 15 in accordance with the Illinois Administrative
9 Procedure Act to implement this Act. The rules adopted under
10 this Act shall not conflict with the Illinois Underground
11 Utility Facilities Damage Prevention Act.

12 (Source: P.A. 103-378, eff. 1-1-24; revised 6-26-25.)

13 Section 925. The Railroad Police Act is amended by
14 changing Section 3 as follows:

15 (610 ILCS 80/3) (from Ch. 114, par. 99)

16 Sec. 3. When any passenger shall be guilty of disorderly
17 conduct, or use any obscene language, to the annoyance and
18 vexation of passengers or employees, or play any games of
19 cards or other games of chance for money or other valuable
20 thing, upon any railroad train or boat, the conductor of the
21 train and captain or master of the boat is authorized to stop
22 the train or boat, at or near any place where an offense has
23 been committed or at an available public station or dock, and

1 remove the passenger from the train or boat using only the
2 force necessary to accomplish the removal, and may command the
3 assistance of the employees of the railroad company or boat,
4 or any of the other passengers willing and able to assist with
5 the removal; but, before removing the passenger, the conductor
6 or captain or master shall tender to the passenger the total
7 fare the passenger has paid, minus the portion of the total
8 fare attributable to the distance traveled ~~travelled~~ by the
9 passenger prior to being removed from the train or boat. No
10 operating rule, bulletin, directive, or other order of a
11 carrier shall contradict or limit the authority granted in
12 this Section.

13 (Source: P.A. 98-791, eff. 7-25-14; revised 6-25-25.)

14 Section 930. The Level of Lake Michigan Act is amended by
15 changing Section 1.1 as follows:

16 (615 ILCS 50/1.1) (from Ch. 19, par. 119.1)

17 Sec. 1.1. Definitions. In this Act:

18 "Department" is the Department of Natural Resources.

19 "Domestic purposes" includes all public water supply
20 pumpage and water supplied to commercial and industrial
21 establishments.

22 "Consumptive use" means that amount of water withdrawn or
23 withheld from the Lake Michigan watershed and assumed to be
24 lost or otherwise not returned to Lake Michigan or to any other

1 waterway due to evaporation, incorporation into products, or
2 other processes.

3 "New users" refers to any regional organization,
4 municipality, political subdivision ~~sub-division~~, agency,
5 instrumentality, organization, association, or individual that
6 did not have an allocation of Lake Michigan water from the
7 Department on July 1, 1980.

8 "Discretionary dilution for water quality purposes" is
9 Lake Michigan water directly diverted into the Sanitary and
10 Ship Canal for the purpose of water quality, and does not
11 include Lake Michigan water directly diverted for other
12 purposes such as lockage, leakage of lakefront controlling
13 structures, or navigational make-up water.

14 "Other Great Lakes States" includes the states of Indiana,
15 Michigan, Minnesota, Ohio, Pennsylvania, New York, and
16 Wisconsin.

17 "International Joint Commission" is the permanent unitary
18 body established under the Boundary Waters Treaty of 1909
19 between the United States and Canada to help prevent and
20 settle disputes regarding the use of boundary waters.

21 (Source: P.A. 89-445, eff. 2-7-96; revised 6-25-25.)

22 Section 935. The Illinois Aeronautics Act is amended by
23 changing Sections 38.01 and 44 as follows:

24 (620 ILCS 5/38.01) (from Ch. 15 1/2, par. 22.38a)

1 Sec. 38.01. Project applications.

2 (a) No municipality or political subdivision in this
3 State, whether acting alone or jointly with another
4 municipality or political subdivision or with the State, shall
5 submit any project application under the provisions of the
6 Airport and Airway Improvement Act of 1982, or any amendment
7 thereof, unless the project and the project application have
8 been first approved by the Department. Except as provided in
9 subsection ~~subsections~~ (b) or (c) ~~below~~, no such municipality
10 or political subdivision shall directly accept, receive, or
11 disburse any funds granted by the United States under the
12 Airport and Airway Improvement Act of 1982, but it shall
13 designate the Department as its agent to accept, receive, and
14 disburse such funds, provided further, however, nothing in
15 this Section shall be construed to prohibit the following:

16 (1) Any municipality or any political subdivision of
17 more than 500,000 inhabitants from disbursing such funds
18 through its corporate authorities.

19 (2) Any municipality or any political subdivision
20 owning a primary commercial service airport serving at
21 least 10,000 annual enplanements from accepting,
22 receiving, or disbursing funds directly from the federal
23 government.

24 It shall enter into an agreement with the Department
25 prescribing the terms and conditions of such agency in
26 accordance with federal laws, rules and regulations and

1 applicable laws of this State. This subsection (a) does not
2 apply to any project application submitted in connection with
3 the O'Hare Modernization Program as defined in Section 10 of
4 the O'Hare Modernization Act, with O'Hare International
5 Airport, or with Midway International Airport.

6 (b) The City of Chicago may submit a project application
7 under the provisions of the Airport and Airway Improvement Act
8 of 1982, as now or hereafter amended, or any other federal law
9 providing for airport planning or development, if the
10 application is submitted in connection with (i) the O'Hare
11 Modernization Program as defined in Section 10 of the O'Hare
12 Modernization Act, (ii) O'Hare International Airport, or (iii)
13 Midway International Airport; and the City may directly
14 accept, receive, and disburse any such funds.

15 (c) Any federal money awarded to airports in the State
16 under the Airport and Airway Improvement Act of 1982, or any
17 amendment thereof, that includes project applications approved
18 by the Department where the Department is designated as the
19 agent to accept, receive, and disburse such funds shall also
20 include a State match to the local share of the application for
21 all costs eligible under the Airport and Airway Improvement
22 Act of 1982, or any amendment thereof, subject to the
23 provisions of Section 34 and Section 41 of this Act and
24 available eligible appropriation.

25 (Source: P.A. 102-313, eff. 1-1-22; revised 6-25-25.)

1 (620 ILCS 5/44) (from Ch. 15 1/2, par. 22.44)

2 Sec. 44. Exceptions to registration requirements.† The
3 provisions of paragraph (1) of Section 42 and Section 43 shall
4 not apply to:

5 (1) An aircraft which has been licensed by a foreign
6 country with which the United States has a reciprocal
7 agreement covering the operations of such licensed
8 aircraft;

9 (2) An aircraft which is owned by a nonresident of the
10 State who is lawfully entitled to operate such aircraft in
11 the state of his residence;

12 (3) An aircraft engaged principally in commercial
13 flying constituting an act of interstate or foreign
14 commerce, and an aircraft while being transported to and
15 from, or while in the possession of, or while being
16 demonstrated to, a bona fide prospective purchaser by a
17 bona fide manufacturer, distributor, or dealer in
18 aircraft;

19 (4) An airman operating military or public aircraft,
20 or any aircraft licensed by a foreign country ~~county~~ with
21 which the United States has a reciprocal agreement
22 covering the operation of such licensed aircraft;

23 (5) Persons operating model aircraft nor to any person
24 piloting an aircraft which is equipped with fully
25 functioning dual controls when an instructor is in full
26 charge of one set of controls and such flight is solely for

1 instruction or for the demonstration of the aircraft to a
2 bona fide prospective purchaser;

3 (6) A non-resident operating aircraft in this State
4 who is lawfully entitled to operate aircraft in the state
5 of his residence;

6 (7) An airman while operating or taking part in the
7 operation of an aircraft engaged principally in commercial
8 flying constituting an act of interstate or foreign
9 commerce;

10 (8) An aircraft registered and regulated by the
11 Illinois Aeronautics Board.

12 (Source: P.A. 79-333; revised 7-1-25.)

13 Section 940. The Illinois Vehicle Code is amended by
14 changing Sections 1-191, 3-401, 3-699.14, 3-808.1, 3-821,
15 6-106.1, 6-109, 6-110, 6-206, 6-411, 6-521, 7-603.5, 11-907,
16 11-1414.1, 12-215, 12-218, 12-601, 12-803, 15-301, 18c-4902,
17 18c-6102, 18c-6201, and 18c-7402 and by setting forth,
18 renumbering, and changing multiple versions of Section
19 3-699.26 as follows:

20 (625 ILCS 5/1-191) (from Ch. 95 1/2, par. 1-191)

21 Sec. 1-191. Special mobile equipment. Every vehicle not
22 designed or used primarily for the transportation of persons
23 or property and only incidentally operated or moved over a
24 highway, including, but not limited to: street sweepers, ditch

1 digging apparatus, well boring apparatus and road construction
2 and maintenance machinery such as asphalt spreaders,
3 bituminous mixers, bucket loaders, tractors other than truck
4 tractors, ditchers, leveling ~~levelling~~ graders, finishing
5 machines, motor graders, road rollers, scarifiers, earth
6 moving carryalls and scrapers, power shovels and drag lines,
7 and self-propelled cranes and earth moving equipment. The term
8 does not include house trailers, dump trucks, truck mounted
9 transit mixers, cranes or shovels, or other vehicles designed
10 for the transportation of persons or property to which
11 machinery has been attached.

12 (Source: P.A. 85-951; revised 6-27-25.)

13 (625 ILCS 5/3-401) (from Ch. 95 1/2, par. 3-401)

14 Sec. 3-401. Effect of provisions.

15 (a) It shall be unlawful for any person to violate any
16 provision of this Chapter or to drive or move or for an owner
17 knowingly to permit to be driven or moved upon any highway any
18 vehicle of a type required to be registered hereunder which is
19 not registered or for which the appropriate fee has not been
20 paid when and as required hereunder, except that when
21 application accompanied by proper fee has been made for
22 registration of a vehicle it may be operated temporarily
23 pending complete registration upon displaying a duplicate
24 application duly verified or other evidence of such
25 application or otherwise under rules and regulations

1 promulgated by the Secretary of State.

2 (b) The appropriate fees required to be paid under the
3 various provisions of this Code ~~Act~~ for registration of
4 vehicles shall mean the fee or fees which would have been paid
5 initially, if proper and timely application had been made to
6 the Secretary of State for the appropriate registration
7 required, whether such registration is ~~be~~ a flat weight
8 registration, a single trip permit, a reciprocity permit, or a
9 supplemental application to an original prorate application
10 together with payment of fees due under the supplemental
11 application for prorate decals.

12 (c) Effective October 1, 1984, no vehicle required to pay
13 a Federal Highway Users Tax shall be registered unless proof
14 of payment, in a form prescribed and approved by the Secretary
15 of State, is submitted with the appropriate registration.
16 Notwithstanding any other provision of this Code, failure of
17 the applicant to comply with this paragraph shall be deemed
18 grounds for the Secretary to refuse registration.

19 (c-1) A vehicle may not be registered by the Secretary of
20 State unless that vehicle:

21 (1) was originally manufactured for operation on
22 highways;

23 (2) is a modification of a vehicle that was originally
24 manufactured for operation on highways; or

25 (3) was assembled from component parts designed for
26 use in vehicles to be operated on highways.

1 (d) Second division vehicles.

2 (1) A vehicle of the second division moved or operated
3 within this State shall have had paid for it the
4 appropriate registration fees and flat weight tax, as
5 evidenced by the Illinois registration issued for that
6 vehicle, for the gross weight of the vehicle and load
7 being operated or moved within this State. Second division
8 vehicles of foreign jurisdictions operated within this
9 State under a single trip permit, fleet reciprocity plan,
10 prorate registration plan, or apportional registration
11 plan, instead of second division vehicle registration
12 under Article VIII of this Chapter, must have had paid for
13 it the appropriate registration fees and flat weight tax
14 in the base jurisdiction of that vehicle, as evidenced by
15 the maximum gross weight shown on the foreign registration
16 cards, plus any appropriate fees required under this Code.

17 (2) If a vehicle and load are operated in this State
18 and the appropriate fees and taxes have not been paid or
19 the vehicle and load exceed the registered gross weight
20 for which the required fees and taxes have been paid by
21 2,001 ~~2001~~ pounds or more, the operator or owner shall be
22 fined as provided in Section 15-113 of this Code. However,
23 an owner or operator shall not be subject to arrest under
24 this subsection for any weight in excess of 80,000 pounds.
25 Further, no fine shall exceed the actual cost of what the
26 appropriate registration for that vehicle and load should

1 have been as established in subsection (a) of Section
2 3-815 of this Chapter regardless of the route traveled.
3 For purposes of this paragraph (2), "appropriate
4 registration" means the full annual cost of the required
5 registration and its associated fees.

6 (3) Any person operating a legal combination of
7 vehicles displaying valid registration shall not be
8 considered in violation of the registration provision of
9 this subsection unless the total gross weight of the
10 combination exceeds the total licensed weight of the
11 vehicles in the combination. The gross weight of a vehicle
12 exempt from the registration requirements of this Chapter
13 shall not be included when determining the total gross
14 weight of vehicles in combination. Any vehicle operating
15 under an emergency harvest permit, as described in
16 subsection (e-1) of Section 15-301 of this Code, shall not
17 be in violation of this paragraph (3).

18 (4) If the defendant claims that he or she had
19 previously paid the appropriate Illinois registration fees
20 and taxes for this vehicle before the alleged violation,
21 the defendant shall have the burden of proving the
22 existence of the payment by competent evidence. Proof of
23 proper Illinois registration issued by the Secretary of
24 State, or the appropriate registration authority from the
25 foreign state, shall be the only competent evidence of
26 payment.

1 (Source: P.A. 100-70, eff. 8-11-17; revised 6-27-25.)

2 (625 ILCS 5/3-699.14)

3 Sec. 3-699.14. Universal special license plates.

4 (a) In addition to any other special license plate, the
5 Secretary, upon receipt of all applicable fees and
6 applications made in the form prescribed by the Secretary, may
7 issue Universal special license plates to residents of
8 Illinois on behalf of organizations that have been authorized
9 by the General Assembly to issue decals for Universal special
10 license plates. Appropriate documentation, as determined by
11 the Secretary, shall accompany each application. Authorized
12 organizations shall be designated by amendment to this
13 Section. When applying for a Universal special license plate
14 the applicant shall inform the Secretary of the name of the
15 authorized organization from which the applicant will obtain a
16 decal to place on the plate. The Secretary shall make a record
17 of that organization and that organization shall remain
18 affiliated with that plate until the plate is surrendered,
19 revoked, or otherwise canceled. The authorized organization
20 may charge a fee to offset the cost of producing and
21 distributing the decal, but that fee shall be retained by the
22 authorized organization and shall be separate and distinct
23 from any registration fees charged by the Secretary. No decal,
24 sticker, or other material may be affixed to a Universal
25 special license plate other than a decal authorized by the

1 General Assembly in this Section or a registration renewal
2 sticker. The special plates issued under this Section shall be
3 affixed only to passenger vehicles of the first division,
4 including motorcycles and autocycles, or motor vehicles of the
5 second division weighing not more than 8,000 pounds. Plates
6 issued under this Section shall expire according to the
7 multi-year procedure under Section 3-414.1 of this Code.

8 (b) The design, color, and format of the Universal special
9 license plate shall be wholly within the discretion of the
10 Secretary. Universal special license plates are not required
11 to designate "Land of Lincoln", as prescribed in subsection
12 (b) of Section 3-412 of this Code. The design shall allow for
13 the application of a decal to the plate. Organizations
14 authorized by the General Assembly to issue decals for
15 Universal special license plates shall comply with rules
16 adopted by the Secretary governing the requirements for and
17 approval of Universal special license plate decals. The
18 Secretary may, in his or her discretion, allow Universal
19 special license plates to be issued as vanity or personalized
20 plates in accordance with Section 3-405.1 of this Code. The
21 Secretary of State must make a version of the special
22 registration plates authorized under this Section in a form
23 appropriate for motorcycles and autocycles.

24 (c) When authorizing a Universal special license plate,
25 the General Assembly shall set forth whether an additional fee
26 is to be charged for the plate and, if a fee is to be charged,

1 the amount of the fee and how the fee is to be distributed.
2 When necessary, the authorizing language shall create a
3 special fund in the State treasury into which fees may be
4 deposited for an authorized Universal special license plate.
5 Additional fees may only be charged if the fee is to be paid
6 over to a State agency or to a charitable entity that is in
7 compliance with the registration and reporting requirements of
8 the Charitable Trust Act and the Solicitation for Charity Act.
9 Any charitable entity receiving fees for the sale of Universal
10 special license plates shall annually provide the Secretary of
11 State a letter of compliance issued by the Attorney General
12 verifying that the entity is in compliance with the Charitable
13 Trust Act and the Solicitation for Charity Act.

14 (d) Upon original issuance and for each registration
15 renewal period, in addition to the appropriate registration
16 fee, if applicable, the Secretary shall collect any additional
17 fees, if required, for issuance of Universal special license
18 plates. The fees shall be collected on behalf of the
19 organization designated by the applicant when applying for the
20 plate. All fees collected shall be transferred to the State
21 agency on whose behalf the fees were collected, or paid into
22 the special fund designated in the law authorizing the
23 organization to issue decals for Universal special license
24 plates. All money in the designated fund shall be distributed
25 by the Secretary subject to appropriation by the General
26 Assembly.

1 (e) The following organizations may issue decals for
2 Universal special license plates with the original and renewal
3 fees and fee distribution as follows:

4 (1) The Illinois Department of Natural Resources.

5 (A) Original issuance: \$25; with \$10 to the
6 Roadside Monarch Habitat Fund and \$15 to the Secretary
7 of State Special License Plate Fund.

8 (B) Renewal: \$25; with \$23 to the Roadside Monarch
9 Habitat Fund and \$2 to the Secretary of State Special
10 License Plate Fund.

11 (2) Illinois Veterans' Homes.

12 (A) Original issuance: \$26, which shall be
13 deposited into the Illinois Veterans' Homes Fund.

14 (B) Renewal: \$26, which shall be deposited into
15 the Illinois Veterans' Homes Fund.

16 (3) The Illinois Department of Human Services for
17 volunteerism decals.

18 (A) Original issuance: \$25, which shall be
19 deposited into the Secretary of State Special License
20 Plate Fund.

21 (B) Renewal: \$25, which shall be deposited into
22 the Secretary of State Special License Plate Fund.

23 (4) (Blank).

24 (5) (Blank).

25 (6) K9s for Veterans, NFP.

26 (A) Original issuance: \$25; with \$10 to the

1 Post-Traumatic Stress Disorder Awareness Fund and \$15
2 to the Secretary of State Special License Plate Fund.

3 (B) Renewal: \$25; with \$23 to the Post-Traumatic
4 Stress Disorder Awareness Fund and \$2 to the Secretary
5 of State Special License Plate Fund.

6 (7) The International Association of Machinists and
7 Aerospace Workers.

8 (A) Original issuance: \$35; with \$20 to the Guide
9 Dogs of America Fund and \$15 to the Secretary of State
10 Special License Plate Fund.

11 (B) Renewal: \$25; with \$23 going to the Guide Dogs
12 of America Fund and \$2 to the Secretary of State
13 Special License Plate Fund.

14 (8) Local Lodge 701 of the International Association
15 of Machinists and Aerospace Workers.

16 (A) Original issuance: \$35; with \$10 to the Guide
17 Dogs of America Fund, \$10 to the Mechanics Training
18 Fund, and \$15 to the Secretary of State Special
19 License Plate Fund.

20 (B) Renewal: \$30; with \$13 to the Guide Dogs of
21 America Fund, \$15 to the Mechanics Training Fund, and
22 \$2 to the Secretary of State Special License Plate
23 Fund.

24 (9) (Blank).

25 (10) (Blank).

26 (11) The Illinois Department of Human Services for

1 pediatric cancer awareness decals.

2 (A) Original issuance: \$25; with \$10 to the
3 Pediatric Cancer Awareness Fund and \$15 to the
4 Secretary of State Special License Plate Fund.

5 (B) Renewal: \$25; with \$23 to the Pediatric Cancer
6 Awareness Fund and \$2 to the Secretary of State
7 Special License Plate Fund.

8 (12) The Department of Veterans Affairs for Fold of
9 Honor decals.

10 (A) Original issuance: \$25; with \$10 to the Folds
11 of Honor Foundation Fund and \$15 to the Secretary of
12 State Special License Plate Fund.

13 (B) Renewal: \$25; with \$23 to the Folds of Honor
14 Foundation Fund and \$2 to the Secretary of State
15 Special License Plate Fund.

16 (13) The Illinois chapters of the Experimental
17 Aircraft Association for aviation enthusiast decals.

18 (A) Original issuance: \$25; with \$10 to the
19 Experimental Aircraft Association Fund and \$15 to the
20 Secretary of State Special License Plate Fund.

21 (B) Renewal: \$25; with \$23 to the Experimental
22 Aircraft Association Fund and \$2 to the Secretary of
23 State Special License Plate Fund.

24 (14) The Illinois Department of Human Services for
25 Child Abuse Council of the Quad Cities decals.

26 (A) Original issuance: \$25; with \$10 to the Child

1 Abuse Council of the Quad Cities Fund and \$15 to the
2 Secretary of State Special License Plate Fund.

3 (B) Renewal: \$25; with \$23 to the Child Abuse
4 Council of the Quad Cities Fund and \$2 to the Secretary
5 of State Special License Plate Fund.

6 (15) The Illinois Department of Public Health for
7 health care worker decals.

8 (A) Original issuance: \$25; with \$10 to the
9 Illinois Health Care Workers Benefit Fund, and \$15 to
10 the Secretary of State Special License Plate Fund.

11 (B) Renewal: \$25; with \$23 to the Illinois Health
12 Care Workers Benefit Fund and \$2 to the Secretary of
13 State Special License Plate Fund.

14 (16) The Department of Agriculture for Future Farmers
15 of America decals.

16 (A) Original issuance: \$25; with \$10 to the Future
17 Farmers of America Fund and \$15 to the Secretary of
18 State Special License Plate Fund.

19 (B) Renewal: \$25; with \$23 to the Future Farmers
20 of America Fund and \$2 to the Secretary of State
21 Special License Plate Fund.

22 (17) The Illinois Department of Public Health for
23 autism awareness decals that are designed with input from
24 autism advocacy organizations.

25 (A) Original issuance: \$25; with \$10 to the Autism
26 Awareness Fund and \$15 to the Secretary of State

1 Special License Plate Fund.

2 (B) Renewal: \$25; with \$23 to the Autism Awareness
3 Fund and \$2 to the Secretary of State Special License
4 Plate Fund.

5 (18) The Department of Natural Resources for Lyme
6 disease research decals.

7 (A) Original issuance: \$25; with \$10 to the Tick
8 Research, Education, and Evaluation Fund and \$15 to
9 the Secretary of State Special License Plate Fund.

10 (B) Renewal: \$25; with \$23 to the Tick Research,
11 Education, and Evaluation Fund and \$2 to the Secretary
12 of State Special License Plate Fund.

13 (19) The IBEW Thank a Line Worker decal.

14 (A) Original issuance: \$15, which shall be
15 deposited into the Secretary of State Special License
16 Plate Fund.

17 (B) Renewal: \$2, which shall be deposited into the
18 Secretary of State Special License Plate Fund.

19 (20) An Illinois chapter of the Navy Club for Navy
20 Club decals.

21 (A) Original issuance: \$5; which shall be
22 deposited into the Navy Club Fund.

23 (B) Renewal: \$18; which shall be deposited into
24 the Navy Club Fund.

25 (21) An Illinois chapter of the International
26 Brotherhood of Electrical Workers for International

1 Brotherhood of Electrical Workers decal.

2 (A) Original issuance: \$25; with \$10 to the
3 International Brotherhood of Electrical Workers Fund
4 and \$15 to the Secretary of State Special License
5 Plate Fund.

6 (B) Renewal: \$25; with \$23 to the International
7 Brotherhood of Electrical Workers Fund and \$2 to the
8 Secretary of State Special License Plate Fund.

9 (22) The 100 Club of Illinois decal.

10 (A) Original issuance: \$45; with \$30 to the 100
11 Club of Illinois Fund and \$15 to the Secretary of State
12 Special License Plate Fund.

13 (B) Renewal: \$27; with \$25 to the 100 Club of
14 Illinois Fund and \$2 to the Secretary of State Special
15 License Plate Fund.

16 (23) The Illinois USTA/Midwest Youth Tennis Foundation
17 decal.

18 (A) Original issuance: \$40; with \$25 to the
19 Illinois USTA/Midwest Youth Tennis Foundation Fund and
20 \$15 to the Secretary of State Special License Plate
21 Fund.

22 (B) Renewal: \$40; with \$38 to the Illinois
23 USTA/Midwest Youth Tennis Foundation Fund and \$2 to
24 the Secretary of State Special License Plate Fund.

25 (24) The Sons of the American Legion decal.

26 (A) Original issuance: \$25; with \$10 to the Sons

1 of the American Legion Fund and \$15 to the Secretary of
2 State Special License Plate Fund.

3 (B) Renewal: \$25; with \$23 to the Sons of the
4 American Legion Fund and \$2 to the Secretary of State
5 Special License Plate Fund.

6 (f) The following funds are created as special funds in
7 the State treasury:

8 (1) The Roadside Monarch Habitat Fund. All money in
9 the Roadside Monarch Habitat Fund shall be paid as grants
10 by the Illinois Department of Natural Resources to fund
11 roadside monarch and other pollinator habitat development,
12 enhancement, and restoration projects in this State.

13 (2) (Blank).

14 (3) (Blank).

15 (4) The Post-Traumatic Stress Disorder Awareness Fund.
16 All money in the Post-Traumatic Stress Disorder Awareness
17 Fund shall be paid as grants to K9s for Veterans, NFP for
18 support, education, and awareness of veterans with
19 post-traumatic stress disorder.

20 (5) The Guide Dogs of America Fund. All money in the
21 Guide Dogs of America Fund shall be paid as grants to the
22 International Guiding Eyes, Inc., doing business as Guide
23 Dogs of America.

24 (6) The Mechanics Training Fund. All money in the
25 Mechanics Training Fund shall be paid as grants to the
26 Mechanics Local 701 Training Fund.

1 (7) (Blank).

2 (8) (Blank).

3 (9) The Pediatric Cancer Awareness Fund. All money in
4 the Pediatric Cancer Awareness Fund shall be paid as
5 grants to the Cancer Center at Illinois for pediatric
6 cancer treatment and research.

7 (10) The Folds of Honor Foundation Fund. All money in
8 the Folds of Honor Foundation Fund shall be paid as grants
9 to the Folds of Honor Foundation to aid in providing
10 educational scholarships to military families.

11 (11) The Experimental Aircraft Association Fund. All
12 money in the Experimental Aircraft Association Fund shall
13 be paid, subject to appropriation by the General Assembly
14 and distribution by the Secretary, as grants to promote
15 recreational aviation.

16 (12) The Child Abuse Council of the Quad Cities Fund.
17 All money in the Child Abuse Council of the Quad Cities
18 Fund shall be paid as grants to benefit the Child Abuse
19 Council of the Quad Cities.

20 (13) The Illinois Health Care Workers Benefit Fund.
21 All money in the Illinois Health Care Workers Benefit Fund
22 shall be paid as grants to the Trinity Health Foundation
23 for the benefit of health care workers, doctors, nurses,
24 and others who work in the health care industry in this
25 State.

26 (14) The Future Farmers of America Fund. All money in

1 the Future Farmers of America Fund shall be paid as grants
2 to the Illinois Association of Future Farmers of America.

3 (15) The Tick Research, Education, and Evaluation
4 Fund. All money in the Tick Research, Education, and
5 Evaluation Fund shall be paid as grants to the Illinois
6 Lyme Association.

7 (16) The Navy Club Fund. All money in the Navy Club
8 Fund shall be paid as grants to any local chapter of the
9 Navy Club that is located in this State.

10 (17) The International Brotherhood of Electrical
11 Workers Fund. All money in the International Brotherhood
12 of Electrical Workers Fund shall be paid as grants to any
13 local chapter of the International Brotherhood of
14 Electrical Workers that is located in this State.

15 (18) The 100 Club of Illinois Fund. All money in the
16 100 Club of Illinois Fund shall be paid as grants to the
17 100 Club of Illinois for the purpose of giving financial
18 support to children and spouses of first responders killed
19 in the line of duty and mental health resources for active
20 duty first responders.

21 (19) The Illinois USTA/Midwest Youth Tennis Foundation
22 Fund. All money in the Illinois USTA/Midwest Youth Tennis
23 Foundation Fund shall be paid as grants to Illinois
24 USTA/Midwest Youth Tennis Foundation to aid USTA/Midwest
25 districts in the State with exposing youth to the game of
26 tennis.

1 (20) The Sons of the American Legion Fund. All money
2 in the Sons of the American Legion Fund shall be paid as
3 grants to the Illinois Detachment of the Sons of the
4 American Legion.

5 (g) The following funds are dissolved on July 1, 2025:

6 (1) The Prostate Cancer Awareness Fund.

7 (2) The Horsemen's Council of Illinois Fund.

8 (3) The Theresa Tracy Trot-Illinois CancerCare
9 Foundation Fund.

10 (4) The Developmental Disabilities Awareness Fund.

11 (Source: P.A. 103-112, eff. 1-1-24; 103-163, eff. 1-1-24;
12 103-349, eff. 1-1-24; 103-605, eff. 7-1-24; 103-664, eff.
13 1-1-25; 103-665, eff. 1-1-25; 103-855, eff. 1-1-25; 103-911,
14 eff. 1-1-25; 103-933, eff. 1-1-25; 104-2, eff. 6-16-25;
15 104-234, eff. 8-15-25; 104-417, eff. 8-15-25; 104-435, eff.
16 11-21-25; revised 12-9-25.)

17 (625 ILCS 5/3-699.26)

18 Sec. 3-699.26. EMS chief license plates.

19 (a) Beginning with the 2027 registration year, the
20 Secretary, upon receipt of a request from a municipality that
21 operates a fire department or a fire protection district,
22 accompanied by an application and the appropriate fee, may
23 issue, to an emergency medical services (EMS) chief of the
24 municipality or fire protection district, special registration
25 plates designated as EMS chief license plates. The special

1 plates issued under this Section shall be affixed only to
2 passenger vehicles of the first division or motor vehicles of
3 the second division weighing not more than 8,000 pounds that
4 are owned by an EMS chief, a municipality, or a fire protection
5 district. Plates issued under this Section shall expire
6 according to the multiyear procedure established by Section
7 3-414.1.

8 (b) The design and color of the special plates shall be
9 wholly within the discretion of the Secretary. The plates are
10 not required to designate "Land of Lincoln" as prescribed in
11 subsection (b) of Section 3-412. The Secretary may prescribe
12 rules governing the requirements and approval of the special
13 plates. The fee for this plate for a vehicle owned by an EMS
14 chief shall be the same as the fee prescribed for first
15 division vehicles under Section 3-806. Permanent license
16 plates for EMS vehicles owned by a municipality or fire
17 protection district shall be issued at the fee prescribed in
18 subsection (b) of Section 3-808.1.

19 (c) With the exception of permanently issued plates, upon
20 the resignation, termination, or reassignment to a rank or
21 position other than EMS chief, a person issued plates under
22 this Section shall immediately surrender the license plate to
23 the Secretary of State. The Secretary of State shall have the
24 ability to recover license plates issued under this Section.

25 (d) Plates issued to a vehicle owned by an EMS chief under
26 this Section shall be exempt from the requirements of

1 subsection (a) of Section 3-600.

2 (Source: P.A. 104-213, eff. 1-1-26.)

3 (625 ILCS 5/3-699.27)

4 Sec. 3-699.27 ~~3-699.26~~. Air Medal license plates.

5 (a) Beginning with the 2027 registration year, the
6 Secretary of State, upon receipt of all applicable fees and
7 applications made in the form prescribed by the Secretary, may
8 issue special registration plates designated as Air Medal
9 plates to residents of the State who have been awarded the Air
10 Medal by the United States Armed Forces. The special plates
11 issued under this Section shall be affixed only to passenger
12 vehicles of the first division, motorcycles, autocycles, and
13 motor vehicles of the second division weighing not more than
14 8,000 pounds. Plates under this Section shall expire according
15 to the multi-year procedure established by Section 3-414.1 of
16 this Code.

17 (b) The plates shall display the Air Medal. In all other
18 respects, the design and color of the special plates shall be
19 wholly within the discretion of the Secretary. Appropriate
20 documentation, as determined by the Secretary, shall accompany
21 each application. The Secretary may, in his or her discretion,
22 allow the plates to be issued as vanity plates or personalized
23 in accordance with Section 3-405.1 of this Code. The plates
24 are not required to designate "Land of Lincoln", as prescribed
25 in subsection (b) of Section 3-412 of this Code. The Secretary

1 shall prescribe the eligibility requirements and, in his or
2 her discretion, shall approve and prescribe stickers or decals
3 as provided under Section 3-412.

4 (Source: P.A. 104-214, eff. 1-1-26; revised 10-15-25.)

5 (625 ILCS 5/3-699.28)

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

8 Sec. 3-699.28 ~~3-699.26~~. Armed Forces Expeditionary Medal
9 license plates.

10 (a) In addition to any other special license plate, the
11 Secretary of State, upon receipt of all applicable fees and
12 applications made in the form prescribed by the Secretary, may
13 issue special registration plates registered as Armed Forces
14 Expeditionary Medal license plates to residents of Illinois
15 who have been awarded the Armed Forces Expeditionary Medal for
16 service in the United States Armed Forces after July 1, 1958
17 and participated in U.S. military operations, U.S. operations
18 in direct support of the United Nations, or U.S. operations of
19 assistance for friendly foreign nations. The special plates
20 issued pursuant to this Section shall be affixed only to
21 passenger vehicles of the first division, motorcycles, and
22 motor vehicles of the second division weighing not more than
23 8,000 pounds. Plates issued under this Section shall expire
24 according to the staggered multi-year procedure established by
25 Section 3-414.1 of this Code.

1 (b) The design, color, and format of the plates shall be
2 wholly within the discretion of the Secretary. The Secretary
3 may allow the plates to be issued as vanity plates or
4 personalized plates in accordance with Section 3-405.1 of this
5 Code. The plates are not required to designate "Land of
6 Lincoln", as prescribed in subsection (b) of Section 3-412 of
7 this Code. The Secretary shall, in his or her discretion,
8 approve and prescribe stickers or decals as provided under
9 Section 3-412.

10 (Source: P.A. 104-216, eff. 7-1-26; revised 10-15-25.)

11 (625 ILCS 5/3-808.1)

12 Sec. 3-808.1. Permanent vehicle registration plate.

13 (a) Permanent vehicle registration plates shall be issued,
14 at no charge, to the following:

15 1. Vehicles, other than medical transport vehicles,
16 owned and operated by the State of Illinois or by any State
17 agency financed by funds appropriated by the General
18 Assembly;

19 2. Special disability plates issued to vehicles owned
20 and operated by the State of Illinois or by any State
21 agency financed by funds appropriated by the General
22 Assembly.

23 (b) Permanent vehicle registration plates shall be issued,
24 for a one-time fee of \$8.00, to the following:

25 1. Vehicles, other than medical transport vehicles,

1 operated by or for any county, township or municipal
2 corporation.

3 2. Vehicles owned by counties, townships or municipal
4 corporations for persons with disabilities.

5 3. Beginning with the 1991 registration year,
6 county-owned vehicles operated by or for any county
7 sheriff and designated deputy sheriffs. These registration
8 plates shall contain the specific county code and unit
9 number.

10 4. All-terrain vehicles owned by counties, townships,
11 or municipal corporations and used for law enforcement
12 purposes or used as fire department vehicles when the
13 Manufacturer's Statement of Origin is accompanied with a
14 letter from the original manufacturer or a manufacturer's
15 franchised dealer stating that this all-terrain vehicle
16 has been converted to a street worthy vehicle that meets
17 the equipment requirements set forth in Chapter 12 of this
18 Code.

19 5. Beginning with the 2001 registration year,
20 municipally owned vehicles operated by or for any police
21 department. These registration plates shall contain the
22 designation "municipal police" and shall be numbered and
23 distributed as prescribed by the Secretary of State.

24 6. Beginning with the 2014 registration year,
25 municipally owned, fire district owned, or Mutual Aid Box
26 Alarm System (MABAS) owned vehicles operated by or for any

1 fire department, fire protection district, or MABAS. These
2 registration plates shall display the designation "Fire
3 Department" and shall display the specific fire
4 department, fire district, fire unit, or MABAS division
5 number or letter.

6 7. Beginning with the 2017 registration year, vehicles
7 that do not require a school bus driver permit under
8 Section 6-104 to operate and are not registered under
9 Section 3-617 of this Code, and are owned by a public
10 school district from grades K-12 or a public community
11 college.

12 8. Beginning with the 2017 registration year, vehicles
13 of the first division or vehicles of the second division
14 weighing not more than 8,000 pounds that are owned by a
15 medical facility or hospital of a municipality, county, or
16 township.

17 9. Beginning with the 2020 registration year, 2-axle
18 motor vehicles that (i) are designed and used as buses in a
19 public system for transporting more than 10 passengers;
20 (ii) are used as common carriers in the general
21 transportation of passengers and not devoted to any
22 specialized purpose; (iii) operate entirely within the
23 territorial limits of a single municipality or a single
24 municipality and contiguous municipalities; and (iv) are
25 subject to the regulation of the Illinois Commerce
26 Commission. The owner of a vehicle under this paragraph is

1 exempt from paying a flat weight tax or a mileage weight
2 tax under this Code.

3 10. Beginning with the 2027 registration year,
4 vehicles owned by a municipality or fire protection
5 district operated by or for the emergency medical services
6 (EMS) chief that are eligible for issuance of EMS chief
7 license plates under Section 3-699.26.

8 (b-5) Beginning with the 2016 registration year, permanent
9 vehicle registration plates shall be issued for a one-time fee
10 of \$8.00 to a county, township, or municipal corporation that
11 owns or operates vehicles used for the purpose of community
12 workplace commuting as defined by the Secretary of State by
13 administrative rule. The design and color of the plates shall
14 be wholly within the discretion of the Secretary. The
15 Secretary of State may adopt rules to implement this
16 subsection (b-5).

17 (c) Beginning with the 2012 registration year,
18 county-owned vehicles operated by or for any county sheriff
19 and designated deputy sheriffs that have been issued
20 registration plates under subsection (b) of this Section shall
21 be exempt from any fee for the transfer of registration from
22 one vehicle to another vehicle. Each county sheriff shall
23 report to the Secretary of State any transfer of registration
24 plates from one vehicle to another vehicle operated by or for
25 any county sheriff and designated deputy sheriffs. The
26 Secretary of State shall adopt rules to implement this

1 subsection (c).

2 (c-5) Beginning with the 2014 registration year,
3 municipally owned, fire district owned, or Mutual Aid Box
4 Alarm System (MABAS) owned vehicles operated by or for any
5 fire department, fire protection district, or MABAS that have
6 been issued registration plates under subsection (b) of this
7 Section shall be exempt from any fee for the transfer of
8 registration from one vehicle to another vehicle. Each fire
9 department, fire protection district, or MABAS shall report to
10 the Secretary of State any transfer of registration plates
11 from one vehicle to another vehicle operated by or for any fire
12 department, fire protection district, or MABAS. The Secretary
13 of State shall adopt rules to implement this subsection.

14 (d) Beginning with the 2013 registration year, municipally
15 owned vehicles operated by or for any police department that
16 have been issued registration plates under subsection (b) of
17 this Section shall be exempt from any fee for the transfer of
18 registration from one vehicle to another vehicle. Each
19 municipal police department shall report to the Secretary of
20 State any transfer of registration plates from one vehicle to
21 another vehicle operated by or for any municipal police
22 department. The Secretary of State shall adopt rules to
23 implement this subsection (d).

24 (e) Beginning with the 2016 registration year, any vehicle
25 owned or operated by a county, township, or municipal
26 corporation that has been issued registration plates under

1 this Section is exempt from any fee for the transfer of
2 registration from one vehicle to another vehicle. Each county,
3 township, or municipal corporation shall report to the
4 Secretary of State any transfer of registration plates from
5 one vehicle to another vehicle operated by or for any county,
6 township, or municipal corporation.

7 (f) Beginning with the 2020 registration year, any vehicle
8 owned or operated by a public school district from grades
9 K-12, a public community college, or a medical facility or
10 hospital of a municipality, county, or township that has been
11 issued registration plates under this Section is exempt from
12 any fee for the transfer of registration from one vehicle to
13 another vehicle. Each school district, public community
14 college, or medical facility or hospital shall report to the
15 Secretary any transfer of registration plates from one vehicle
16 to another vehicle operated by the school district, public
17 community college, or medical facility.

18 (g) Beginning with the 2025 registration year, vehicles
19 owned or operated by or for a private or public university
20 police department or a private or public college police
21 department, except for motor driven cycles and all-terrain
22 vehicles, may be registered under subsection (b) of this
23 Section. These registration plates shall contain the
24 designation "university police" or "college police" and shall
25 be numbered and distributed as prescribed by the Secretary of
26 State.

(Source: P.A. 103-135, eff. 1-1-24; 104-213, eff. 1-1-26;
104-304, eff. 8-15-25; revised 11-21-25.)

(625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

Sec. 3-821. Miscellaneous registration and title fees.

(a) Except as provided under subsection (h), the fee to be paid to the Secretary of State for the following certificates, registrations or evidences of proper registration, or for corrected or duplicate documents shall be in accordance with the following schedule:

Certificate of Title, except for an all-terrain vehicle, off-highway motorcycle, or motor home, mini motor home, or van camper	\$165
Certificate of Title for a motor home, mini motor home, or van camper	\$250
Certificate of Title for an all-terrain vehicle or off-highway motorcycle	\$30
Certificate of Title for an all-terrain vehicle or off-highway motorcycle used for production agriculture, or accepted by a dealer in trade	\$13
Certificate of Title for a low-speed vehicle	\$30
Transfer of Registration or any evidence of proper registration	\$25
Duplicate Registration Card for plates or other evidence of proper registration	\$3
Duplicate Registration Sticker or Stickers, each	\$20

1	Duplicate Certificate of Title	\$50
2	Corrected Registration Card or Card for other	
3	evidence of proper registration	\$3
4	Corrected Certificate of Title	\$50
5	Salvage Certificate	\$20
6	Fleet Reciprocity Permit	\$15
7	Prorate Decal	\$1
8	Prorate Backing Plate	\$3
9	Special Corrected Certificate of Title	\$15
10	Expedited Title Service (to be charged in	
11	addition to other applicable fees)	\$30
12	Dealer Lien Release Certificate of Title	\$20

13 A special corrected certificate of title shall be issued
14 (i) to remove a co-owner's name due to the death of the
15 co-owner, to transfer title to a spouse if the decedent-spouse
16 was the sole owner on the title, or due to a divorce; (ii) to
17 change a co-owner's name due to a marriage; or (iii) due to a
18 name change under Article XXI of the Code of Civil Procedure.

19 There shall be no fee paid for a Junking Certificate.

20 There shall be no fee paid for a certificate of title
21 issued to a county when the vehicle is forfeited to the county
22 under Article 36 of the Criminal Code of 2012.

23 For purposes of this Section, the fee for a corrected
24 title application that also results in the issuance of a
25 duplicate title shall be the same as the fee for a duplicate
26 title.

1 (a-5) The Secretary of State may revoke a certificate of
2 title and registration card and issue a corrected certificate
3 of title and registration card, at no fee to the vehicle owner
4 or lienholder, if there is proof that the vehicle
5 identification number is erroneously shown on the original
6 certificate of title.

7 (a-10) The Secretary of State may issue, in connection
8 with the sale of a motor vehicle, a corrected title to a motor
9 vehicle dealer upon application and submittal of a lien
10 release letter from the lienholder listed in the files of the
11 Secretary. In the case of a title issued by another state, the
12 dealer must submit proof from the state that issued the last
13 title. The corrected title, which shall be known as a dealer
14 lien release certificate of title, shall be issued in the name
15 of the vehicle owner without the named lienholder. If the
16 motor vehicle is currently titled in a state other than
17 Illinois, the applicant must submit either (i) a letter from
18 the current lienholder releasing the lien and stating that the
19 lienholder has possession of the title; or (ii) a letter from
20 the current lienholder releasing the lien and a copy of the
21 records of the department of motor vehicles for the state in
22 which the vehicle is titled, showing that the vehicle is
23 titled in the name of the applicant and that no liens are
24 recorded other than the lien for which a release has been
25 submitted. The fee for the dealer lien release certificate of
26 title is \$20.

1 (b) The Secretary may prescribe the maximum service charge
2 to be imposed upon an applicant for renewal of a registration
3 by any person authorized by law to receive and remit or
4 transmit to the Secretary such renewal application and fees
5 therewith.

6 (c) If payment is delivered to the Office of the Secretary
7 of State as payment of any fee or tax under this Code, and such
8 payment is not honored for any reason, the registrant or other
9 person tendering the payment remains liable for the payment of
10 such fee or tax. The Secretary of State may assess a service
11 charge of \$25 in addition to the fee or tax due and owing for
12 all dishonored payments.

13 If the total amount then due and owing exceeds the sum of
14 \$100 and has not been paid in full within 60 days from the date
15 the dishonored payment was first delivered to the Secretary of
16 State, the Secretary of State shall assess a penalty of 25% of
17 such amount remaining unpaid.

18 All amounts payable under this Section shall be computed
19 to the nearest dollar. Out of each fee collected for
20 dishonored payments, \$5 shall be deposited in the Secretary of
21 State Special Services Fund.

22 (d) The minimum fee and tax to be paid by any applicant for
23 apportionment of a fleet of vehicles under this Code shall be
24 \$15 if the application was filed on or before the date
25 specified by the Secretary together with fees and taxes due.
26 If an application and the fees or taxes due are filed after the

1 date specified by the Secretary, the Secretary may prescribe
2 the payment of interest at the rate of 1/2 of 1% per month or
3 fraction thereof after such due date and a minimum of \$8.

4 (e) Trucks, truck tractors, truck tractors with loads, and
5 motor buses, any one of which having a combined total weight in
6 excess of 12,000 pounds ~~lbs.~~ shall file an application for a
7 Fleet Reciprocity Permit issued by the Secretary of State.
8 This permit shall be in the possession of any driver operating
9 a vehicle on Illinois highways. Any foreign licensed vehicle
10 of the second division operating at any time in Illinois
11 without a Fleet Reciprocity Permit or other proper Illinois
12 registration, shall subject the operator to the penalties
13 provided in Section 3-834 of this Code. For the purposes of
14 this Code, "Fleet Reciprocity Permit" means any second
15 division motor vehicle with a foreign license and used only in
16 interstate transportation of goods. The fee for such permit
17 shall be \$15 per fleet which shall include all vehicles of the
18 fleet being registered.

19 (f) For purposes of this Section, "all-terrain vehicle or
20 off-highway motorcycle used for production agriculture" means
21 any all-terrain vehicle or off-highway motorcycle used in the
22 raising of or the propagation of livestock, crops for sale for
23 human consumption, crops for livestock consumption, and
24 production seed stock grown for the propagation of feed grains
25 and the husbandry of animals or for the purpose of providing a
26 food product, including the husbandry of blood stock as a main

1 source of providing a food product. "All-terrain vehicle or
2 off-highway motorcycle used in production agriculture" also
3 means any all-terrain vehicle or off-highway motorcycle used
4 in animal husbandry, floriculture, aquaculture, horticulture,
5 and viticulture.

6 (g) All of the proceeds of the additional fees imposed by
7 Public Act 96-34 shall be deposited into the Capital Projects
8 Fund.

9 (h) The fee for a duplicate registration sticker or
10 stickers shall be the amount required under subsection (a) or
11 the vehicle's annual registration fee amount, whichever is
12 less.

13 (i) All of the proceeds of (1) the additional fees imposed
14 by Public Act 101-32, and (2) the \$5 additional fee imposed by
15 Public Act 102-353 ~~this amendatory Act of the 102nd General~~
16 ~~Assembly~~ for a certificate of title for a motor vehicle other
17 than an all-terrain vehicle, off-highway motorcycle, or motor
18 home, mini motor home, or van camper shall be deposited into
19 the Road Fund.

20 (j) Beginning July 1, 2023, the \$10 additional fee imposed
21 by Public Act 103-8 ~~this amendatory Act of the 103rd General~~
22 ~~Assembly~~ for a Certificate of Title shall be deposited into
23 the Secretary of State Special Services Fund.

24 (Source: P.A. 102-353, eff. 1-1-22; 103-8, eff. 7-1-23;
25 revised 6-27-25.)

1 (625 ILCS 5/6-106.1)

2 (Text of Section before amendment by P.A. 104-256)

3 Sec. 6-106.1. School bus driver permit.

4 (a) The Secretary of State shall issue a school bus driver
5 permit for the operation of first or second division vehicles
6 being operated as school buses or a permit valid only for the
7 operation of first division vehicles being operated as school
8 buses to those applicants who have met all the requirements of
9 the application and screening process under this Section to
10 insure the welfare and safety of children who are transported
11 on school buses throughout the State of Illinois. Applicants
12 shall obtain the proper application required by the Secretary
13 of State from their prospective or current employer and submit
14 the completed application to the prospective or current
15 employer along with the necessary fingerprint submission as
16 required by the Illinois State Police to conduct
17 fingerprint-based criminal background checks on current and
18 future information available in the State system and current
19 information available through the Federal Bureau of
20 Investigation's system. Applicants who have completed the
21 fingerprinting requirements shall not be subjected to the
22 fingerprinting process when applying for subsequent permits or
23 submitting proof of successful completion of the annual
24 refresher course. Individuals who on July 1, 1995 (the
25 effective date of Public Act 88-612) possess a valid school
26 bus driver permit that has been previously issued by the

1 appropriate Regional School Superintendent are not subject to
2 the fingerprinting provisions of this Section as long as the
3 permit remains valid and does not lapse. The applicant shall
4 be required to pay all related application and fingerprinting
5 fees as established by rule, including, but not limited to,
6 the amounts established by the Illinois State Police and the
7 Federal Bureau of Investigation to process fingerprint-based
8 criminal background investigations. All fees paid for
9 fingerprint processing services under this Section shall be
10 deposited into the State Police Services Fund for the cost
11 incurred in processing the fingerprint-based criminal
12 background investigations. All other fees paid under this
13 Section shall be deposited into the Road Fund for the purpose
14 of defraying the costs of the Secretary of State in
15 administering this Section. All applicants must:

- 16 1. be 21 years of age or older;
- 17 2. possess a valid and properly classified driver's
18 license issued by the Secretary of State;
- 19 3. possess a valid driver's license, which has not
20 been revoked, suspended, or canceled for 3 years
21 immediately prior to the date of application, or have not
22 had his or her commercial motor vehicle driving privileges
23 disqualified within the 3 years immediately prior to the
24 date of application;
- 25 4. unless the applicant holds a valid commercial
26 driver's license or a commercial driver's license that

1 expired in the preceding 30 days issued by another state
2 with a school bus and passenger endorsement, successfully
3 pass a first division or second division written test,
4 administered by the Secretary of State, on school bus
5 operation, school bus safety, and special traffic laws
6 relating to school buses and submit to a review of the
7 applicant's driving habits by the Secretary of State at
8 the time the written test is given. For purposes of this
9 paragraph, "state" means a state of the United States and
10 the District of Columbia;

11 5. demonstrate ability to exercise reasonable care in
12 the operation of school buses in accordance with rules
13 promulgated by the Secretary of State;

14 6. demonstrate physical fitness to operate school
15 buses by submitting the results of a medical examination,
16 including tests for drug use for each applicant not
17 subject to such testing pursuant to federal law, conducted
18 by a licensed physician, a licensed advanced practice
19 registered nurse, or a licensed physician assistant within
20 90 days of the date of application according to standards
21 promulgated by the Secretary of State;

22 7. affirm under penalties of perjury that he or she
23 has not made a false statement or knowingly concealed a
24 material fact in any application for permit;

25 8. have completed an initial classroom course,
26 including first aid procedures, in school bus driver

1 safety as promulgated by the Secretary of State and, after
2 satisfactory completion of said initial course, an annual
3 refresher course; such courses and the agency or
4 organization conducting such courses shall be approved by
5 the Secretary of State; failure to complete the annual
6 refresher course shall result in cancellation of the
7 permit until such course is completed;

8 9. not have been under an order of court supervision
9 for or convicted of 2 or more serious traffic offenses, as
10 defined by rule, within one year prior to the date of
11 application that may endanger the life or safety of any of
12 the driver's passengers within the duration of the permit
13 period;

14 10. not have been under an order of court supervision
15 for or convicted of reckless driving, aggravated reckless
16 driving, driving while under the influence of alcohol,
17 other drug or drugs, intoxicating compound or compounds or
18 any combination thereof, or reckless homicide resulting
19 from the operation of a motor vehicle within 3 years of the
20 date of application;

21 11. not have been convicted of committing or
22 attempting to commit any one or more of the following
23 offenses: (i) those offenses defined in Sections 8-1,
24 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
25 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
26 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,

1 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
2 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
3 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
4 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
5 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
6 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
7 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
8 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
9 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,
10 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1,
11 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2,
12 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6,
13 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1,
14 33A-2, and 33D-1, in subsection (A), clauses (a) and (b),
15 of Section 24-3, and those offenses contained in Article
16 29D of the Criminal Code of 1961 or the Criminal Code of
17 2012; (ii) those offenses defined in the Cannabis Control
18 Act except those offenses defined in subsections (a) and
19 (b) of Section 4, and subsection (a) of Section 5 of the
20 Cannabis Control Act; (iii) those offenses defined in the
21 Illinois Controlled Substances Act; (iv) those offenses
22 defined in the Methamphetamine Control and Community
23 Protection Act; (v) any offense committed or attempted in
24 any other state or against the laws of the United States,
25 which if committed or attempted in this State would be
26 punishable as one or more of the foregoing offenses; (vi)

1 the offenses defined in Section 4.1 and 5.1 of the Wrongs
2 to Children Act or Section 11-9.1A of the Criminal Code of
3 1961 or the Criminal Code of 2012; (vii) those offenses
4 defined in Section 6-16 of the Liquor Control Act of 1934;
5 and (viii) those offenses defined in the Methamphetamine
6 Precursor Control Act;

7 12. not have been repeatedly involved as a driver in
8 motor vehicle collisions or been repeatedly convicted of
9 offenses against laws and ordinances regulating the
10 movement of traffic, to a degree which indicates lack of
11 ability to exercise ordinary and reasonable care in the
12 safe operation of a motor vehicle or disrespect for the
13 traffic laws and the safety of other persons upon the
14 highway;

15 13. not have, through the unlawful operation of a
16 motor vehicle, caused a crash resulting in the death of
17 any person;

18 14. not have, within the last 5 years, been adjudged
19 to be afflicted with or suffering from any mental
20 disability or disease;

21 15. consent, in writing, to the release of results of
22 reasonable suspicion drug and alcohol testing under
23 Section 6-106.1c of this Code by the employer of the
24 applicant to the Secretary of State; and

25 16. not have been convicted of committing or
26 attempting to commit within the last 20 years: (i) an

1 offense defined in subsection (c) of Section 4, subsection
2 (b) of Section 5, and subsection (a) of Section 8 of the
3 Cannabis Control Act; or (ii) any offenses in any other
4 state or against the laws of the United States that, if
5 committed or attempted in this State, would be punishable
6 as one or more of the foregoing offenses.

7 (a-5) If an applicant's driver's license has been
8 suspended within the 3 years immediately prior to the date of
9 application for the sole reason of failure to pay child
10 support, that suspension shall not bar the applicant from
11 receiving a school bus driver permit.

12 (a-10) By January 1, 2024, the Secretary of State, in
13 conjunction with the Illinois State Board of Education, shall
14 develop a separate classroom course and refresher course for
15 operation of vehicles of the first division being operated as
16 school buses. Regional superintendents of schools, working
17 with the Illinois State Board of Education, shall offer the
18 course.

19 (b) A school bus driver permit shall be valid for a period
20 specified by the Secretary of State as set forth by rule. It
21 shall be renewable upon compliance with subsection (a) of this
22 Section.

23 (c) A school bus driver permit shall contain the holder's
24 driver's license number, legal name, residence address, zip
25 code, and date of birth, a brief description of the holder, and
26 a space for signature. The Secretary of State may require a

1 suitable photograph of the holder.

2 (d) The employer shall be responsible for conducting a
3 pre-employment interview with prospective school bus driver
4 candidates, distributing school bus driver applications and
5 medical forms to be completed by the applicant, and submitting
6 the applicant's fingerprint cards to the Illinois State Police
7 that are required for the criminal background investigations.
8 The employer shall certify in writing to the Secretary of
9 State that all pre-employment conditions have been
10 successfully completed including the successful completion of
11 an Illinois specific criminal background investigation through
12 the Illinois State Police and the submission of necessary
13 fingerprints to the Federal Bureau of Investigation for
14 criminal history information available through the Federal
15 Bureau of Investigation system. The applicant shall present
16 the certification to the Secretary of State at the time of
17 submitting the school bus driver permit application.

18 (e) Permits shall initially be provisional upon receiving
19 certification from the employer that all pre-employment
20 conditions have been successfully completed, and upon
21 successful completion of all training and examination
22 requirements for the classification of the vehicle to be
23 operated, the Secretary of State shall provisionally issue a
24 School Bus Driver Permit. The permit shall remain in a
25 provisional status pending the completion of the Federal
26 Bureau of Investigation's criminal background investigation

1 based upon fingerprinting specimens submitted to the Federal
2 Bureau of Investigation by the Illinois State Police. The
3 Federal Bureau of Investigation shall report the findings
4 directly to the Secretary of State. The Secretary of State
5 shall remove the bus driver permit from provisional status
6 upon the applicant's successful completion of the Federal
7 Bureau of Investigation's criminal background investigation.

8 (f) A school bus driver permit holder shall notify the
9 employer and the Secretary of State if he or she is issued an
10 order of court supervision for or convicted in another state
11 of an offense that would make him or her ineligible for a
12 permit under subsection (a) of this Section. The written
13 notification shall be made within 5 days of the entry of the
14 order of court supervision or conviction. Failure of the
15 permit holder to provide the notification is punishable as a
16 petty offense for a first violation and a Class B misdemeanor
17 for a second or subsequent violation.

18 (g) Cancellation; suspension; notice and procedure.

19 (1) The Secretary of State shall cancel a school bus
20 driver permit of an applicant whose criminal background
21 investigation discloses that he or she is not in
22 compliance with the provisions of subsection (a) of this
23 Section.

24 (2) The Secretary of State shall cancel a school bus
25 driver permit when he or she receives notice that the
26 permit holder fails to comply with any provision of this

1 Section or any rule promulgated for the administration of
2 this Section.

3 (3) The Secretary of State shall cancel a school bus
4 driver permit if the permit holder's restricted commercial
5 or commercial driving privileges are withdrawn or
6 otherwise invalidated.

7 (4) The Secretary of State may not issue a school bus
8 driver permit for a period of 3 years to an applicant who
9 fails to obtain a negative result on a drug test as
10 required in item 6 of subsection (a) of this Section or
11 under federal law.

12 (5) The Secretary of State shall forthwith suspend a
13 school bus driver permit for a period of 3 years upon
14 receiving notice that the holder has failed to obtain a
15 negative result on a drug test as required in item 6 of
16 subsection (a) of this Section or under federal law.

17 (6) The Secretary of State shall suspend a school bus
18 driver permit for a period of 3 years upon receiving
19 notice from the employer that the holder failed to perform
20 the inspection procedure set forth in subsection (a) or
21 (b) of Section 12-816 of this Code.

22 (7) The Secretary of State shall suspend a school bus
23 driver permit for a period of 3 years upon receiving
24 notice from the employer that the holder refused to submit
25 to an alcohol or drug test as required by Section 6-106.1c
26 or has submitted to a test required by that Section which

1 disclosed an alcohol concentration of more than 0.00 or
2 disclosed a positive result on a National Institute on
3 Drug Abuse five-drug panel, utilizing federal standards
4 set forth in 49 CFR 40.87.

5 The Secretary of State shall notify the State
6 Superintendent of Education and the permit holder's
7 prospective or current employer that the applicant (1) has
8 failed a criminal background investigation or (2) is no longer
9 eligible for a school bus driver permit; and of the related
10 cancellation of the applicant's provisional school bus driver
11 permit. The cancellation shall remain in effect pending the
12 outcome of a hearing pursuant to Section 2-118 of this Code.
13 The scope of the hearing shall be limited to the issuance
14 criteria contained in subsection (a) of this Section. A
15 petition requesting a hearing shall be submitted to the
16 Secretary of State and shall contain the reason the individual
17 feels he or she is entitled to a school bus driver permit. The
18 permit holder's employer shall notify in writing to the
19 Secretary of State that the employer has certified the removal
20 of the offending school bus driver from service prior to the
21 start of that school bus driver's next work shift. An
22 employing school board that fails to remove the offending
23 school bus driver from service is subject to the penalties
24 defined in Section 3-14.23 of the School Code. A school bus
25 contractor who violates a provision of this Section is subject
26 to the penalties defined in Section 6-106.11.

1 All valid school bus driver permits issued under this
2 Section prior to January 1, 1995, shall remain effective until
3 their expiration date unless otherwise invalidated.

4 (h) When a school bus driver permit holder who is a service
5 member is called to active duty, the employer of the permit
6 holder shall notify the Secretary of State, within 30 days of
7 notification from the permit holder, that the permit holder
8 has been called to active duty. Upon notification pursuant to
9 this subsection, (i) the Secretary of State shall characterize
10 the permit as inactive until a permit holder renews the permit
11 as provided in subsection (i) of this Section, and (ii) if a
12 permit holder fails to comply with the requirements of this
13 Section while called to active duty, the Secretary of State
14 shall not characterize the permit as invalid.

15 (i) A school bus driver permit holder who is a service
16 member returning from active duty must, within 90 days, renew
17 a permit characterized as inactive pursuant to subsection (h)
18 of this Section by complying with the renewal requirements of
19 subsection (b) of this Section.

20 (j) For purposes of subsections (h) and (i) of this
21 Section:

22 "Active duty" means active duty pursuant to an executive
23 order of the President of the United States, an act of the
24 Congress of the United States, or an order of the Governor.

25 "Service member" means a member of the Armed Services or
26 reserve forces of the United States or a member of the Illinois

1 National Guard.

2 (k) A private carrier employer of a school bus driver
3 permit holder, having satisfied the employer requirements of
4 this Section, shall be held to a standard of ordinary care for
5 intentional acts committed in the course of employment by the
6 bus driver permit holder. This subsection (k) shall in no way
7 limit the liability of the private carrier employer for
8 violation of any provision of this Section or for the
9 negligent hiring or retention of a school bus driver permit
10 holder.

11 (Source: P.A. 103-605, eff. 7-1-24; 103-825, eff. 1-1-25;
12 104-260, eff. 8-15-25.)

13 (Text of Section after amendment by P.A. 104-256)

14 Sec. 6-106.1. School bus driver permit.

15 (a) The Secretary of State shall issue a school bus driver
16 permit for the operation of first or second division vehicles
17 being operated as school buses, a permit valid only for the
18 operation of first division vehicles being operated as school
19 buses, or a school bus permit with a restriction valid for the
20 operation of a first division vehicle being operated as a
21 school bus or a multifunction school activity bus designed to
22 carry up to 15 passengers, including the driver, when being
23 used for curriculum-related activities as set forth in Section
24 11-1414.1 of this Code, to those applicants who have met all
25 the requirements of the application and screening process

1 under this Section to insure the welfare and safety of
2 children who are transported on school buses throughout the
3 State of Illinois. Applicants shall obtain the proper
4 application required by the Secretary of State from their
5 prospective or current employer and submit the completed
6 application to the prospective or current employer along with
7 the necessary fingerprint submission as required by the
8 Illinois State Police to conduct fingerprint-based criminal
9 background checks on current and future information available
10 in the State system and current information available through
11 the Federal Bureau of Investigation's system. Applicants who
12 have completed the fingerprinting requirements shall not be
13 subjected to the fingerprinting process when applying for
14 subsequent permits or submitting proof of successful
15 completion of the annual refresher course. Individuals who on
16 July 1, 1995 (the effective date of Public Act 88-612) possess
17 a valid school bus driver permit that has been previously
18 issued by the appropriate Regional School Superintendent are
19 not subject to the fingerprinting provisions of this Section
20 as long as the permit remains valid and does not lapse. The
21 applicant shall be required to pay all related application and
22 fingerprinting fees as established by rule, including, but not
23 limited to, the amounts established by the Illinois State
24 Police and the Federal Bureau of Investigation to process
25 fingerprint-based criminal background investigations. All fees
26 paid for fingerprint processing services under this Section

1 shall be deposited into the State Police Services Fund for the
2 cost incurred in processing the fingerprint-based criminal
3 background investigations. All other fees paid under this
4 Section shall be deposited into the Road Fund for the purpose
5 of defraying the costs of the Secretary of State in
6 administering this Section. All applicants must:

- 7 1. be 21 years of age or older;
- 8 2. possess a valid and properly classified driver's
9 license issued by the Secretary of State;
- 10 3. possess a valid driver's license, which has not
11 been revoked, suspended, or canceled for 3 years
12 immediately prior to the date of application, or have not
13 had his or her commercial motor vehicle driving privileges
14 disqualified within the 3 years immediately prior to the
15 date of application;
- 16 4. unless the applicant holds a valid commercial
17 driver's license or a commercial driver's license that
18 expired in the preceding 30 days issued by another state
19 with a school bus and passenger endorsement, successfully
20 pass a first division or second division written test,
21 administered by the Secretary of State, on school bus
22 operation, school bus safety, and special traffic laws
23 relating to school buses and submit to a review of the
24 applicant's driving habits by the Secretary of State at
25 the time the written test is given. For purposes of this
26 paragraph, "state" means a state of the United States and

1 the District of Columbia;

2 5. demonstrate ability to exercise reasonable care in
3 the operation of school buses in accordance with rules
4 promulgated by the Secretary of State;

5 6. demonstrate physical fitness to operate school
6 buses by submitting the results of a medical examination,
7 including tests for drug use for each applicant not
8 subject to such testing pursuant to federal law, conducted
9 by a licensed physician, a licensed advanced practice
10 registered nurse, or a licensed physician assistant within
11 90 days of the date of application according to standards
12 promulgated by the Secretary of State;

13 7. affirm under penalties of perjury that he or she
14 has not made a false statement or knowingly concealed a
15 material fact in any application for permit;

16 8. have completed an initial classroom course,
17 including first aid procedures, in school bus driver
18 safety as promulgated by the Secretary of State and, after
19 satisfactory completion of said initial course, an annual
20 refresher course; such courses and the agency or
21 organization conducting such courses shall be approved by
22 the Secretary of State; failure to complete the annual
23 refresher course shall result in cancellation of the
24 permit until such course is completed;

25 9. not have been under an order of court supervision
26 for or convicted of 2 or more serious traffic offenses, as

1 defined by rule, within one year prior to the date of
2 application that may endanger the life or safety of any of
3 the driver's passengers within the duration of the permit
4 period;

5 10. not have been under an order of court supervision
6 for or convicted of reckless driving, aggravated reckless
7 driving, driving while under the influence of alcohol,
8 other drug or drugs, intoxicating compound or compounds or
9 any combination thereof, or reckless homicide resulting
10 from the operation of a motor vehicle within 3 years of the
11 date of application;

12 11. not have been convicted of committing or
13 attempting to commit any one or more of the following
14 offenses: (i) those offenses defined in Sections 8-1,
15 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1,
16 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9,
17 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5,
18 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1,
19 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16,
20 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2,
21 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-22,
22 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05,
23 12-3.1, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3,
24 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.3, 12-6,
25 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13,
26 12-14, 12-14.1, 12-15, 12-16, 12-21.5, 12-21.6, 12-33,

12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, 31A-1.1, 33A-2, and 33D-1, in subsection (A), clauses (a) and (b), of Section 24-3, and those offenses contained in Article 29D of the Criminal Code of 1961 or the Criminal Code of 2012; (ii) those offenses defined in the Cannabis Control Act except those offenses defined in subsections (a) and (b) of Section 4, and subsection (a) of Section 5 of the Cannabis Control Act; (iii) those offenses defined in the Illinois Controlled Substances Act; (iv) those offenses defined in the Methamphetamine Control and Community Protection Act; (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State would be punishable as one or more of the foregoing offenses; (vi) the offenses defined in Section 4.1 and 5.1 of the Wrongs to Children Act or Section 11-9.1A of the Criminal Code of 1961 or the Criminal Code of 2012; (vii) those offenses defined in Section 6-16 of the Liquor Control Act of 1934; and (viii) those offenses defined in the Methamphetamine Precursor Control Act;

12. not have been repeatedly involved as a driver in motor vehicle collisions or been repeatedly convicted of offenses against laws and ordinances regulating the

1 movement of traffic, to a degree which indicates lack of
2 ability to exercise ordinary and reasonable care in the
3 safe operation of a motor vehicle or disrespect for the
4 traffic laws and the safety of other persons upon the
5 highway;

6 13. not have, through the unlawful operation of a
7 motor vehicle, caused a crash resulting in the death of
8 any person;

9 14. not have, within the last 5 years, been adjudged
10 to be afflicted with or suffering from any mental
11 disability or disease;

12 15. consent, in writing, to the release of results of
13 reasonable suspicion drug and alcohol testing under
14 Section 6-106.1c of this Code by the employer of the
15 applicant to the Secretary of State; and

16 16. not have been convicted of committing or
17 attempting to commit within the last 20 years: (i) an
18 offense defined in subsection (c) of Section 4, subsection
19 (b) of Section 5, and subsection (a) of Section 8 of the
20 Cannabis Control Act; or (ii) any offenses in any other
21 state or against the laws of the United States that, if
22 committed or attempted in this State, would be punishable
23 as one or more of the foregoing offenses.

24 (a-5) If an applicant's driver's license has been
25 suspended within the 3 years immediately prior to the date of
26 application for the sole reason of failure to pay child

1 support, that suspension shall not bar the applicant from
2 receiving a school bus driver permit.

3 (a-10) By January 1, 2024, the Secretary of State, in
4 conjunction with the Illinois State Board of Education, shall
5 develop a separate classroom course and refresher course for
6 operation of vehicles of the first division being operated as
7 school buses. Regional superintendents of schools, working
8 with the Illinois State Board of Education, shall offer the
9 course.

10 (b) A school bus driver permit shall be valid for a period
11 specified by the Secretary of State as set forth by rule. It
12 shall be renewable upon compliance with subsection (a) of this
13 Section.

14 (c) A school bus driver permit shall contain the holder's
15 driver's license number, legal name, residence address, zip
16 code, and date of birth, a brief description of the holder, and
17 a space for signature. The Secretary of State may require a
18 suitable photograph of the holder.

19 (d) The employer shall be responsible for conducting a
20 pre-employment interview with prospective school bus driver
21 candidates, distributing school bus driver applications and
22 medical forms to be completed by the applicant, and submitting
23 the applicant's fingerprint cards to the Illinois State Police
24 that are required for the criminal background investigations.
25 The employer shall certify in writing to the Secretary of
26 State that all pre-employment conditions have been

1 successfully completed including the successful completion of
2 an Illinois specific criminal background investigation through
3 the Illinois State Police and the submission of necessary
4 fingerprints to the Federal Bureau of Investigation for
5 criminal history information available through the Federal
6 Bureau of Investigation system. The applicant shall present
7 the certification to the Secretary of State at the time of
8 submitting the school bus driver permit application.

9 (e) Permits shall initially be provisional upon receiving
10 certification from the employer that all pre-employment
11 conditions have been successfully completed, and upon
12 successful completion of all training and examination
13 requirements for the classification of the vehicle to be
14 operated, the Secretary of State shall provisionally issue a
15 School Bus Driver Permit. The permit shall remain in a
16 provisional status pending the completion of the Federal
17 Bureau of Investigation's criminal background investigation
18 based upon fingerprinting specimens submitted to the Federal
19 Bureau of Investigation by the Illinois State Police. The
20 Federal Bureau of Investigation shall report the findings
21 directly to the Secretary of State. The Secretary of State
22 shall remove the bus driver permit from provisional status
23 upon the applicant's successful completion of the Federal
24 Bureau of Investigation's criminal background investigation.

25 (f) A school bus driver permit holder shall notify the
26 employer and the Secretary of State if he or she is issued an

1 order of court supervision for or convicted in another state
2 of an offense that would make him or her ineligible for a
3 permit under subsection (a) of this Section. The written
4 notification shall be made within 5 days of the entry of the
5 order of court supervision or conviction. Failure of the
6 permit holder to provide the notification is punishable as a
7 petty offense for a first violation and a Class B misdemeanor
8 for a second or subsequent violation.

9 (g) Cancellation; suspension; notice and procedure.

10 (1) The Secretary of State shall cancel a school bus
11 driver permit of an applicant whose criminal background
12 investigation discloses that he or she is not in
13 compliance with the provisions of subsection (a) of this
14 Section.

15 (2) The Secretary of State shall cancel a school bus
16 driver permit when he or she receives notice that the
17 permit holder fails to comply with any provision of this
18 Section or any rule promulgated for the administration of
19 this Section.

20 (3) The Secretary of State shall cancel a school bus
21 driver permit if the permit holder's restricted commercial
22 or commercial driving privileges are withdrawn or
23 otherwise invalidated.

24 (4) The Secretary of State may not issue a school bus
25 driver permit for a period of 3 years to an applicant who
26 fails to obtain a negative result on a drug test as

1 required in item 6 of subsection (a) of this Section or
2 under federal law.

3 (5) The Secretary of State shall forthwith suspend a
4 school bus driver permit for a period of 3 years upon
5 receiving notice that the holder has failed to obtain a
6 negative result on a drug test as required in item 6 of
7 subsection (a) of this Section or under federal law.

8 (6) The Secretary of State shall suspend a school bus
9 driver permit for a period of 3 years upon receiving
10 notice from the employer that the holder failed to perform
11 the inspection procedure set forth in subsection (a) or
12 (b) of Section 12-816 of this Code.

13 (7) The Secretary of State shall suspend a school bus
14 driver permit for a period of 3 years upon receiving
15 notice from the employer that the holder refused to submit
16 to an alcohol or drug test as required by Section 6-106.1c
17 or has submitted to a test required by that Section which
18 disclosed an alcohol concentration of more than 0.00 or
19 disclosed a positive result on a National Institute on
20 Drug Abuse five-drug panel, utilizing federal standards
21 set forth in 49 CFR 40.87.

22 The Secretary of State shall notify the State
23 Superintendent of Education and the permit holder's
24 prospective or current employer that the applicant (1) has
25 failed a criminal background investigation or (2) is no longer
26 eligible for a school bus driver permit; and of the related

1 cancellation of the applicant's provisional school bus driver
2 permit. The cancellation shall remain in effect pending the
3 outcome of a hearing pursuant to Section 2-118 of this Code.
4 The scope of the hearing shall be limited to the issuance
5 criteria contained in subsection (a) of this Section. A
6 petition requesting a hearing shall be submitted to the
7 Secretary of State and shall contain the reason the individual
8 feels he or she is entitled to a school bus driver permit. The
9 permit holder's employer shall notify in writing to the
10 Secretary of State that the employer has certified the removal
11 of the offending school bus driver from service prior to the
12 start of that school bus driver's next work shift. An
13 employing school board that fails to remove the offending
14 school bus driver from service is subject to the penalties
15 defined in Section 3-14.23 of the School Code. A school bus
16 contractor who violates a provision of this Section is subject
17 to the penalties defined in Section 6-106.11.

18 All valid school bus driver permits issued under this
19 Section prior to January 1, 1995, shall remain effective until
20 their expiration date unless otherwise invalidated.

21 (h) When a school bus driver permit holder who is a service
22 member is called to active duty, the employer of the permit
23 holder shall notify the Secretary of State, within 30 days of
24 notification from the permit holder, that the permit holder
25 has been called to active duty. Upon notification pursuant to
26 this subsection, (i) the Secretary of State shall characterize

1 the permit as inactive until a permit holder renews the permit
2 as provided in subsection (i) of this Section, and (ii) if a
3 permit holder fails to comply with the requirements of this
4 Section while called to active duty, the Secretary of State
5 shall not characterize the permit as invalid.

6 (i) A school bus driver permit holder who is a service
7 member returning from active duty must, within 90 days, renew
8 a permit characterized as inactive pursuant to subsection (h)
9 of this Section by complying with the renewal requirements of
10 subsection (b) of this Section.

11 (j) For purposes of subsections (h) and (i) of this
12 Section:

13 "Active duty" means active duty pursuant to an executive
14 order of the President of the United States, an act of the
15 Congress of the United States, or an order of the Governor.

16 "Service member" means a member of the Armed Services or
17 reserve forces of the United States or a member of the Illinois
18 National Guard.

19 (k) A private carrier employer of a school bus driver
20 permit holder, having satisfied the employer requirements of
21 this Section, shall be held to a standard of ordinary care for
22 intentional acts committed in the course of employment by the
23 bus driver permit holder. This subsection (k) shall in no way
24 limit the liability of the private carrier employer for
25 violation of any provision of this Section or for the
26 negligent hiring or retention of a school bus driver permit

1 holder.

2 (1) The Secretary may adopt rules to implement this
3 Section.

4 (Source: P.A. 103-605, eff. 7-1-24; 103-825, eff. 1-1-25;
5 104-256, eff. 7-1-26; 104-260, eff. 8-15-25; revised 9-12-25.)

6 (625 ILCS 5/6-109)

7 (Text of Section before amendment by P.A. 104-169)

8 Sec. 6-109. Examination of applicants.

9 (a) The Secretary of State shall examine every applicant
10 for a driver's license or permit who has not been previously
11 licensed as a driver under the laws of this State or any other
12 state or country, or any applicant for renewal of such
13 driver's license or permit when such license or permit has
14 been expired for more than one year. The Secretary of State
15 shall, subject to the provisions of paragraph (c), examine
16 every licensed driver at least every 8 years, and may examine
17 or re-examine any other applicant or licensed driver, provided
18 that during the years 1984 through 1991 those drivers issued a
19 license for 3 years may be re-examined not less than every 7
20 years or more than every 10 years.

21 The Secretary of State shall require the testing of the
22 eyesight of any driver's license or permit applicant who has
23 not been previously licensed as a driver under the laws of this
24 State and shall promulgate rules and regulations to provide
25 for the orderly administration of all the provisions of this

1 Section.

2 The Secretary of State shall include at least one test
3 question that concerns the provisions of the Pedestrians with
4 Disabilities Safety Act in the question pool used for the
5 written portion of the driver's license examination within one
6 year after July 22, 2010 (the effective date of Public Act
7 96-1167).

8 The Secretary of State shall include, in the question pool
9 used for the written portion of the driver's license
10 examination, test questions concerning safe driving in the
11 presence of bicycles, of which one may be concerning the Dutch
12 Reach method as described in Section 2-112.

13 The Secretary of State shall include, in the question pool
14 used for the written portion of the driver's license
15 examination, at least one test question concerning driver
16 responsibilities when approaching a stationary emergency
17 vehicle as described in Section 11-907. If an applicant gives
18 an incorrect response to a test question concerning subsection
19 (c) of Section 11-907, Section 11-907.5, or subsection (a-1)
20 of Section 11-908, then the Secretary of State shall provide
21 the applicant with information concerning those Sections.

22 (b) Except as provided for those applicants in paragraph
23 (c), such examination shall include a test of the applicant's
24 eyesight, his or her ability to read and understand official
25 traffic control devices, his or her knowledge of safe driving
26 practices and the traffic laws of this State, and may include

1 an actual demonstration of the applicant's ability to exercise
2 ordinary and reasonable control of the operation of a motor
3 vehicle, and such further physical and mental examination as
4 the Secretary of State finds necessary to determine the
5 applicant's fitness to operate a motor vehicle safely on the
6 highways, except the examination of an applicant 75 years of
7 age or older or, if the Secretary adopts rules under Section 37
8 of the Secretary of State Act to raise the age requirement for
9 actual demonstrations, the examination of an applicant who has
10 attained that increased age or is older shall include an
11 actual demonstration of the applicant's ability to exercise
12 ordinary and reasonable control of the operation of a motor
13 vehicle. All portions of written and verbal examinations under
14 this Section, excepting where the English language appears on
15 facsimiles of road signs, may be given in the Spanish language
16 and, at the discretion of the Secretary of State, in any other
17 language as well as in English upon request of the examinee.
18 Deaf persons who are otherwise qualified are not prohibited
19 from being issued a license, other than a commercial driver's
20 license, under this Code. The examination to test an
21 applicant's ability to read and understand official traffic
22 control devices and knowledge of safe driving practices and
23 the traffic laws of this State may be administered at a
24 Secretary of State facility, remotely via the Internet, or in
25 a manner otherwise specified by the Secretary of State by
26 administrative rule.

1 (c) Re-examination for those applicants who at the time of
2 renewing their driver's license possess a driving record
3 devoid of any convictions of traffic violations or evidence of
4 committing an offense for which mandatory revocation would be
5 required upon conviction pursuant to Section 6-205 at the time
6 of renewal shall be in a manner prescribed by the Secretary in
7 order to determine an applicant's ability to safely operate a
8 motor vehicle, except that every applicant for the renewal of
9 a driver's license who is 75 years of age or older or, if the
10 Secretary adopts rules under Section 37 of the Secretary of
11 State Act to raise the age requirement for actual
12 demonstrations, every applicant for the renewal of a driver's
13 license who has attained that increased age or is older must
14 prove, by an actual demonstration, the applicant's ability to
15 exercise reasonable care in the safe operation of a motor
16 vehicle.

17 (d) In the event the applicant is not ineligible under the
18 provisions of Section 6-103 to receive a driver's license, the
19 Secretary of State shall make provision for giving an
20 examination, either in the county where the applicant resides
21 or at a place adjacent thereto reasonably convenient to the
22 applicant, within not more than 30 days from the date said
23 application is received.

24 (e) The Secretary of State may adopt rules regarding the
25 use of foreign language interpreters during the application
26 and examination process.

1 (Source: P.A. 103-140, eff. 6-30-23; 103-680, eff. 1-1-25;
2 104-260, eff. 8-15-25.)

3 (Text of Section after amendment by P.A. 104-169)

4 Sec. 6-109. Examination of applicants.

5 (a) The Secretary of State shall examine every applicant
6 for a driver's license or permit who has not been previously
7 licensed as a driver under the laws of this State or any other
8 state or country, or any applicant for renewal of such
9 driver's license or permit when such license or permit has
10 been expired for more than one year. The Secretary of State
11 shall, subject to the provisions of paragraph (c), examine
12 every licensed driver at least every 8 years, and may examine
13 or re-examine any other applicant or licensed driver, provided
14 that during the years 1984 through 1991 those drivers issued a
15 license for 3 years may be re-examined not less than every 7
16 years or more than every 10 years.

17 The Secretary of State shall require the testing of the
18 eyesight of any driver's license or permit applicant who has
19 not been previously licensed as a driver under the laws of this
20 State and shall promulgate rules and regulations to provide
21 for the orderly administration of all the provisions of this
22 Section.

23 The Secretary of State shall include at least one test
24 question that concerns the provisions of the Pedestrians with
25 Disabilities Safety Act in the question pool used for the

1 written portion of the driver's license examination within one
2 year after July 22, 2010 (the effective date of Public Act
3 96-1167).

4 The Secretary of State shall include, in the question pool
5 used for the written portion of the driver's license
6 examination, test questions concerning safe driving in the
7 presence of bicycles, of which one may be concerning the Dutch
8 Reach method as described in Section 2-112.

9 The Secretary of State shall include, in the question pool
10 used for the written portion of the driver's license
11 examination, at least one test question concerning driver
12 responsibilities when approaching a stationary emergency
13 vehicle as described in Section 11-907. If an applicant gives
14 an incorrect response to a test question concerning subsection
15 (c) of Section 11-907, Section 11-907.5, or subsection (a-1)
16 of Section 11-908, then the Secretary of State shall provide
17 the applicant with information concerning those Sections.

18 (b) Except as provided for those applicants in paragraph
19 (c), such examination shall include a test of the applicant's
20 eyesight, his or her ability to read and understand official
21 traffic control devices, his or her knowledge of safe driving
22 practices and the traffic laws of this State, and may include
23 an actual demonstration of the applicant's ability to exercise
24 ordinary and reasonable control of the operation of a motor
25 vehicle, and such further physical and mental examination as
26 the Secretary of State finds necessary to determine the

1 applicant's fitness to operate a motor vehicle safely on the
2 highways, except the examination of an applicant 75 years of
3 age or older or, if the Secretary adopts rules under Section 37
4 of the Secretary of State Act to raise the age requirement for
5 actual demonstrations, the examination of an applicant who has
6 attained that increased age or is older shall include an
7 actual demonstration of the applicant's ability to exercise
8 ordinary and reasonable control of the operation of a motor
9 vehicle. All portions of written and verbal examinations under
10 this Section, excepting where the English language appears on
11 facsimiles of road signs, may be given in the Spanish language
12 and, at the discretion of the Secretary of State, in any other
13 language as well as in English upon request of the examinee.
14 Deaf persons who are otherwise qualified are not prohibited
15 from being issued a license, other than a commercial driver's
16 license, under this Code. The examination to test an
17 applicant's ability to read and understand official traffic
18 control devices and knowledge of safe driving practices and
19 the traffic laws of this State may be administered at a
20 Secretary of State facility, remotely via the Internet, or in
21 a manner otherwise specified by the Secretary of State by
22 administrative rule.

23 (c) Re-examination for those applicants who at the time of
24 renewing their driver's license possess a driving record
25 devoid of any convictions of traffic violations or evidence of
26 committing an offense for which mandatory revocation would be

1 required upon conviction pursuant to Section 6-205 at the time
2 of renewal shall be in a manner prescribed by the Secretary in
3 order to determine an applicant's ability to safely operate a
4 motor vehicle, except that every applicant for the renewal of
5 a driver's license who is 79 years of age or older must renew
6 in person, and every applicant for the renewal of a driver's
7 license who is 87 years of age or older or who is 75 years of
8 age or older and holds a commercial driver's license must
9 prove, by an actual demonstration, the applicant's ability to
10 exercise reasonable care in the safe operation of a motor
11 vehicle.

12 (d) In the event the applicant is not ineligible under the
13 provisions of Section 6-103 to receive a driver's license, the
14 Secretary of State shall make provision for giving an
15 examination, either in the county where the applicant resides
16 or at a place adjacent thereto reasonably convenient to the
17 applicant, within not more than 30 days from the date said
18 application is received.

19 (e) The Secretary of State may adopt rules regarding the
20 use of foreign language interpreters during the application
21 and examination process.

22 (Source: P.A. 103-140, eff. 6-30-23; 103-680, eff. 1-1-25;
23 104-169, eff. 7-1-26; 104-260, eff. 8-15-25; revised 9-12-25.)

24 (625 ILCS 5/6-110)

25 Sec. 6-110. Licenses issued to drivers.

1 (a) The Secretary of State shall issue to every qualifying
2 applicant a driver's license as applied for, which license
3 shall bear a distinguishing number assigned to the licensee,
4 the legal name, signature, zip code, date of birth, residence
5 address, and a brief description of the licensee.

6 Licenses issued shall also indicate the classification and
7 the restrictions under Section 6-104 of this Code. The
8 Secretary may adopt rules to establish informational
9 restrictions that can be placed on the driver's license
10 regarding specific conditions of the licensee.

11 A driver's license issued may, in the discretion of the
12 Secretary, include a suitable photograph of a type prescribed
13 by the Secretary.

14 (a-1) If the licensee is less than 18 years of age, unless
15 one of the exceptions in subsection (a-2) apply, the license
16 shall, as a matter of law, be invalid for the operation of any
17 motor vehicle during the following times:

18 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

19 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
20 Sunday; and

21 (C) Between 10:00 p.m. on Sunday to Thursday,
22 inclusive, and 6:00 a.m. on the following day.

23 (a-2) The driver's license of a person under the age of 18
24 shall not be invalid as described in subsection (a-1) of this
25 Section if the licensee under the age of 18 was:

26 (1) accompanied by the licensee's parent or guardian

1 or other person in custody or control of the minor;

2 (2) on an errand at the direction of the minor's
3 parent or guardian, without any detour or stop;

4 (3) in a motor vehicle involved in interstate travel;

5 (4) going to or returning home from an employment
6 activity, without any detour or stop;

7 (5) involved in an emergency;

8 (6) going to or returning home from, without any
9 detour or stop, an official school, religious, or other
10 recreational activity supervised by adults and sponsored
11 by a government or governmental agency, a civic
12 organization, or another similar entity that takes
13 responsibility for the licensee, without any detour or
14 stop;

15 (7) exercising First Amendment rights protected by the
16 United States Constitution, such as the free exercise of
17 religion, freedom of speech, and the right of assembly; or

18 (8) married or had been married or is an emancipated
19 minor under the Emancipation of Minors Act.

20 (a-2.5) The driver's license of a person who is 17 years of
21 age and has been licensed for at least 12 months is not invalid
22 as described in subsection (a-1) of this Section while the
23 licensee is participating as an assigned driver in a Safe
24 Rides program that meets the following criteria:

25 (1) the program is sponsored by the Boy Scouts of
26 America or another national public service organization;

1 and

2 (2) the sponsoring organization carries liability
3 insurance covering the program.

4 (a-3) If a graduated driver's license holder over the age
5 of 18 committed an offense against traffic regulations
6 governing the movement of vehicles or any violation of Section
7 6-107 or Section 12-603.1 of this Code in the 6 months prior to
8 the graduated driver's license holder's 18th birthday, and was
9 subsequently convicted of the offense, the provisions of
10 subsection (a-1) shall continue to apply until such time as a
11 period of 6 consecutive months has elapsed without an
12 additional violation and subsequent conviction of an offense
13 against traffic regulations governing the movement of vehicles
14 or Section 6-107 or Section 12-603.1 of this Code.

15 (a-4) If an applicant for a driver's license or
16 instruction permit has a current identification card issued by
17 the Secretary of State, the Secretary may require the
18 applicant to utilize the same residence address and name on
19 the identification card, driver's license, and instruction
20 permit records maintained by the Secretary. The Secretary may
21 promulgate rules to implement this provision.

22 (a-5) If an applicant for a driver's license is an
23 employee of the Department of Children and Family Services
24 with a job title of "Child Protection Specialist Trainee",
25 "Child Protection Specialist", "Child Protection Advanced
26 Specialist", "Child Welfare Specialist Trainee", "Child

1 Welfare Specialist", or "Child Welfare Advanced Specialist" or
2 a judicial officer, a public official, or a peace officer, the
3 applicant may elect to have his or her office or work address
4 listed on the license instead of the applicant's residence or
5 mailing address. The Secretary of State shall adopt rules to
6 implement this subsection (a-5).

7 As used in this subsection (a-5):

8 "Peace officer" means any person who by virtue of his or
9 her office or public employment is vested by law with a duty to
10 maintain public order or to make arrests for a violation of any
11 penal statute of this State, whether that duty extends to all
12 violations or is limited to specific violations.

13 "Public official" has the meaning given in Section 10 of
14 the Public Official Safety and Privacy Act.

15 (b) Until the Secretary of State establishes a First
16 Person Consent organ and tissue donor registry under Section
17 6-117 of this Code, the Secretary of State shall provide a
18 format on the reverse of each driver's license issued which
19 the licensee may use to execute a document of gift conforming
20 to the provisions of the Illinois Anatomical Gift Act. The
21 format shall allow the licensee to indicate the gift intended,
22 whether specific organs, any organ, or the entire body, and
23 shall accommodate the signatures of the donor and 2 witnesses.
24 The Secretary shall also inform each applicant or licensee of
25 this format, describe the procedure for its execution, and may
26 offer the necessary witnesses; provided that in so doing, the

1 Secretary shall advise the applicant or licensee that he or
2 she is under no compulsion to execute a document of gift. A
3 brochure explaining this method of executing an anatomical
4 gift document shall be given to each applicant or licensee.
5 The brochure shall advise the applicant or licensee that he or
6 she is under no compulsion to execute a document of gift, and
7 that he or she may wish to consult with family, friends, or
8 clergy before doing so. The Secretary of State may undertake
9 additional efforts, including education and awareness
10 activities, to promote organ and tissue donation.

11 (c) The Secretary of State shall designate on each
12 driver's license issued a space where the licensee may place a
13 sticker or decal of the uniform size as the Secretary may
14 specify, which sticker or decal may indicate in appropriate
15 language that the owner of the license carries an Emergency
16 Medical Information Card.

17 The sticker may be provided by any person, hospital,
18 school, medical group, or association interested in assisting
19 in implementing the Emergency Medical Information Card, but
20 shall meet the specifications as the Secretary may by rule or
21 regulation require.

22 (d) (Blank).

23 (e) The Secretary of State shall provide that each
24 original or renewal driver's license issued to a licensee
25 under 21 years of age shall be of a distinct nature from those
26 driver's licenses issued to individuals 21 years of age and

1 older. The color designated for driver's licenses for
2 licensees under 21 years of age shall be at the discretion of
3 the Secretary of State.

4 (e-1) The Secretary shall provide that each driver's
5 license issued to a person under the age of 21 displays the
6 date upon which the person becomes 18 years of age and the date
7 upon which the person becomes 21 years of age.

8 (e-3) The General Assembly recognizes the need to identify
9 military veterans living in this State for the purpose of
10 ensuring that they receive all of the services and benefits to
11 which they are legally entitled, including health care,
12 education assistance, and job placement. To assist the State
13 in identifying these veterans and delivering these vital
14 services and benefits, the Secretary of State is authorized to
15 issue drivers' licenses with the word "veteran" appearing on
16 the face of the licenses. This authorization is predicated on
17 the unique status of veterans. The Secretary may not issue any
18 other driver's license which identifies an occupation, status,
19 affiliation, hobby, or other unique characteristics of the
20 license holder which is unrelated to the purpose of the
21 driver's license.

22 (e-5) Beginning on or before July 1, 2015, the Secretary
23 of State shall designate a space on each original or renewal
24 driver's license where, at the request of the applicant, the
25 word "veteran" shall be placed. The veteran designation shall
26 be available to a person identified as a veteran under

1 subsection (e) of Section 6-106 of this Code who was
2 discharged or separated under honorable conditions.

3 (e-7) Upon providing the required documentation, at the
4 request of the applicant, the driver's license may reflect
5 Gold Star Family designation. The Secretary shall designate a
6 space on each original or renewal driver's license for such
7 designation. This designation shall be available to a person
8 eligible for Gold Star license plates under subsection (f) of
9 Section 6-106 of this Code.

10 (f) The Secretary of State shall inform all Illinois
11 licensed commercial motor vehicle operators of the
12 requirements of the Uniform Commercial Driver License Act,
13 Article V of this Chapter, and shall make provisions to insure
14 that all drivers, seeking to obtain a commercial driver's
15 license, be afforded an opportunity prior to April 1, 1992, to
16 obtain the license. The Secretary is authorized to extend
17 driver's license expiration dates, and assign specific times,
18 dates and locations where these commercial driver's tests
19 shall be conducted. Any applicant, regardless of the current
20 expiration date of the applicant's driver's license, may be
21 subject to any assignment by the Secretary. Failure to comply
22 with the Secretary's assignment may result in the applicant's
23 forfeiture of an opportunity to receive a commercial driver's
24 license prior to April 1, 1992.

25 (g) The Secretary of State shall designate on a driver's
26 license issued, a space where the licensee may indicate that

1 he or she has drafted a living will in accordance with the
2 Illinois Living Will Act or a durable power of attorney for
3 health care in accordance with the Illinois Power of Attorney
4 Act.

5 (g-1) The Secretary of State, in his or her discretion,
6 may designate on each driver's license issued a space where
7 the licensee may place a sticker or decal, issued by the
8 Secretary of State, of uniform size as the Secretary may
9 specify, that shall indicate in appropriate language that the
10 owner of the license has renewed his or her driver's license.

11 (h) A person who acts in good faith in accordance with the
12 terms of this Section is not liable for damages in any civil
13 action or subject to prosecution in any criminal proceeding
14 for his or her act.

15 (i) The Secretary shall designate a space on each original
16 or renewal of a driver's license, at the request of the
17 applicant, for a designation as a Gold Star Family. This
18 designation shall be available to a person eligible for Gold
19 Star license plates under subsection (f) of Section 6-106 of
20 this Code.

21 (Source: P.A. 103-888, eff. 8-9-24; 103-933, eff. 1-1-25;
22 104-41, eff. 1-1-26; 104-417, eff. 8-15-25; 104-443, eff.
23 1-1-26; revised 1-7-26.)

24 (625 ILCS 5/6-206)

25 (Text of Section before amendment by P.A. 104-400)

1 Sec. 6-206. Discretionary authority to suspend or revoke
2 license or permit; right to a hearing.

3 (a) The Secretary of State is authorized to suspend or
4 revoke the driving privileges of any person without
5 preliminary hearing upon a showing of the person's records or
6 other sufficient evidence that the person:

7 1. Has committed an offense for which mandatory
8 revocation of a driver's license or permit is required
9 upon conviction;

10 2. Has been convicted of not less than 3 offenses
11 against traffic regulations governing the movement of
12 vehicles committed within any 12-month period. No
13 revocation or suspension shall be entered more than 6
14 months after the date of last conviction;

15 3. Has been repeatedly involved as a driver in motor
16 vehicle collisions or has been repeatedly convicted of
17 offenses against laws and ordinances regulating the
18 movement of traffic, to a degree that indicates lack of
19 ability to exercise ordinary and reasonable care in the
20 safe operation of a motor vehicle or disrespect for the
21 traffic laws and the safety of other persons upon the
22 highway;

23 4. Has by the unlawful operation of a motor vehicle
24 caused or contributed to a crash resulting in injury
25 requiring immediate professional treatment in a medical
26 facility or doctor's office to any person, except that any

1 suspension or revocation imposed by the Secretary of State
2 under the provisions of this subsection shall start no
3 later than 6 months after being convicted of violating a
4 law or ordinance regulating the movement of traffic, which
5 violation is related to the crash, or shall start not more
6 than one year after the date of the crash, whichever date
7 occurs later;

8 5. Has permitted an unlawful or fraudulent use of a
9 driver's license, identification card, or permit;

10 6. Has been lawfully convicted of an offense or
11 offenses in another state, including the authorization
12 contained in Section 6-203.1, which if committed within
13 this State would be grounds for suspension or revocation;

14 7. Has refused or failed to submit to an examination
15 provided for by Section 6-207 or has failed to pass the
16 examination;

17 8. Is ineligible for a driver's license or permit
18 under the provisions of Section 6-103;

19 9. Has made a false statement or knowingly concealed a
20 material fact or has used false information or
21 identification in any application for a license,
22 identification card, or permit;

23 10. Has possessed, displayed, or attempted to
24 fraudulently use any license, identification card, or
25 permit not issued to the person;

26 11. Has operated a motor vehicle upon a highway of

1 this State when the person's driving privilege or
2 privilege to obtain a driver's license or permit was
3 revoked or suspended unless the operation was authorized
4 by a monitoring device driving permit, judicial driving
5 permit issued prior to January 1, 2009, probationary
6 license to drive, or restricted driving permit issued
7 under this Code;

8 12. Has submitted to any portion of the application
9 process for another person or has obtained the services of
10 another person to submit to any portion of the application
11 process for the purpose of obtaining a license,
12 identification card, or permit for some other person;

13 13. Has operated a motor vehicle upon a highway of
14 this State when the person's driver's license or permit
15 was invalid under the provisions of Sections 6-107.1 and
16 6-110;

17 14. Has committed a violation of Section 6-301,
18 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
19 14B of the Illinois Identification Card Act or a similar
20 offense in another state if, at the time of the offense,
21 the person held an Illinois driver's license or
22 identification card;

23 15. Has been convicted of violating Section 21-2 of
24 the Criminal Code of 1961 or the Criminal Code of 2012
25 relating to criminal trespass to vehicles if the person
26 exercised actual physical control over the vehicle during

1 the commission of the offense, in which case the
2 suspension shall be for one year;

3 16. Has been convicted of violating Section 11-204 of
4 this Code relating to fleeing from a peace officer;

5 17. Has refused to submit to a test, or tests, as
6 required under Section 11-501.1 of this Code and the
7 person has not sought a hearing as provided for in Section
8 11-501.1;

9 18. (Blank);

10 19. Has committed a violation of paragraph (a) or (b)
11 of Section 6-101 relating to driving without a driver's
12 license;

13 20. Has been convicted of violating Section 6-104
14 relating to classification of driver's license;

15 21. Has been convicted of violating Section 11-402 of
16 this Code relating to leaving the scene of a crash
17 resulting in damage to a vehicle in excess of \$1,000, in
18 which case the suspension shall be for one year;

19 22. Has used a motor vehicle in violating paragraph
20 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
21 the Criminal Code of 1961 or the Criminal Code of 2012
22 relating to unlawful possession of weapons, in which case
23 the suspension shall be for one year;

24 23. Has, as a driver, been convicted of committing a
25 violation of paragraph (a) of Section 11-502 of this Code
26 for a second or subsequent time within one year of a

1 similar violation;

2 24. Has been convicted by a court-martial or punished
3 by non-judicial punishment by military authorities of the
4 United States at a military installation in Illinois or in
5 another state of or for a traffic-related offense that is
6 the same as or similar to an offense specified under
7 Section 6-205 or 6-206 of this Code;

8 25. Has permitted any form of identification to be
9 used by another in the application process in order to
10 obtain or attempt to obtain a license, identification
11 card, or permit;

12 26. Has altered or attempted to alter a license or has
13 possessed an altered license, identification card, or
14 permit;

15 27. (Blank);

16 28. Has been convicted for a first time of the illegal
17 possession, while operating or in actual physical control,
18 as a driver, of a motor vehicle, of any controlled
19 substance prohibited under the Illinois Controlled
20 Substances Act, any cannabis prohibited under the Cannabis
21 Control Act, or any methamphetamine prohibited under the
22 Methamphetamine Control and Community Protection Act, in
23 which case the person's driving privileges shall be
24 suspended for one year. Any defendant found guilty of this
25 offense while operating a motor vehicle shall have an
26 entry made in the court record by the presiding judge that

1 this offense did occur while the defendant was operating a
2 motor vehicle and order the clerk of the court to report
3 the violation to the Secretary of State;

4 29. Has been convicted of the following offenses that
5 were committed while the person was operating or in actual
6 physical control, as a driver, of a motor vehicle:
7 criminal sexual assault, predatory criminal sexual assault
8 of a child, aggravated criminal sexual assault, criminal
9 sexual abuse, aggravated criminal sexual abuse, juvenile
10 pimping, soliciting for a sexually exploited child,
11 promoting commercial sexual exploitation of a child as
12 described in subdivision (a)(1), (a)(2), or (a)(3) of
13 Section 11-14.4 of the Criminal Code of 1961 or the
14 Criminal Code of 2012, and the manufacture, sale or
15 delivery of controlled substances or instruments used for
16 illegal drug use or abuse in which case the driver's
17 driving privileges shall be suspended for one year;

18 30. Has been convicted a second or subsequent time for
19 any combination of the offenses named in paragraph 29 of
20 this subsection, in which case the person's driving
21 privileges shall be suspended for 5 years;

22 31. Has refused to submit to a test as required by
23 Section 11-501.6 of this Code or Section 5-16c of the Boat
24 Registration and Safety Act or has submitted to a test
25 resulting in an alcohol concentration of 0.08 or more or
26 any amount of a drug, substance, or compound resulting

1 from the unlawful use or consumption of cannabis as listed
2 in the Cannabis Control Act, a controlled substance as
3 listed in the Illinois Controlled Substances Act, an
4 intoxicating compound as listed in the Use of Intoxicating
5 Compounds Act, or methamphetamine as listed in the
6 Methamphetamine Control and Community Protection Act, in
7 which case the penalty shall be as prescribed in Section
8 6-208.1;

9 32. Has been convicted of Section 24-1.2 of the
10 Criminal Code of 1961 or the Criminal Code of 2012
11 relating to the aggravated discharge of a firearm if the
12 offender was located in a motor vehicle at the time the
13 firearm was discharged, in which case the suspension shall
14 be for 3 years;

15 33. Has as a driver, who was less than 21 years of age
16 on the date of the offense, been convicted a first time of
17 a violation of paragraph (a) of Section 11-502 of this
18 Code or a similar provision of a local ordinance;

19 34. Has committed a violation of Section 11-1301.5 of
20 this Code or a similar provision of a local ordinance;

21 35. Has committed a violation of Section 11-1301.6 of
22 this Code or a similar provision of a local ordinance;

23 36. Is under the age of 21 years at the time of arrest
24 and has been convicted of not less than 2 offenses against
25 traffic regulations governing the movement of vehicles
26 committed within any 24-month period. No revocation or

1 suspension shall be entered more than 6 months after the
2 date of last conviction;

3 37. Has committed a violation of subsection (c) of
4 Section 11-907 of this Code that resulted in damage to the
5 property of another or the death or injury of another;

6 38. Has been convicted of a violation of Section 6-20
7 of the Liquor Control Act of 1934 or a similar provision of
8 a local ordinance and the person was an occupant of a motor
9 vehicle at the time of the violation;

10 39. Has committed a second or subsequent violation of
11 Section 11-1201 of this Code;

12 40. Has committed a violation of subsection (a-1) of
13 Section 11-908 of this Code;

14 41. Has committed a second or subsequent violation of
15 Section 11-605.1 of this Code, a similar provision of a
16 local ordinance, or a similar violation in any other state
17 within 2 years of the date of the previous violation, in
18 which case the suspension shall be for 90 days;

19 42. Has committed a violation of subsection (a-1) of
20 Section 11-1301.3 of this Code or a similar provision of a
21 local ordinance;

22 43. Has received a disposition of court supervision
23 for a violation of subsection (a), (d), or (e) of Section
24 6-20 of the Liquor Control Act of 1934 or a similar
25 provision of a local ordinance and the person was an
26 occupant of a motor vehicle at the time of the violation,

1 in which case the suspension shall be for a period of 3
2 months;

3 44. Is under the age of 21 years at the time of arrest
4 and has been convicted of an offense against traffic
5 regulations governing the movement of vehicles after
6 having previously had his or her driving privileges
7 suspended or revoked pursuant to subparagraph 36 of this
8 Section;

9 45. Has, in connection with or during the course of a
10 formal hearing conducted under Section 2-118 of this Code:
11 (i) committed perjury; (ii) submitted fraudulent or
12 falsified documents; (iii) submitted documents that have
13 been materially altered; or (iv) submitted, as his or her
14 own, documents that were in fact prepared or composed for
15 another person;

16 46. Has committed a violation of subsection (j) of
17 Section 3-413 of this Code;

18 47. Has committed a violation of subsection (a) of
19 Section 11-502.1 of this Code;

20 48. Has submitted a falsified or altered medical
21 examiner's certificate to the Secretary of State or
22 provided false information to obtain a medical examiner's
23 certificate;

24 49. Has been convicted of a violation of Section
25 11-1002 or 11-1002.5 that resulted in a Type A injury to
26 another, in which case the driving privileges of the

1 person shall be suspended for 12 months;

2 50. Has committed a violation of subsection (b-5) of
3 Section 12-610.2 that resulted in great bodily harm,
4 permanent disability, or disfigurement, in which case the
5 driving privileges of the person shall be suspended for 12
6 months;

7 51. Has committed a violation of Section 10-15 Of the
8 Cannabis Regulation and Tax Act or a similar provision of
9 a local ordinance while in a motor vehicle; or

10 52. Has committed a violation of subsection (b) of
11 Section 10-20 of the Cannabis Regulation and Tax Act or a
12 similar provision of a local ordinance.

13 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
14 and 27 of this subsection, license means any driver's license,
15 any traffic ticket issued when the person's driver's license
16 is deposited in lieu of bail, a suspension notice issued by the
17 Secretary of State, a duplicate or corrected driver's license,
18 a probationary driver's license, or a temporary driver's
19 license.

20 (b) If any conviction forming the basis of a suspension or
21 revocation authorized under this Section is appealed, the
22 Secretary of State may rescind or withhold the entry of the
23 order of suspension or revocation, as the case may be,
24 provided that a certified copy of a stay order of a court is
25 filed with the Secretary of State. If the conviction is
26 affirmed on appeal, the date of the conviction shall relate

1 back to the time the original judgment of conviction was
2 entered and the 6-month limitation prescribed shall not apply.

3 (c) 1. Upon suspending or revoking the driver's license or
4 permit of any person as authorized in this Section, the
5 Secretary of State shall immediately notify the person in
6 writing of the revocation or suspension. The notice to be
7 deposited in the United States mail, postage prepaid, to the
8 last known address of the person.

9 2. If the Secretary of State suspends the driver's license
10 of a person under subsection 2 of paragraph (a) of this
11 Section, a person's privilege to operate a vehicle as an
12 occupation shall not be suspended, provided an affidavit is
13 properly completed, the appropriate fee received, and a permit
14 issued prior to the effective date of the suspension, unless 5
15 offenses were committed, at least 2 of which occurred while
16 operating a commercial vehicle in connection with the driver's
17 regular occupation. All other driving privileges shall be
18 suspended by the Secretary of State. Any driver prior to
19 operating a vehicle for occupational purposes only must submit
20 the affidavit on forms to be provided by the Secretary of State
21 setting forth the facts of the person's occupation. The
22 affidavit shall also state the number of offenses committed
23 while operating a vehicle in connection with the driver's
24 regular occupation. The affidavit shall be accompanied by the
25 driver's license. Upon receipt of a properly completed
26 affidavit, the Secretary of State shall issue the driver a

1 permit to operate a vehicle in connection with the driver's
2 regular occupation only. Unless the permit is issued by the
3 Secretary of State prior to the date of suspension, the
4 privilege to drive any motor vehicle shall be suspended as set
5 forth in the notice that was mailed under this Section. If an
6 affidavit is received subsequent to the effective date of this
7 suspension, a permit may be issued for the remainder of the
8 suspension period.

9 The provisions of this subparagraph shall not apply to any
10 driver required to possess a CDL for the purpose of operating a
11 commercial motor vehicle.

12 Any person who falsely states any fact in the affidavit
13 required herein shall be guilty of perjury under Section 6-302
14 and upon conviction thereof shall have all driving privileges
15 revoked without further rights.

16 3. At the conclusion of a hearing under Section 2-118 of
17 this Code, the Secretary of State shall either rescind or
18 continue an order of revocation or shall substitute an order
19 of suspension; or, good cause appearing therefor, rescind,
20 continue, change, or extend the order of suspension. If the
21 Secretary of State does not rescind the order, the Secretary
22 may upon application, to relieve undue hardship (as defined by
23 the rules of the Secretary of State), issue a restricted
24 driving permit granting the privilege of driving a motor
25 vehicle between the petitioner's residence and petitioner's
26 place of employment or within the scope of the petitioner's

1 employment-related duties, or to allow the petitioner to
2 transport himself or herself, or a family member of the
3 petitioner's household to a medical facility, to receive
4 necessary medical care, to allow the petitioner to transport
5 himself or herself to and from alcohol or drug remedial or
6 rehabilitative activity recommended by a licensed service
7 provider, or to allow the petitioner to transport himself or
8 herself or a family member of the petitioner's household to
9 classes, as a student, at an accredited educational
10 institution, or to allow the petitioner to transport children,
11 elderly persons, or persons with disabilities who do not hold
12 driving privileges and are living in the petitioner's
13 household to and from day care ~~daycare~~. The petitioner must
14 demonstrate that no alternative means of transportation is
15 reasonably available and that the petitioner will not endanger
16 the public safety or welfare.

17 (A) If a person's license or permit is revoked or
18 suspended due to 2 or more convictions of violating
19 Section 11-501 of this Code or a similar provision of a
20 local ordinance or a similar out-of-state offense, or
21 Section 9-3 of the Criminal Code of 1961 or the Criminal
22 Code of 2012, where the use of alcohol or other drugs is
23 recited as an element of the offense, or a similar
24 out-of-state offense, or a combination of these offenses,
25 arising out of separate occurrences, that person, if
26 issued a restricted driving permit, may not operate a

1 vehicle unless it has been equipped with an ignition
2 interlock device as defined in Section 1-129.1.

3 (B) If a person's license or permit is revoked or
4 suspended 2 or more times due to any combination of:

5 (i) a single conviction of violating Section
6 11-501 of this Code or a similar provision of a local
7 ordinance or a similar out-of-state offense or Section
8 9-3 of the Criminal Code of 1961 or the Criminal Code
9 of 2012, where the use of alcohol or other drugs is
10 recited as an element of the offense, or a similar
11 out-of-state offense; or

12 (ii) a statutory summary suspension or revocation
13 under Section 11-501.1; or

14 (iii) a suspension under Section 6-203.1;

15 arising out of separate occurrences; that person, if
16 issued a restricted driving permit, may not operate a
17 vehicle unless it has been equipped with an ignition
18 interlock device as defined in Section 1-129.1.

19 (B-5) If a person's license or permit is revoked or
20 suspended due to a conviction for a violation of
21 subparagraph (C) or (F) of paragraph (1) of subsection (d)
22 of Section 11-501 of this Code, or a similar provision of a
23 local ordinance or similar out-of-state offense, that
24 person, if issued a restricted driving permit, may not
25 operate a vehicle unless it has been equipped with an
26 ignition interlock device as defined in Section 1-129.1.

1 (C) The person issued a permit conditioned upon the
2 use of an ignition interlock device must pay to the
3 Secretary of State DUI Administration Fund an amount not
4 to exceed \$30 per month. The Secretary shall establish by
5 rule the amount and the procedures, terms, and conditions
6 relating to these fees.

7 (D) If the restricted driving permit is issued for
8 employment purposes, then the prohibition against
9 operating a motor vehicle that is not equipped with an
10 ignition interlock device does not apply to the operation
11 of an occupational vehicle owned or leased by that
12 person's employer when used solely for employment
13 purposes. For any person who, within a 5-year period, is
14 convicted of a second or subsequent offense under Section
15 11-501 of this Code, or a similar provision of a local
16 ordinance or similar out-of-state offense, this employment
17 exemption does not apply until either a one-year period
18 has elapsed during which that person had his or her
19 driving privileges revoked or a one-year period has
20 elapsed during which that person had a restricted driving
21 permit which required the use of an ignition interlock
22 device on every motor vehicle owned or operated by that
23 person.

24 (E) In each case the Secretary may issue a restricted
25 driving permit for a period deemed appropriate, except
26 that all permits shall expire no later than 2 years from

1 the date of issuance. A restricted driving permit issued
2 under this Section shall be subject to cancellation,
3 revocation, and suspension by the Secretary of State in
4 like manner and for like cause as a driver's license
5 issued under this Code may be cancelled, revoked, or
6 suspended; except that a conviction upon one or more
7 offenses against laws or ordinances regulating the
8 movement of traffic shall be deemed sufficient cause for
9 the revocation, suspension, or cancellation of a
10 restricted driving permit. The Secretary of State may, as
11 a condition to the issuance of a restricted driving
12 permit, require the applicant to participate in a
13 designated driver remedial or rehabilitative program. The
14 Secretary of State is authorized to cancel a restricted
15 driving permit if the permit holder does not successfully
16 complete the program.

17 (F) A person subject to the provisions of paragraph 4
18 of subsection (b) of Section 6-208 of this Code may make
19 application for a restricted driving permit at a hearing
20 conducted under Section 2-118 of this Code after the
21 expiration of 5 years from the effective date of the most
22 recent revocation or after 5 years from the date of
23 release from a period of imprisonment resulting from a
24 conviction of the most recent offense, whichever is later,
25 provided the person, in addition to all other requirements
26 of the Secretary, shows by clear and convincing evidence:

1 (i) a minimum of 3 years of uninterrupted
2 abstinence from alcohol and the unlawful use or
3 consumption of cannabis under the Cannabis Control
4 Act, a controlled substance under the Illinois
5 Controlled Substances Act, an intoxicating compound
6 under the Use of Intoxicating Compounds Act, or
7 methamphetamine under the Methamphetamine Control and
8 Community Protection Act; and

9 (ii) the successful completion of any
10 rehabilitative treatment and involvement in any
11 ongoing rehabilitative activity that may be
12 recommended by a properly licensed service provider
13 according to an assessment of the person's alcohol or
14 drug use under Section 11-501.01 of this Code.

15 In determining whether an applicant is eligible for a
16 restricted driving permit under this subparagraph (F), the
17 Secretary may consider any relevant evidence, including,
18 but not limited to, testimony, affidavits, records, and
19 the results of regular alcohol or drug tests. Persons
20 subject to the provisions of paragraph 4 of subsection (b)
21 of Section 6-208 of this Code and who have been convicted
22 of more than one violation of paragraph (3), paragraph
23 (4), or paragraph (5) of subsection (a) of Section 11-501
24 of this Code shall not be eligible to apply for a
25 restricted driving permit under this subparagraph (F).

26 A restricted driving permit issued under this

1 subparagraph (F) shall provide that the holder may only
2 operate motor vehicles equipped with an ignition interlock
3 device as required under paragraph (2) of subsection (c)
4 of Section 6-205 of this Code and subparagraph (A) of
5 paragraph 3 of subsection (c) of this Section. The
6 Secretary may revoke a restricted driving permit or amend
7 the conditions of a restricted driving permit issued under
8 this subparagraph (F) if the holder operates a vehicle
9 that is not equipped with an ignition interlock device, or
10 for any other reason authorized under this Code.

11 A restricted driving permit issued under this
12 subparagraph (F) shall be revoked, and the holder barred
13 from applying for or being issued a restricted driving
14 permit in the future, if the holder is convicted of a
15 violation of Section 11-501 of this Code, a similar
16 provision of a local ordinance, or a similar offense in
17 another state.

18 (c-3) In the case of a suspension under paragraph 43 of
19 subsection (a), reports received by the Secretary of State
20 under this Section shall, except during the actual time the
21 suspension is in effect, be privileged information and for use
22 only by the courts, police officers, prosecuting authorities,
23 the driver licensing administrator of any other state, the
24 Secretary of State, or the parent or legal guardian of a driver
25 under the age of 18. However, beginning January 1, 2008, if the
26 person is a CDL holder, the suspension shall also be made

1 available to the driver licensing administrator of any other
2 state, the U.S. Department of Transportation, and the affected
3 driver or motor carrier or prospective motor carrier upon
4 request.

5 (c-4) In the case of a suspension under paragraph 43 of
6 subsection (a), the Secretary of State shall notify the person
7 by mail that his or her driving privileges and driver's
8 license will be suspended one month after the date of the
9 mailing of the notice.

10 (c-5) The Secretary of State may, as a condition of the
11 reissuance of a driver's license or permit to an applicant
12 whose driver's license or permit has been suspended before he
13 or she reached the age of 21 years pursuant to any of the
14 provisions of this Section, require the applicant to
15 participate in a driver remedial education course and be
16 retested under Section 6-109 of this Code.

17 (d) This Section is subject to the provisions of the
18 Driver License Compact.

19 (e) The Secretary of State shall not issue a restricted
20 driving permit to a person under the age of 16 years whose
21 driving privileges have been suspended or revoked under any
22 provisions of this Code.

23 (f) In accordance with 49 CFR 384, the Secretary of State
24 may not issue a restricted driving permit for the operation of
25 a commercial motor vehicle to a person holding a CDL whose
26 driving privileges have been suspended, revoked, cancelled, or

1 disqualified under any provisions of this Code.

2 (Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21;
3 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff.
4 7-1-23; 103-154, eff. 6-30-23; 103-822, eff. 1-1-25; 103-1071,
5 eff. 7-1-25; revised 10-27-25.)

6 (Text of Section after amendment by P.A. 104-400)

7 Sec. 6-206. Discretionary authority to suspend or revoke
8 license or permit; right to a hearing.

9 (a) The Secretary of State is authorized to suspend or
10 revoke the driving privileges of any person without
11 preliminary hearing upon a showing of the person's records or
12 other sufficient evidence that the person:

13 1. Has committed an offense for which mandatory
14 revocation of a driver's license or permit is required
15 upon conviction;

16 2. Has been convicted of not less than 3 offenses
17 against traffic regulations governing the movement of
18 vehicles committed within any 12-month period. No
19 revocation or suspension shall be entered more than 6
20 months after the date of last conviction;

21 3. Has been repeatedly involved as a driver in motor
22 vehicle collisions or has been repeatedly convicted of
23 offenses against laws and ordinances regulating the
24 movement of traffic, to a degree that indicates lack of
25 ability to exercise ordinary and reasonable care in the

1 safe operation of a motor vehicle or disrespect for the
2 traffic laws and the safety of other persons upon the
3 highway;

4 4. Has by the unlawful operation of a motor vehicle
5 caused or contributed to a crash resulting in injury
6 requiring immediate professional treatment in a medical
7 facility or doctor's office to any person, except that any
8 suspension or revocation imposed by the Secretary of State
9 under the provisions of this subsection shall start no
10 later than 6 months after being convicted of violating a
11 law or ordinance regulating the movement of traffic, which
12 violation is related to the crash, or shall start not more
13 than one year after the date of the crash, whichever date
14 occurs later;

15 5. Has permitted an unlawful or fraudulent use of a
16 driver's license, identification card, or permit;

17 6. Has been lawfully convicted of an offense or
18 offenses in another state, including the authorization
19 contained in Section 6-203.1, which if committed within
20 this State would be grounds for suspension or revocation;

21 7. Has refused or failed to submit to an examination
22 provided for by Section 6-207 or has failed to pass the
23 examination;

24 8. Is ineligible for a driver's license or permit
25 under the provisions of Section 6-103;

26 9. Has made a false statement or knowingly concealed a

1 material fact or has used false information or
2 identification in any application for a license,
3 identification card, or permit;

4 10. Has possessed, displayed, or attempted to
5 fraudulently use any license, identification card, or
6 permit not issued to the person;

7 11. Has operated a motor vehicle upon a highway of
8 this State when the person's driving privilege or
9 privilege to obtain a driver's license or permit was
10 revoked or suspended unless the operation was authorized
11 by a monitoring device driving permit, judicial driving
12 permit issued prior to January 1, 2009, probationary
13 license to drive, or restricted driving permit issued
14 under this Code;

15 12. Has submitted to any portion of the application
16 process for another person or has obtained the services of
17 another person to submit to any portion of the application
18 process for the purpose of obtaining a license,
19 identification card, or permit for some other person;

20 13. Has operated a motor vehicle upon a highway of
21 this State when the person's driver's license or permit
22 was invalid under the provisions of Sections 6-107.1 and
23 6-110;

24 14. Has committed a violation of Section 6-301,
25 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or
26 14B of the Illinois Identification Card Act or a similar

1 offense in another state if, at the time of the offense,
2 the person held an Illinois driver's license or
3 identification card;

4 15. Has been convicted of violating Section 21-2 of
5 the Criminal Code of 1961 or the Criminal Code of 2012
6 relating to criminal trespass to vehicles if the person
7 exercised actual physical control over the vehicle during
8 the commission of the offense, in which case the
9 suspension shall be for one year;

10 16. Has been convicted of violating Section 11-204 of
11 this Code relating to fleeing from a peace officer;

12 17. Has refused to submit to a test, or tests, as
13 required under Section 11-501.1 of this Code and the
14 person has not sought a hearing as provided for in Section
15 11-501.1;

16 18. (Blank);

17 19. Has committed a violation of paragraph (a) or (b)
18 of Section 6-101 relating to driving without a driver's
19 license;

20 20. Has been convicted of violating Section 6-104
21 relating to classification of driver's license;

22 21. Has been convicted of violating Section 11-402 of
23 this Code relating to leaving the scene of a crash
24 resulting in damage to a vehicle in excess of \$1,000, in
25 which case the suspension shall be for one year;

26 22. Has used a motor vehicle in violating paragraph

1 (3), (4), (7), or (9) of subsection (a) of Section 24-1 of
2 the Criminal Code of 1961 or the Criminal Code of 2012
3 relating to unlawful possession of weapons, in which case
4 the suspension shall be for one year;

5 23. Has, as a driver, been convicted of committing a
6 violation of paragraph (a) of Section 11-502 of this Code
7 for a second or subsequent time within one year of a
8 similar violation;

9 24. Has been convicted by a court-martial or punished
10 by non-judicial punishment by military authorities of the
11 United States at a military installation in Illinois or in
12 another state of or for a traffic-related offense that is
13 the same as or similar to an offense specified under
14 Section 6-205 or 6-206 of this Code;

15 25. Has permitted any form of identification to be
16 used by another in the application process in order to
17 obtain or attempt to obtain a license, identification
18 card, or permit;

19 26. Has altered or attempted to alter a license or has
20 possessed an altered license, identification card, or
21 permit;

22 27. (Blank);

23 28. Has been convicted for a first time of the illegal
24 possession, while operating or in actual physical control,
25 as a driver, of a motor vehicle, of any controlled
26 substance prohibited under the Illinois Controlled

1 Substances Act, any cannabis prohibited under the Cannabis
2 Control Act, or any methamphetamine prohibited under the
3 Methamphetamine Control and Community Protection Act, in
4 which case the person's driving privileges shall be
5 suspended for one year. Any defendant found guilty of this
6 offense while operating a motor vehicle shall have an
7 entry made in the court record by the presiding judge that
8 this offense did occur while the defendant was operating a
9 motor vehicle and order the clerk of the court to report
10 the violation to the Secretary of State;

11 29. Has been convicted of the following offenses that
12 were committed while the person was operating or in actual
13 physical control, as a driver, of a motor vehicle:
14 criminal sexual assault, predatory criminal sexual assault
15 of a child, aggravated criminal sexual assault, criminal
16 sexual abuse, aggravated criminal sexual abuse, juvenile
17 pimping, soliciting for a sexually exploited child,
18 promoting commercial sexual exploitation of a child as
19 described in subdivision (a)(1), (a)(2), or (a)(3) of
20 Section 11-14.4 of the Criminal Code of 1961 or the
21 Criminal Code of 2012, and the manufacture, sale or
22 delivery of controlled substances or instruments used for
23 illegal drug use or abuse in which case the driver's
24 driving privileges shall be suspended for one year;

25 30. Has been convicted a second or subsequent time for
26 any combination of the offenses named in paragraph 29 of

1 this subsection, in which case the person's driving
2 privileges shall be suspended for 5 years;

3 31. Has refused to submit to a test as required by
4 Section 11-501.6 of this Code or Section 5-16c of the Boat
5 Registration and Safety Act or has submitted to a test
6 resulting in an alcohol concentration of 0.08 or more or
7 any amount of a drug, substance, or compound resulting
8 from the unlawful use or consumption of cannabis as listed
9 in the Cannabis Control Act, a controlled substance as
10 listed in the Illinois Controlled Substances Act, an
11 intoxicating compound as listed in the Use of Intoxicating
12 Compounds Act, or methamphetamine as listed in the
13 Methamphetamine Control and Community Protection Act, in
14 which case the penalty shall be as prescribed in Section
15 6-208.1;

16 32. Has been convicted of Section 24-1.2 of the
17 Criminal Code of 1961 or the Criminal Code of 2012
18 relating to the aggravated discharge of a firearm if the
19 offender was located in a motor vehicle at the time the
20 firearm was discharged, in which case the suspension shall
21 be for 3 years;

22 33. Has as a driver, who was less than 21 years of age
23 on the date of the offense, been convicted a first time of
24 a violation of paragraph (a) of Section 11-502 of this
25 Code or a similar provision of a local ordinance;

26 34. Has committed a violation of Section 11-1301.5 of

1 this Code or a similar provision of a local ordinance;

2 35. Has committed a violation of Section 11-1301.6 of
3 this Code or a similar provision of a local ordinance;

4 36. Is under the age of 21 years at the time of arrest
5 and has been convicted of not less than 2 offenses against
6 traffic regulations governing the movement of vehicles
7 committed within any 24-month period. No revocation or
8 suspension shall be entered more than 6 months after the
9 date of last conviction;

10 37. Has committed a violation of subsection (c),
11 (c-5), or (c-10) of Section 11-907 of this Code that
12 resulted in damage to the property of another or the death
13 or injury of another;

14 38. Has been convicted of a violation of Section 6-20
15 of the Liquor Control Act of 1934 or a similar provision of
16 a local ordinance and the person was an occupant of a motor
17 vehicle at the time of the violation;

18 39. Has committed a second or subsequent violation of
19 Section 11-1201 of this Code;

20 40. Has committed a violation of subsection (a-1) of
21 Section 11-908 of this Code;

22 41. Has committed a second or subsequent violation of
23 Section 11-605.1 of this Code, a similar provision of a
24 local ordinance, or a similar violation in any other state
25 within 2 years of the date of the previous violation, in
26 which case the suspension shall be for 90 days;

1 42. Has committed a violation of subsection (a-1) of
2 Section 11-1301.3 of this Code or a similar provision of a
3 local ordinance;

4 43. Has received a disposition of court supervision
5 for a violation of subsection (a), (d), or (e) of Section
6 6-20 of the Liquor Control Act of 1934 or a similar
7 provision of a local ordinance and the person was an
8 occupant of a motor vehicle at the time of the violation,
9 in which case the suspension shall be for a period of 3
10 months;

11 44. Is under the age of 21 years at the time of arrest
12 and has been convicted of an offense against traffic
13 regulations governing the movement of vehicles after
14 having previously had his or her driving privileges
15 suspended or revoked pursuant to subparagraph 36 of this
16 Section;

17 45. Has, in connection with or during the course of a
18 formal hearing conducted under Section 2-118 of this Code:
19 (i) committed perjury; (ii) submitted fraudulent or
20 falsified documents; (iii) submitted documents that have
21 been materially altered; or (iv) submitted, as his or her
22 own, documents that were in fact prepared or composed for
23 another person;

24 46. Has committed a violation of subsection (j) of
25 Section 3-413 of this Code;

26 47. Has committed a violation of subsection (a) of

1 Section 11-502.1 of this Code;

2 48. Has submitted a falsified or altered medical
3 examiner's certificate to the Secretary of State or
4 provided false information to obtain a medical examiner's
5 certificate;

6 49. Has been convicted of a violation of Section
7 11-1002 or 11-1002.5 that resulted in a Type A injury to
8 another, in which case the driving privileges of the
9 person shall be suspended for 12 months;

10 50. Has committed a violation of subsection (b-5) of
11 Section 12-610.2 that resulted in great bodily harm,
12 permanent disability, or disfigurement, in which case the
13 driving privileges of the person shall be suspended for 12
14 months;

15 51. Has committed a violation of Section 10-15 Of the
16 Cannabis Regulation and Tax Act or a similar provision of
17 a local ordinance while in a motor vehicle; or

18 52. Has committed a violation of subsection (b) of
19 Section 10-20 of the Cannabis Regulation and Tax Act or a
20 similar provision of a local ordinance.

21 For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26,
22 and 27 of this subsection, license means any driver's license,
23 any traffic ticket issued when the person's driver's license
24 is deposited in lieu of bail, a suspension notice issued by the
25 Secretary of State, a duplicate or corrected driver's license,
26 a probationary driver's license, or a temporary driver's

1 license.

2 (b) If any conviction forming the basis of a suspension or
3 revocation authorized under this Section is appealed, the
4 Secretary of State may rescind or withhold the entry of the
5 order of suspension or revocation, as the case may be,
6 provided that a certified copy of a stay order of a court is
7 filed with the Secretary of State. If the conviction is
8 affirmed on appeal, the date of the conviction shall relate
9 back to the time the original judgment of conviction was
10 entered and the 6-month limitation prescribed shall not apply.

11 (c) 1. Upon suspending or revoking the driver's license or
12 permit of any person as authorized in this Section, the
13 Secretary of State shall immediately notify the person in
14 writing of the revocation or suspension. The notice to be
15 deposited in the United States mail, postage prepaid, to the
16 last known address of the person.

17 2. If the Secretary of State suspends the driver's license
18 of a person under subsection 2 of paragraph (a) of this
19 Section, a person's privilege to operate a vehicle as an
20 occupation shall not be suspended, provided an affidavit is
21 properly completed, the appropriate fee received, and a permit
22 issued prior to the effective date of the suspension, unless 5
23 offenses were committed, at least 2 of which occurred while
24 operating a commercial vehicle in connection with the driver's
25 regular occupation. All other driving privileges shall be
26 suspended by the Secretary of State. Any driver prior to

1 operating a vehicle for occupational purposes only must submit
2 the affidavit on forms to be provided by the Secretary of State
3 setting forth the facts of the person's occupation. The
4 affidavit shall also state the number of offenses committed
5 while operating a vehicle in connection with the driver's
6 regular occupation. The affidavit shall be accompanied by the
7 driver's license. Upon receipt of a properly completed
8 affidavit, the Secretary of State shall issue the driver a
9 permit to operate a vehicle in connection with the driver's
10 regular occupation only. Unless the permit is issued by the
11 Secretary of State prior to the date of suspension, the
12 privilege to drive any motor vehicle shall be suspended as set
13 forth in the notice that was mailed under this Section. If an
14 affidavit is received subsequent to the effective date of this
15 suspension, a permit may be issued for the remainder of the
16 suspension period.

17 The provisions of this subparagraph shall not apply to any
18 driver required to possess a CDL for the purpose of operating a
19 commercial motor vehicle.

20 Any person who falsely states any fact in the affidavit
21 required herein shall be guilty of perjury under Section 6-302
22 and upon conviction thereof shall have all driving privileges
23 revoked without further rights.

24 3. At the conclusion of a hearing under Section 2-118 of
25 this Code, the Secretary of State shall either rescind or
26 continue an order of revocation or shall substitute an order

1 of suspension; or, good cause appearing therefor, rescind,
2 continue, change, or extend the order of suspension. If the
3 Secretary of State does not rescind the order, the Secretary
4 may upon application, to relieve undue hardship (as defined by
5 the rules of the Secretary of State), issue a restricted
6 driving permit granting the privilege of driving a motor
7 vehicle between the petitioner's residence and petitioner's
8 place of employment or within the scope of the petitioner's
9 employment-related duties, or to allow the petitioner to
10 transport himself or herself, or a family member of the
11 petitioner's household to a medical facility, to receive
12 necessary medical care, to allow the petitioner to transport
13 himself or herself to and from alcohol or drug remedial or
14 rehabilitative activity recommended by a licensed service
15 provider, or to allow the petitioner to transport himself or
16 herself or a family member of the petitioner's household to
17 classes, as a student, at an accredited educational
18 institution, or to allow the petitioner to transport children,
19 elderly persons, or persons with disabilities who do not hold
20 driving privileges and are living in the petitioner's
21 household to and from day care ~~daycare~~. The petitioner must
22 demonstrate that no alternative means of transportation is
23 reasonably available and that the petitioner will not endanger
24 the public safety or welfare.

25 (A) If a person's license or permit is revoked or
26 suspended due to 2 or more convictions of violating

1 Section 11-501 of this Code or a similar provision of a
2 local ordinance or a similar out-of-state offense, or
3 Section 9-3 of the Criminal Code of 1961 or the Criminal
4 Code of 2012, where the use of alcohol or other drugs is
5 recited as an element of the offense, or a similar
6 out-of-state offense, or a combination of these offenses,
7 arising out of separate occurrences, that person, if
8 issued a restricted driving permit, may not operate a
9 vehicle unless it has been equipped with an ignition
10 interlock device as defined in Section 1-129.1.

11 (B) If a person's license or permit is revoked or
12 suspended 2 or more times due to any combination of:

13 (i) a single conviction of violating Section
14 11-501 of this Code or a similar provision of a local
15 ordinance or a similar out-of-state offense or Section
16 9-3 of the Criminal Code of 1961 or the Criminal Code
17 of 2012, where the use of alcohol or other drugs is
18 recited as an element of the offense, or a similar
19 out-of-state offense; or

20 (ii) a statutory summary suspension or revocation
21 under Section 11-501.1; or

22 (iii) a suspension under Section 6-203.1;
23 arising out of separate occurrences; that person, if
24 issued a restricted driving permit, may not operate a
25 vehicle unless it has been equipped with an ignition
26 interlock device as defined in Section 1-129.1.

1 (B-5) If a person's license or permit is revoked or
2 suspended due to a conviction for a violation of
3 subparagraph (C) or (F) of paragraph (1) of subsection (d)
4 of Section 11-501 of this Code, or a similar provision of a
5 local ordinance or similar out-of-state offense, that
6 person, if issued a restricted driving permit, may not
7 operate a vehicle unless it has been equipped with an
8 ignition interlock device as defined in Section 1-129.1.

9 (C) The person issued a permit conditioned upon the
10 use of an ignition interlock device must pay to the
11 Secretary of State DUI Administration Fund an amount not
12 to exceed \$30 per month. The Secretary shall establish by
13 rule the amount and the procedures, terms, and conditions
14 relating to these fees.

15 (D) If the restricted driving permit is issued for
16 employment purposes, then the prohibition against
17 operating a motor vehicle that is not equipped with an
18 ignition interlock device does not apply to the operation
19 of an occupational vehicle owned or leased by that
20 person's employer when used solely for employment
21 purposes. For any person who, within a 5-year period, is
22 convicted of a second or subsequent offense under Section
23 11-501 of this Code, or a similar provision of a local
24 ordinance or similar out-of-state offense, this employment
25 exemption does not apply until either a one-year period
26 has elapsed during which that person had his or her

1 driving privileges revoked or a one-year period has
2 elapsed during which that person had a restricted driving
3 permit which required the use of an ignition interlock
4 device on every motor vehicle owned or operated by that
5 person.

6 (E) In each case the Secretary may issue a restricted
7 driving permit for a period deemed appropriate, except
8 that all permits shall expire no later than 2 years from
9 the date of issuance. A restricted driving permit issued
10 under this Section shall be subject to cancellation,
11 revocation, and suspension by the Secretary of State in
12 like manner and for like cause as a driver's license
13 issued under this Code may be cancelled, revoked, or
14 suspended; except that a conviction upon one or more
15 offenses against laws or ordinances regulating the
16 movement of traffic shall be deemed sufficient cause for
17 the revocation, suspension, or cancellation of a
18 restricted driving permit. The Secretary of State may, as
19 a condition to the issuance of a restricted driving
20 permit, require the applicant to participate in a
21 designated driver remedial or rehabilitative program. The
22 Secretary of State is authorized to cancel a restricted
23 driving permit if the permit holder does not successfully
24 complete the program.

25 (F) A person subject to the provisions of paragraph 4
26 of subsection (b) of Section 6-208 of this Code may make

1 application for a restricted driving permit at a hearing
2 conducted under Section 2-118 of this Code after the
3 expiration of 5 years from the effective date of the most
4 recent revocation or after 5 years from the date of
5 release from a period of imprisonment resulting from a
6 conviction of the most recent offense, whichever is later,
7 provided the person, in addition to all other requirements
8 of the Secretary, shows by clear and convincing evidence:

9 (i) a minimum of 3 years of uninterrupted
10 abstinence from alcohol and the unlawful use or
11 consumption of cannabis under the Cannabis Control
12 Act, a controlled substance under the Illinois
13 Controlled Substances Act, an intoxicating compound
14 under the Use of Intoxicating Compounds Act, or
15 methamphetamine under the Methamphetamine Control and
16 Community Protection Act; and

17 (ii) the successful completion of any
18 rehabilitative treatment and involvement in any
19 ongoing rehabilitative activity that may be
20 recommended by a properly licensed service provider
21 according to an assessment of the person's alcohol or
22 drug use under Section 11-501.01 of this Code.

23 In determining whether an applicant is eligible for a
24 restricted driving permit under this subparagraph (F), the
25 Secretary may consider any relevant evidence, including,
26 but not limited to, testimony, affidavits, records, and

1 the results of regular alcohol or drug tests. Persons
2 subject to the provisions of paragraph 4 of subsection (b)
3 of Section 6-208 of this Code and who have been convicted
4 of more than one violation of paragraph (3), paragraph
5 (4), or paragraph (5) of subsection (a) of Section 11-501
6 of this Code shall not be eligible to apply for a
7 restricted driving permit under this subparagraph (F).

8 A restricted driving permit issued under this
9 subparagraph (F) shall provide that the holder may only
10 operate motor vehicles equipped with an ignition interlock
11 device as required under paragraph (2) of subsection (c)
12 of Section 6-205 of this Code and subparagraph (A) of
13 paragraph 3 of subsection (c) of this Section. The
14 Secretary may revoke a restricted driving permit or amend
15 the conditions of a restricted driving permit issued under
16 this subparagraph (F) if the holder operates a vehicle
17 that is not equipped with an ignition interlock device, or
18 for any other reason authorized under this Code.

19 A restricted driving permit issued under this
20 subparagraph (F) shall be revoked, and the holder barred
21 from applying for or being issued a restricted driving
22 permit in the future, if the holder is convicted of a
23 violation of Section 11-501 of this Code, a similar
24 provision of a local ordinance, or a similar offense in
25 another state.

26 (c-3) In the case of a suspension under paragraph 43 of

1 subsection (a), reports received by the Secretary of State
2 under this Section shall, except during the actual time the
3 suspension is in effect, be privileged information and for use
4 only by the courts, police officers, prosecuting authorities,
5 the driver licensing administrator of any other state, the
6 Secretary of State, or the parent or legal guardian of a driver
7 under the age of 18. However, beginning January 1, 2008, if the
8 person is a CDL holder, the suspension shall also be made
9 available to the driver licensing administrator of any other
10 state, the U.S. Department of Transportation, and the affected
11 driver or motor carrier or prospective motor carrier upon
12 request.

13 (c-4) In the case of a suspension under paragraph 43 of
14 subsection (a), the Secretary of State shall notify the person
15 by mail that his or her driving privileges and driver's
16 license will be suspended one month after the date of the
17 mailing of the notice.

18 (c-5) The Secretary of State may, as a condition of the
19 reissuance of a driver's license or permit to an applicant
20 whose driver's license or permit has been suspended before he
21 or she reached the age of 21 years pursuant to any of the
22 provisions of this Section, require the applicant to
23 participate in a driver remedial education course and be
24 retested under Section 6-109 of this Code.

25 (d) This Section is subject to the provisions of the
26 Driver License Compact.

1 (e) The Secretary of State shall not issue a restricted
2 driving permit to a person under the age of 16 years whose
3 driving privileges have been suspended or revoked under any
4 provisions of this Code.

5 (f) In accordance with 49 CFR 384, the Secretary of State
6 may not issue a restricted driving permit for the operation of
7 a commercial motor vehicle to a person holding a CDL whose
8 driving privileges have been suspended, revoked, cancelled, or
9 disqualified under any provisions of this Code.

10 (Source: P.A. 103-154, eff. 6-30-23; 103-822, eff. 1-1-25;
11 103-1071, eff. 7-1-25; 104-400, eff. 6-1-26; revised
12 10-27-25.)

13 (625 ILCS 5/6-411)

14 Sec. 6-411. Qualifications of Driver Training Instructors.
15 In order to qualify for a license as an instructor for a
16 driving school, an applicant must:

17 (a) Be of good moral character;

18 (b) Authorize an investigation to include a
19 fingerprint based background check to determine if the
20 applicant has ever been convicted of a crime and if so, the
21 disposition of those convictions; this authorization shall
22 indicate the scope of the inquiry and the agencies which
23 may be contacted. Upon this authorization, the Secretary
24 of State may request and receive information and
25 assistance from any federal, state, or local governmental

1 agency as part of the authorized investigation. Each
2 applicant shall submit his or her fingerprints to the
3 Illinois State Police in the form and manner prescribed by
4 the Illinois State Police. These fingerprints shall be
5 checked against the fingerprint records now and hereafter
6 filed in the Illinois State Police and Federal Bureau of
7 Investigation criminal history records databases. The
8 Illinois State Police shall charge a fee for conducting
9 the criminal history records check, which shall be
10 deposited in the State Police Services Fund and shall not
11 exceed the actual cost of the records check. The applicant
12 shall be required to pay all related fingerprint fees,
13 including, but not limited to, the amounts established by
14 the Illinois State Police and the Federal Bureau of
15 Investigation to process fingerprint based criminal
16 background investigations. The Illinois State Police shall
17 provide information concerning any criminal convictions,
18 and their disposition, brought against the applicant upon
19 request of the Secretary of State when the request is made
20 in the form and manner required by the Illinois State
21 Police. Unless otherwise prohibited by law, the
22 information derived from this investigation, including the
23 source of this information, and any conclusions or
24 recommendations derived from this information by the
25 Secretary of State shall be provided to the applicant, or
26 his designee, upon request to the Secretary of State,

1 prior to any final action by the Secretary of State on the
2 application. At any administrative hearing held under
3 Section 2-118 of this Code relating to the denial,
4 cancellation, suspension, or revocation of a driver
5 training school license, the Secretary of State is
6 authorized to utilize at that hearing any criminal
7 histories, criminal convictions, and disposition
8 information obtained under this Section. Any criminal
9 convictions and their disposition information obtained by
10 the Secretary of State shall be confidential and may not
11 be transmitted outside the Office of the Secretary of
12 State, except as required herein, and may not be
13 transmitted to anyone within the Office of the Secretary
14 of State except as needed for the purpose of evaluating
15 the applicant. The information obtained from this
16 investigation may be maintained by the Secretary of State
17 or any agency to which such information was transmitted.
18 Only information and standards which bear a reasonable and
19 rational relation to the performance of a driver training
20 instructor shall be used by the Secretary of State. Any
21 employee of the Secretary of State who gives or causes to
22 be given away any confidential information concerning any
23 criminal charges and their disposition of an applicant
24 shall be guilty of a Class A misdemeanor unless release of
25 such information is authorized by this Section;

26 (c) Pass such examination as the Secretary of State

1 shall require on (1) traffic laws, (2) safe driving
2 practices, (3) operation of motor vehicles, and (4)
3 qualifications of teacher;

4 (d) Be physically able to operate safely a motor
5 vehicle and to train others in the operation of motor
6 vehicles. An instructors license application must be
7 accompanied by a medical examination report completed by a
8 competent medical examiner as defined in Section 6-901 of
9 this Code;

10 (e) Hold a valid Illinois drivers license;

11 (e-5) Have held a valid driver's license for any
12 2-year period preceding the date of application for an
13 instructor's license, including a temporary visitor's
14 driver's license issued under Section 6-105.1, and be
15 currently authorized to work in the United States;

16 (f) Have graduated from an accredited high school
17 after at least 4 years of high school education or the
18 equivalent; and

19 (g) Pay to the Secretary of State an application and
20 license fee of \$70.

21 If a driver training school class room instructor teaches
22 an approved driver education course, as defined in Section
23 1-103 of this Code, to students under 18 years of age, he or
24 she shall furnish to the Secretary of State a certificate
25 issued by the State Board of Education that the said
26 instructor is qualified and meets the minimum educational

1 standards for teaching driver education courses in the local
2 public or parochial school systems, except that no State Board
3 of Education certification shall be required of any instructor
4 who teaches exclusively in a commercial driving school. On and
5 after July 1, 1986, the existing rules and regulations of the
6 State Board of Education concerning commercial driving schools
7 shall continue to remain in effect but shall be administered
8 by the Secretary of State until such time as the Secretary of
9 State shall amend or repeal the rules in accordance with the
10 Illinois Administrative Procedure Act. Upon request, the
11 Secretary of State shall issue a certificate of completion to
12 a student under 18 years of age who has completed an approved
13 driver education course at a commercial driving school.

14 (Source: P.A. 104-260, eff. 8-15-25; 104-275, eff. 1-1-26;
15 revised 11-21-25.)

16 (625 ILCS 5/6-521) (from Ch. 95 1/2, par. 6-521)

17 Sec. 6-521. Rulemaking authority.

18 (a) The Secretary of State, using the authority to license
19 motor vehicle operators under this Code, may adopt such rules
20 and regulations as may be necessary to establish standards,
21 policies, and procedures for the licensing and sanctioning of
22 commercial motor vehicle drivers in order to meet the
23 requirements of the Commercial Motor Vehicle Act of 1986
24 (CMVSA); subsequent federal rulemaking under 49 CFR ~~C.F.R.~~
25 Part 383 or Part 1572; and administrative and policy decisions

1 of the U.S. Secretary of Transportation and the Federal Motor
2 Carrier Safety Administration. The Secretary may, as provided
3 in the CMVSA, establish stricter requirements for the
4 licensing of commercial motor vehicle drivers than those
5 established by the federal government.

6 (b) By January 1, 1994, the Secretary of State shall
7 establish rules and regulations for the issuance of a
8 restricted commercial driver's license for farm-related
9 service industries consistent with federal guidelines. The
10 restricted license shall be available for a seasonal period or
11 periods not to exceed a total of 210 days in any 12-month
12 period.

13 (c) (Blank).

14 (d) By July 1, 1995, the Secretary of State shall
15 establish rules and regulations for the issuance and
16 cancellation of a School Bus Driver's Permit. The permit shall
17 be required for the operation of a school bus as provided in
18 subsection (c), a non-restricted CDL with passenger
19 endorsement, or a properly classified driver's license. The
20 permit will establish that the school bus driver has met all
21 the requirements of the application and screening process
22 established by Section 6-106.1 of this Code.

23 (Source: P.A. 104-260, eff. 8-15-25; 104-366, eff. 1-1-26;
24 revised 12-12-25.)

25 (625 ILCS 5/7-603.5)

1 Sec. 7-603.5. Electronic verification of a liability
2 insurance policy.

3 (a) The Secretary may implement a program of electronic
4 motor vehicle liability insurance policy verification for
5 motor vehicles subject to Section 7-601 of this Code for the
6 purpose of verifying whether or not the motor vehicle is
7 insured. The development and implementation of the program
8 shall be consistent with the standards and procedures of a
9 nationwide organization whose primary membership consists of
10 individual insurance companies and insurance trade
11 associations. The program shall include, but is not limited
12 to:

13 (1) a requirement that an insurance company authorized
14 to sell motor vehicle liability insurance in this State
15 shall make available, in a format designated by the
16 Secretary that is consistent with a nationwide
17 organization whose primary membership consists of
18 individual insurance companies and insurance trade
19 organizations, to the Secretary for each motor vehicle
20 liability insurance policy issued by the company the
21 following information:

22 (A) the name of the policyholder ~~policy holder~~;

23 (B) the make, model, year, and vehicle
24 identification number of the covered motor vehicle;

25 (C) the policy number;

26 (D) the policy effective date;

1 (E) the insurance company's National Association
2 of Insurance Commissioners ~~Commissioner's~~ number; and

3 (F) any other information the Secretary deems
4 necessary to match an eligible vehicle with an
5 insurance policy;

6 (2) a method for searching motor vehicle liability
7 insurance policies issued and in effect in this State by
8 using the information under paragraph (1) of this
9 subsection (a);

10 (3) a requirement that at least twice per calendar
11 year, the Secretary shall verify the existence of a
12 liability insurance policy for every registered motor
13 vehicle subject to Section 7-601 of this Code; and if the
14 Secretary is unable to verify the existence of a liability
15 insurance policy, the Secretary shall, by U.S. mail or
16 electronic mail, send the vehicle owner a written notice
17 allowing the vehicle owner 30 calendar days to provide
18 proof of insurance on the date of attempted verification,
19 or to provide proof that the vehicle is no longer
20 operable;

21 (4) a requirement that a vehicle owner who does not
22 provide proof of insurance or proof of an inoperable
23 vehicle within the 30 calendar days specified under
24 paragraph (3) of this subsection (a) shall be in violation
25 of Section 7-601 of this Code and the Secretary shall
26 suspend the vehicle's registration upon expiration of that

1 30 calendar days and the owner shall pay any applicable
2 reinstatement fees and shall provide proof of insurance
3 before the Secretary may reinstate the vehicle's
4 registration under Section 7-606 of this Code;

5 (5) a requirement that if a vehicle owner provides
6 proof of insurance on the date of the attempted
7 verification under paragraph (3) of this subsection (1),
8 the Secretary may verify the vehicle owner's response by
9 furnishing necessary information to the insurance company.
10 Within 7 calendar days of receiving the information, the
11 insurance company shall confirm and notify the Secretary
12 of the dates of the motor vehicle's insurance coverage. If
13 the insurance company does not confirm coverage for the
14 date of attempted verification, the Secretary shall
15 suspend the vehicle's registration and the owner of the
16 vehicle shall pay any applicable reinstatement fees and
17 shall provide proof of insurance before the Secretary may
18 reinstate the vehicle's registration under Section 7-606
19 of this Code;

20 (6) a requirement that the Secretary may consult with
21 members of the insurance industry during the
22 implementation of the program, including, but not limited
23 to, during the drafting process for adopting any rules
24 that may be necessary to implement or manage an electronic
25 motor vehicle liability insurance policy verification
26 program;

1 (7) a requirement that commercial lines of automobile
2 insurance are excluded from the program, but may
3 voluntarily report insurance coverage to the State.

4 (b) In addition to the semi-annual verification of
5 liability insurance under subsection (a) of this Section, the
6 Secretary may select monthly verification for a motor vehicle
7 owned or registered by a person:

8 (1) whose motor vehicle registration during the
9 preceding 4 years has been suspended under Section 7-606
10 or 7-607 of this Code;

11 (2) who, during the preceding 4 years, has been
12 convicted of violating Section 3-707, 3-708, or 3-710 of
13 this Code while operating a vehicle owned by another
14 person;

15 (3) whose driving privileges have been suspended
16 during the preceding 4 years;

17 (4) who, during the preceding 4 years, acquired
18 ownership of a motor vehicle while the registration of the
19 vehicle under the previous owner was suspended under
20 Section 7-606 or 7-607 of this Code; or

21 (5) who, during the preceding 4 years, has received a
22 disposition of court supervision under subsection (c) of
23 Section 5-6-1 of the Unified Code of Corrections for a
24 violation of Section 3-707, 3-708, or 3-710 of this Code.

25 (c) Nothing in this Section provides the Secretary with
26 regulatory authority over insurance companies.

1 (d) The Secretary may contract with a private contractor
2 to carry out the Secretary's duties under this Section.

3 (e) Any information collected, stored, maintained, or
4 referred to under this Section shall be used solely for the
5 purpose of verifying whether a registered motor vehicle meets
6 the requirements of Section 7-601 of this Code and shall be
7 exempt from a records request or from inspection and copying
8 under the Freedom of Information Act. A request for release of
9 verification of liability insurance policy information from
10 the Secretary shall require a court order, subpoena, or the
11 motor vehicle owner's approval.

12 (f) An insurer identified by an electronic motor vehicle
13 liability insurance policy program as insuring less than 1,000
14 vehicles per year shall be exempt from the reporting
15 requirements under subsection (a) of this Section.

16 (g) The Secretary may adopt any rules necessary to
17 implement this Section.

18 (Source: P.A. 104-105, eff. 8-1-25; revised 12-12-25.)

19 (625 ILCS 5/11-907)

20 (Text of Section before amendment by P.A. 104-131 and
21 104-400)

22 Sec. 11-907. Operation of vehicles and streetcars on
23 approach of authorized emergency vehicles.

24 (a) Upon the immediate approach of an authorized emergency
25 vehicle making use of audible and visual signals meeting the

1 requirements of this Code or a police vehicle properly and
2 lawfully making use of an audible or visual signal:

3 (1) the driver of every other vehicle shall yield the
4 right-of-way and shall immediately drive to a position
5 parallel to, and as close as possible to, the right-hand
6 edge or curb of the highway clear of any intersection and
7 shall, if necessary to permit the safe passage of the
8 emergency vehicle, stop and remain in such position until
9 the authorized emergency vehicle has passed, unless
10 otherwise directed by a police officer; and

11 (2) the operator of every streetcar shall immediately
12 stop such car clear of any intersection and keep it in such
13 position until the authorized emergency vehicle has
14 passed, unless otherwise directed by a police officer.

15 (b) This Section shall not operate to relieve the driver
16 of an authorized emergency vehicle from the duty to drive with
17 due regard for the safety of all persons using the highway.

18 (c) Upon approaching a stationary authorized emergency
19 vehicle or emergency scene, when the stationary authorized
20 emergency vehicle is giving a visual signal by displaying
21 oscillating, rotating, or flashing lights as authorized under
22 Section 12-215 of this Code, a person who drives an
23 approaching vehicle shall:

24 (1) proceeding with due caution, yield the
25 right-of-way by making a lane change into a lane not
26 adjacent to that of the authorized emergency vehicle, if

1 possible with due regard to safety and traffic conditions,
2 if on a highway having at least 4 lanes with not less than
3 2 lanes proceeding in the same direction as the
4 approaching vehicle and reduce the speed of the vehicle to
5 a speed that is reasonable and proper with regard to
6 traffic conditions and the use of the highway to avoid a
7 collision and leaving a safe distance until safely past
8 the stationary emergency vehicle; or

9 (2) if changing lanes would be impossible or unsafe,
10 proceeding with due caution, reduce the speed of the
11 vehicle to a speed that is reasonable and proper with
12 regard to traffic conditions and the use of the highway to
13 avoid a collision, maintaining a safe speed for road
14 conditions and leaving a safe distance until safely past
15 the stationary emergency vehicles.

16 The visual signal specified under this subsection (c)
17 given by a stationary authorized emergency vehicle is an
18 indication to drivers of approaching vehicles that a hazardous
19 condition is present when circumstances are not immediately
20 clear. Drivers of vehicles approaching a stationary authorized
21 emergency vehicle in any lane shall heed the warning of the
22 signal, reduce the speed of the vehicle, proceed with due
23 caution, maintain a safe speed for road conditions, be
24 prepared to stop, and leave a safe distance until safely
25 passed the stationary emergency vehicle.

26 As used in this subsection (c), "authorized emergency

1 vehicle" includes any vehicle authorized by law to be equipped
2 with oscillating, rotating, or flashing lights under Section
3 12-215 of this Code, while the owner or operator of the vehicle
4 is engaged in his or her official duties. As used in this
5 subsection (c), "emergency scene" means a location where a
6 stationary authorized emergency vehicle as defined by herein
7 is present and has activated its oscillating, rotating, or
8 flashing lights.

9 (d) A person who violates subsection (c) of this Section
10 commits a business offense punishable by a fine of not less
11 than \$250 or more than \$10,000 for a first violation, and a
12 fine of not less than \$750 or more than \$10,000 for a second or
13 subsequent violation. It is a factor in aggravation if the
14 person committed the offense while in violation of Section
15 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the
16 penalties authorized by this subsection (d) for a violation of
17 subsection (c) of this Section that results in the death of
18 another person does not preclude imposition of appropriate
19 additional civil or criminal penalties. A person who violates
20 subsection (c) and the violation results in damage to another
21 vehicle commits a Class A misdemeanor. A person who violates
22 subsection (c) and the violation results in the injury or
23 death of another person commits a Class 4 felony.

24 (e) If a violation of subsection (c) of this Section
25 results in damage to the property of another person, in
26 addition to any other penalty imposed, the person's driving

1 privileges shall be suspended for a fixed period of not less
2 than 90 days and not more than one year.

3 (f) If a violation of subsection (c) of this Section
4 results in injury to another person, in addition to any other
5 penalty imposed, the person's driving privileges shall be
6 suspended for a fixed period of not less than 180 days and not
7 more than 2 years.

8 (g) If a violation of subsection (c) of this Section
9 results in the death of another person, in addition to any
10 other penalty imposed, the person's driving privileges shall
11 be suspended for 2 years.

12 (h) The Secretary of State shall, upon receiving a record
13 of a judgment entered against a person under subsection (c) of
14 this Section:

15 (1) suspend the person's driving privileges for the
16 mandatory period; or

17 (2) extend the period of an existing suspension by the
18 appropriate mandatory period.

19 (i) The Scott's Law Fund shall be a special fund in the
20 State treasury. Subject to appropriation by the General
21 Assembly and approval by the Director, the Director of the
22 State Police shall use all moneys in the Scott's Law Fund in
23 the Department's discretion to fund the production of
24 materials to educate drivers on approaching stationary
25 authorized emergency vehicles, to hire off-duty Illinois State
26 Police for enforcement of this Section, and for other law

1 enforcement purposes the Director deems necessary in these
2 efforts.

3 (j) For violations of this Section issued by a county or
4 municipal police officer, the assessment shall be deposited
5 into the county's or municipality's Transportation Safety
6 Highway Hire-back Fund. The county shall use the moneys in its
7 Transportation Safety Highway Hire-back Fund to hire off-duty
8 county police officers to monitor construction or maintenance
9 zones in that county on highways other than interstate
10 highways. The county, in its discretion, may also use a
11 portion of the moneys in its Transportation Safety Highway
12 Hire-back Fund to purchase equipment for county law
13 enforcement and fund the production of materials to educate
14 drivers on construction zone safe driving habits and
15 approaching stationary authorized emergency vehicles.

16 (k) In addition to other penalties imposed by this
17 Section, the court may order a person convicted of a violation
18 of subsection (c) to perform community service as determined
19 by the court.

20 (Source: P.A. 103-667, eff. 1-1-25; 103-711, eff. 1-1-25;
21 104-417, eff. 8-15-25.)

22 (Text of Section after amendment by P.A. 104-400 but
23 before 104-131)

24 Sec. 11-907. Operation of vehicles and streetcars on
25 approach of authorized emergency vehicles.

1 (a) Upon the immediate approach of an authorized emergency
2 vehicle making use of audible and visual signals meeting the
3 requirements of this Code or a police vehicle properly and
4 lawfully making use of an audible or visual signal:

5 (1) the driver of every other vehicle shall yield the
6 right-of-way and shall immediately drive to a position
7 parallel to, and as close as possible to, the right-hand
8 edge or curb of the highway clear of any intersection and
9 shall, if necessary to permit the safe passage of the
10 emergency vehicle, stop and remain in such position until
11 the authorized emergency vehicle has passed, unless
12 otherwise directed by a police officer; and

13 (2) the operator of every streetcar shall immediately
14 stop such car clear of any intersection and keep it in such
15 position until the authorized emergency vehicle has
16 passed, unless otherwise directed by a police officer.

17 (b) This Section shall not operate to relieve the driver
18 of an authorized emergency vehicle from the duty to drive with
19 due regard for the safety of all persons using the highway.

20 (c) Upon approaching a stationary authorized emergency
21 vehicle or emergency scene, when the stationary authorized
22 emergency vehicle is giving a visual signal by displaying
23 oscillating, rotating, or flashing lights as authorized under
24 Section 12-215 of this Code, a person who drives an
25 approaching vehicle shall:

26 (1) proceeding with due caution, yield the

1 right-of-way by making a lane change into a lane not
2 adjacent to that of the authorized emergency vehicle, if
3 possible with due regard to safety and traffic conditions,
4 if on a highway having at least 4 lanes with not less than
5 2 lanes proceeding in the same direction as the
6 approaching vehicle and reduce the speed of the vehicle to
7 a speed that is reasonable and proper with regard to
8 traffic conditions and the use of the highway to avoid a
9 collision and leaving a safe distance until safely past
10 the stationary emergency vehicle; or

11 (2) if changing lanes would be impossible or unsafe,
12 proceeding with due caution, reduce the speed of the
13 vehicle to a speed that is reasonable and proper with
14 regard to traffic conditions and the use of the highway to
15 avoid a collision, maintaining a safe speed for road
16 conditions and leaving a safe distance until safely past
17 the stationary emergency vehicles.

18 The visual signal specified under this subsection (c)
19 given by a stationary authorized emergency vehicle is an
20 indication to drivers of approaching vehicles that a hazardous
21 condition is present when circumstances are not immediately
22 clear. Drivers of vehicles approaching a stationary authorized
23 emergency vehicle in any lane shall heed the warning of the
24 signal, reduce the speed of the vehicle, proceed with due
25 caution, maintain a safe speed for road conditions, be
26 prepared to stop, and leave a safe distance until safely

1 passed the stationary emergency vehicle.

2 As used in this subsection (c) and subsection (c-5),
3 "authorized emergency vehicle" includes any vehicle authorized
4 by law to be equipped with oscillating, rotating, or flashing
5 lights under Section 12-215 of this Code, while the owner or
6 operator of the vehicle is engaged in his or her official
7 duties. As used in this subsection (c) and subsection (c-10),
8 "emergency scene" means a location where a stationary
9 authorized emergency vehicle as defined by herein is present
10 and has activated its oscillating, rotating, or flashing
11 lights.

12 (c-5) The driver of a vehicle shall yield the right-of-way
13 to any authorized emergency vehicle obviously and actually
14 engaged in work upon a highway, whether stationary or not, and
15 displaying flashing lights as provided in Section 12-215 of
16 this Act.

17 (c-10) The driver of a vehicle shall yield the
18 right-of-way to an emergency worker obviously and actually
19 engaged in work upon a highway at an emergency scene. The
20 driver of a vehicle shall yield the right-of-way to any
21 pedestrian upon a highway directly involved in the emergency
22 scene.

23 (d) A person who violates subsection (c), (c-5), or
24 (c-10) of this Section commits a business offense punishable
25 by a fine of not less than \$250 or more than \$10,000 for a
26 first violation, and a fine of not less than \$750 or more than

1 \$10,000 for a second or subsequent violation. It is a factor in
2 aggravation if the person committed the offense while in
3 violation of Section 11-501, 12-610.1, or 12-610.2 of this
4 Code. Imposition of the penalties authorized by this
5 subsection (d) for a violation of subsection (c) of this
6 Section that results in the death of another person does not
7 preclude imposition of appropriate additional civil or
8 criminal penalties. A person who violates subsection (c) and
9 the violation results in damage to another vehicle commits a
10 Class A misdemeanor. A person who violates subsection (c) and
11 the violation results in the injury or death of another person
12 commits a Class 4 felony.

13 (e) If a violation of subsection (c), (c-5), or (c-10) of
14 this Section results in damage to the property of another
15 person, in addition to any other penalty imposed, the person's
16 driving privileges shall be suspended for a fixed period of
17 not less than 90 days and not more than one year.

18 (f) If a violation of subsection (c), (c-5), or (c-10) of
19 this Section results in injury to another person, in addition
20 to any other penalty imposed, the person's driving privileges
21 shall be suspended for a fixed period of not less than 180 days
22 and not more than 2 years.

23 (g) If a violation of subsection (c), (c-5), or (c-10) of
24 this Section results in the death of another person, in
25 addition to any other penalty imposed, the person's driving
26 privileges shall be suspended for 2 years.

1 (h) The Secretary of State shall, upon receiving a record
2 of a judgment entered against a person under subsection (c),
3 (c-5), or (c-10), of this Section:

4 (1) suspend the person's driving privileges for the
5 mandatory period; or

6 (2) extend the period of an existing suspension by the
7 appropriate mandatory period.

8 (i) The Scott's Law Fund shall be a special fund in the
9 State treasury. Subject to appropriation by the General
10 Assembly and approval by the Director, the Director of the
11 State Police shall use all moneys in the Scott's Law Fund in
12 the Department's discretion to fund the production of
13 materials to educate drivers on approaching stationary
14 authorized emergency vehicles, to hire off-duty Illinois State
15 Police for enforcement of this Section, and for other law
16 enforcement purposes the Director deems necessary in these
17 efforts.

18 (j) For violations of this Section issued by a county or
19 municipal police officer, the assessment shall be deposited
20 into the county's or municipality's Transportation Safety
21 Highway Hire-back Fund. The county shall use the moneys in its
22 Transportation Safety Highway Hire-back Fund to hire off-duty
23 county police officers to monitor construction or maintenance
24 zones in that county on highways other than interstate
25 highways. The county, in its discretion, may also use a
26 portion of the moneys in its Transportation Safety Highway

1 Hire-back Fund to purchase equipment for county law
2 enforcement and fund the production of materials to educate
3 drivers on construction zone safe driving habits and
4 approaching stationary authorized emergency vehicles.

5 (k) In addition to other penalties imposed by this
6 Section, the court may order a person convicted of a violation
7 of subsection (c), (c-5), or (c-10) ~~7~~ to perform community
8 service as determined by the court.

9 (Source: P.A. 103-667, eff. 1-1-25; 103-711, eff. 1-1-25;
10 104-400, eff. 6-1-26; 104-417, eff. 8-15-25; revised 9-12-25.)

11 (Text of Section after amendment by P.A. 104-131)

12 Sec. 11-907. Operation of vehicles and streetcars on
13 approach of authorized emergency vehicles.

14 (a) Upon the immediate approach of an authorized emergency
15 vehicle making use of audible and visual signals meeting the
16 requirements of this Code or a police vehicle properly and
17 lawfully making use of an audible or visual signal:

18 (1) the driver of every other vehicle shall yield the
19 right-of-way and shall immediately drive to a position
20 parallel to, and as close as possible to, the right-hand
21 edge or curb of the highway clear of any intersection and
22 shall, if necessary to permit the safe passage of the
23 emergency vehicle, stop and remain in such position until
24 the authorized emergency vehicle has passed, unless
25 otherwise directed by a police officer; and

1 (2) the operator of every streetcar shall immediately
2 stop such car clear of any intersection and keep it in such
3 position until the authorized emergency vehicle has
4 passed, unless otherwise directed by a police officer.

5 (b) This Section shall not operate to relieve the driver
6 of an authorized emergency vehicle from the duty to drive with
7 due regard for the safety of all persons using the highway.

8 (c) Upon approaching a stationary authorized emergency
9 vehicle or emergency scene, when the stationary authorized
10 emergency vehicle is giving a visual signal by displaying
11 oscillating, rotating, or flashing lights as authorized under
12 Section 12-215 of this Code, a person who drives an
13 approaching vehicle shall:

14 (1) proceeding with due caution, yield the
15 right-of-way by making a lane change into a lane not
16 adjacent to that of the authorized emergency vehicle, if
17 possible with due regard to safety and traffic conditions,
18 if on a highway having at least 4 lanes with not less than
19 2 lanes proceeding in the same direction as the
20 approaching vehicle and reduce the speed of the vehicle to
21 a speed that is reasonable and proper with regard to
22 traffic conditions and the use of the highway to avoid a
23 collision and leaving a safe distance until safely past
24 the stationary emergency vehicle; or

25 (2) if changing lanes would be impossible or unsafe,
26 proceeding with due caution, reduce the speed of the

1 vehicle to a speed that is reasonable and proper with
2 regard to traffic conditions and the use of the highway to
3 avoid a collision, maintaining a safe speed for road
4 conditions and leaving a safe distance until safely past
5 the stationary emergency vehicles.

6 The visual signal specified under this subsection (c)
7 given by a stationary authorized emergency vehicle is an
8 indication to drivers of approaching vehicles that a hazardous
9 condition is present when circumstances are not immediately
10 clear. Drivers of vehicles approaching a stationary authorized
11 emergency vehicle in any lane shall heed the warning of the
12 signal, reduce the speed of the vehicle, proceed with due
13 caution, maintain a safe speed for road conditions, be
14 prepared to stop, and leave a safe distance until safely
15 passed the stationary emergency vehicle.

16 As used in this subsection (c) and subsection (c-5),
17 "authorized emergency vehicle" includes any vehicle authorized
18 by law to be equipped with oscillating, rotating, or flashing
19 lights under Section 12-215 of this Code, while the owner or
20 operator of the vehicle is engaged in his or her official
21 duties. As used in this subsection (c) and subsection (c-10),
22 "emergency scene" means a location where a stationary
23 authorized emergency vehicle as defined by herein is present
24 and has activated its oscillating, rotating, or flashing
25 lights.

26 (c-5) The driver of a vehicle shall yield the right-of-way

1 to any authorized emergency vehicle obviously and actually
2 engaged in work upon a highway, whether stationary or not, and
3 displaying flashing lights as provided in Section 12-215 of
4 this Act.

5 (c-10) The driver of a vehicle shall yield the
6 right-of-way to an emergency worker obviously and actually
7 engaged in work upon a highway at an emergency scene. The
8 driver of a vehicle shall yield the right-of-way to any
9 pedestrian upon a highway directly involved in the emergency
10 scene.

11 (d) A person who violates subsection (c), (c-5), or
12 (c-10), of this Section commits a business offense punishable
13 by a fine of not less than \$250 or more than \$10,000 for a
14 first violation, and a fine of not less than \$750 or more than
15 \$10,000 for a second or subsequent violation. It is a factor in
16 aggravation if the person committed the offense while in
17 violation of Section 11-501, 12-610.1, or 12-610.2 of this
18 Code. Imposition of the penalties authorized by this
19 subsection (d) for a violation of subsection (c) of this
20 Section that results in the death of another person does not
21 preclude imposition of appropriate additional civil or
22 criminal penalties. A person who violates subsection (c) and
23 the violation results in damage to another vehicle commits a
24 Class A misdemeanor. A person who violates subsection (c) and
25 the violation results in the injury or death of another person
26 commits a Class 4 felony.

1 (e) If a violation of subsection (c), (c-5), or (c-10) of
2 this Section results in damage to the property of another
3 person, in addition to any other penalty imposed, the person's
4 driving privileges shall be suspended for a fixed period of
5 not less than 90 days and not more than one year.

6 (f) If a violation of subsection (c), (c-5), or (c-10) of
7 this Section results in injury to another person, in addition
8 to any other penalty imposed, the person's driving privileges
9 shall be suspended for a fixed period of not less than 180 days
10 and not more than 2 years.

11 (g) If a violation of subsection (c), (c-5), or (c-10) of
12 this Section results in the death of another person, in
13 addition to any other penalty imposed, the person's driving
14 privileges shall be suspended for 2 years.

15 (h) The Secretary of State shall, upon receiving a record
16 of a judgment entered against a person under subsection (c),
17 (c-5), or (c-10) of this Section:

18 (1) suspend the person's driving privileges for the
19 mandatory period; or

20 (2) extend the period of an existing suspension by the
21 appropriate mandatory period.

22 (i) Subject to appropriation by the General Assembly and
23 approval by the Director, the Director of the Illinois State
24 Police shall use moneys in the State Police Operations
25 Assistance Fund in the Department's discretion to fund the
26 production of materials to educate drivers on approaching

1 stationary authorized emergency vehicles, to hire off-duty
2 Illinois State Police personnel for enforcement of this
3 Section, and for other law enforcement purposes the Director
4 deems necessary in these efforts.

5 (j) For violations of this Section issued by a county or
6 municipal police officer, the assessment shall be deposited
7 into the county's or municipality's Transportation Safety
8 Highway Hire-back Fund. The county shall use the moneys in its
9 Transportation Safety Highway Hire-back Fund to hire off-duty
10 county police officers to monitor construction or maintenance
11 zones in that county on highways other than interstate
12 highways. The county, in its discretion, may also use a
13 portion of the moneys in its Transportation Safety Highway
14 Hire-back Fund to purchase equipment for county law
15 enforcement and fund the production of materials to educate
16 drivers on construction zone safe driving habits and
17 approaching stationary authorized emergency vehicles.

18 (k) In addition to other penalties imposed by this
19 Section, the court may order a person convicted of a violation
20 of subsection (c), (c-5), or (c-10) to perform community
21 service as determined by the court.

22 (Source: P.A. 103-667, eff. 1-1-25; 103-711, eff. 1-1-25;
23 104-131, eff. 9-1-26; 104-400, eff. 6-1-26; 104-417, eff.
24 8-15-25; revised 9-12-25.)

1 (Text of Section before amendment by P.A. 104-256)

2 Sec. 11-1414.1. School transportation of students.

3 (a) Every student enrolled in grade 12 or below in any
4 entity listed in subsection (a) of Section 1-182 of this Code
5 must be transported in a school bus or a vehicle described in
6 subdivision (1) or (2) of subsection (b) of Section 1-182 of
7 this Code for any curriculum-related or career-related
8 activity, except a student in any of grades 9 through 12 or a
9 student in any of grades K through 12 with an individualized
10 education program (IEP) with a staff to student ratio of 1 to
11 5, and attending Acacia Academy, Alexander Leigh, Marklund,
12 Helping Hands Center, Connections Organization, Soaring Eagle
13 Academy, or New Horizon Academy may be transported in a
14 multifunction school activity bus (MFSAB) as defined in
15 Section 1-148.3a-5 of this Code for any curriculum-related or
16 career-related activity except for transportation on regular
17 bus routes from home to school or from school to home, subject
18 to the following conditions:

19 (i) A MFSAB may not be used to transport students
20 under this Section unless the driver holds a valid school
21 bus driver permit.

22 (ii) The use of a MFSAB under this Section is subject
23 to the requirements of Sections 6-106.11, 6-106.12,
24 12-707.01, 13-101, and 13-109 of this Code.

25 "Curriculum-related or career-related activity" as used in
26 this subsection (a) includes transportation from home to

1 school or from school to home, tripper or shuttle service
2 between school attendance centers, transportation to a
3 college, university, or student job site developed through a
4 partnership with a school, a vocational or career center or
5 other trade-skill development site or a regional safe school
6 or other school-sponsored alternative learning program, or an
7 experience that a school determines will contribute to the
8 college or career readiness of a student, or a trip that is
9 directly related to the regular curriculum of a student for
10 which he or she earns credit.

11 (b) Every student enrolled in grade 12 or below in any
12 entity listed in subsection (a) of Section 1-182 of this Code
13 who is transported in a vehicle that is being operated by or
14 for a public or private primary or secondary school, including
15 any primary or secondary school operated by a religious
16 institution, for an interscholastic,
17 interscholastic-athletic, or school-sponsored,
18 noncurriculum-related activity that (i) does not require
19 student participation as part of the educational services of
20 the entity and (ii) is not associated with the students'
21 regular class-for-credit schedule shall transport students
22 only in a school bus or vehicle described in subsection (b) of
23 Section 1-182 of this Code. A student participating in an
24 agrarian-related activity may also be transported in a second
25 division pick-up truck registered under paragraph 7 of
26 subsection (b) of Section 3-808.1. For purposes of this

1 subsection, "pick-up truck" means a truck weighing 12,000
2 pounds or less with an enclosed cabin that can seat up to 6
3 passengers with seatbelts, including the driver, and an open
4 cargo area. This subsection (b) does not apply to any second
5 division vehicle used by an entity listed in subsection (a) of
6 Section 1-182 of this Code for a parade, homecoming, or a
7 similar noncurriculum-related school activity.

8 (Source: P.A. 104-367, eff. 1-1-26.)

9 (Text of Section after amendment by P.A. 104-256)

10 Sec. 11-1414.1. School transportation of students.

11 (a) Every student enrolled in grade 12 or below in any
12 entity listed in subsection (a) of Section 1-182 of this Code
13 must be transported in a school bus or a vehicle described in
14 subdivision (1) or (2) of subsection (b) of Section 1-182 of
15 this Code for any curriculum-related or career-related
16 activity, except a student in any of grades 9 through 12 or a
17 student in any of grades K through 12 with an individualized
18 education program (IEP) with a staff to student ratio of 1 to
19 5, and attending Acacia Academy, Alexander Leigh, Marklund,
20 Helping Hands Center, Connections Organization, Soaring Eagle
21 Academy, or New Horizon Academy may be transported in a
22 multifunction school activity bus (MFSAB) as defined in
23 Section 1-148.3a-5 of this Code for any curriculum-related or
24 career-related activity except for transportation on regular
25 bus routes from home to school or from school to home. The use

1 of a MFSAB for curriculum-related activities is subject to the
2 following conditions:

3 (i) A MFSAB may not be used to transport students
4 under this Section unless the driver holds a valid school
5 bus driver permit.

6 (ii) The use of a MFSAB under this Section is subject
7 to the requirements of Sections 6-106.11, 6-106.12,
8 12-707.01, 13-101, and 13-109 of this Code.

9 "Curriculum-related or career-related activity" as used in
10 this subsection (a) includes transportation from home to
11 school or from school to home, tripper or shuttle service
12 between school attendance centers, transportation to a
13 college, university, or student job site developed through a
14 partnership with a school, a vocational or career center or
15 other trade-skill development site or a regional safe school
16 or other school-sponsored alternative learning program, or an
17 experience that a school determines will contribute to the
18 college or career readiness of a student, or a trip that is
19 directly related to the regular curriculum of a student for
20 which he or she earns credit.

21 (b) Every student enrolled in grade 12 or below in any
22 entity listed in subsection (a) of Section 1-182 of this Code
23 who is transported in a vehicle that is being operated by or
24 for a public or private primary or secondary school, including
25 any primary or secondary school operated by a religious
26 institution, for an interscholastic,

1 interscholastic-athletic, or school-sponsored,
2 noncurriculum-related activity that (i) does not require
3 student participation as part of the educational services of
4 the entity and (ii) is not associated with the students'
5 regular class-for-credit schedule shall transport students
6 only in a school bus or vehicle described in subsection (b) of
7 Section 1-182 of this Code. A student participating in an
8 agrarian-related activity may also be transported in a second
9 division pick-up truck registered under paragraph 7 of
10 subsection (b) of Section 3-808.1. For purposes of this
11 subsection, "pick-up truck" means a truck weighing 12,000
12 pounds or less with an enclosed cabin that can seat up to 6
13 passengers with seatbelts, including the driver, and an open
14 cargo area. This subsection (b) does not apply to any second
15 division vehicle used by an entity listed in subsection (a) of
16 Section 1-182 of this Code for a parade, homecoming, or a
17 similar noncurriculum-related school activity.

18 (Source: P.A. 104-256, eff. 7-1-26; 104-367, eff. 1-1-26;
19 revised 9-12-25.)

20 (625 ILCS 5/12-215)

21 Sec. 12-215. Oscillating, rotating, or flashing lights on
22 motor vehicles. Except as otherwise provided in this Code:

23 (a) The use of red or white oscillating, rotating, or
24 flashing lights, whether lighted or unlighted, is prohibited
25 except on:

1 1. Law enforcement vehicles of State, federal, or
2 local authorities;

3 2. A vehicle operated by a police officer or county
4 coroner and designated or authorized by local authorities,
5 in writing, as a law enforcement vehicle; however, such
6 designation or authorization must be carried in the
7 vehicle;

8 2.1. A vehicle operated by a fire chief, deputy fire
9 chief, assistant fire chief, or a chief of a Mutual Aid Box
10 Alarm System who has completed an emergency vehicle
11 operation training course approved by the Office of the
12 State Fire Marshal and designated or authorized by local
13 authorities, fire departments, fire protection districts,
14 or Mutual Aid Box Alarm Systems, in writing, as a fire
15 department, fire protection district, township fire
16 department, or Mutual Aid ~~Aide~~ Box Alarm System vehicle;
17 however, the designation or authorization must be carried
18 in the vehicle, and the lights may be visible or activated
19 only when responding to a bona fide emergency;

20 3. Vehicles of local fire departments and State or
21 federal firefighting vehicles;

22 4. Vehicles which are designed and used exclusively as
23 ambulances or rescue vehicles; furthermore, such lights
24 shall not be lighted except when responding to an
25 emergency call for and while actually conveying the sick
26 or injured;

1 4.5. Vehicles operated by an EMS chief that are
2 affixed with EMS chief special registration plates or
3 vehicles that ~~which~~ are occasionally used as rescue
4 vehicles that have been authorized for use as rescue
5 vehicles by a volunteer EMS provider, provided that the
6 operator of the vehicle has successfully completed an
7 emergency vehicle operation training course recognized by
8 the Department of Public Health; furthermore, the lights
9 shall not be lighted except when responding to an
10 emergency call for the sick or injured;

11 5. Tow trucks licensed in a state that requires such
12 lights; furthermore, such lights shall not be lighted on
13 any such tow truck while the tow truck is operating in the
14 State of Illinois;

15 6. Vehicles of the Illinois Emergency Management
16 Agency, vehicles of the Office of the Illinois State Fire
17 Marshal, vehicles of the Illinois Department of Public
18 Health, vehicles of the Illinois Department of
19 Corrections, and vehicles of the Illinois Department of
20 Juvenile Justice;

21 7. Vehicles operated by a local or county emergency
22 management services agency as defined in the Illinois
23 Emergency Management Agency Act;

24 8. School buses operating alternately flashing head
25 lamps as permitted under Section 12-805 of this Code;

26 9. Vehicles that are equipped and used exclusively as

1 organ transplant vehicles when used in combination with
2 blue oscillating, rotating, or flashing lights;
3 furthermore, these lights shall be lighted only when the
4 transportation is declared an emergency by a member of the
5 transplant team or a representative of the organ
6 procurement organization;

7 10. Vehicles of the Illinois Department of Natural
8 Resources that are used for mine rescue and explosives
9 emergency response;

10 11. Vehicles of the Illinois Department of
11 Transportation identified as Emergency Traffic Patrol; the
12 lights shall not be lighted except when responding to an
13 emergency call or when parked or stationary while engaged
14 in motor vehicle assistance or at the scene of the
15 emergency; and

16 12. Vehicles of the Illinois State Toll Highway
17 Authority with a gross vehicle weight rating of 9,000
18 pounds or more and those identified as Highway Emergency
19 Lane Patrol; the lights shall not be lighted except when
20 responding to an emergency call or when parked or
21 stationary while engaged in motor vehicle assistance or at
22 the scene of the emergency.

23 (b) The use of amber oscillating, rotating, or flashing
24 lights, whether lighted or unlighted, is prohibited except on:

25 1. Second division vehicles designed and used for
26 towing or hoisting vehicles; furthermore, such lights

1 shall not be lighted except as required in this paragraph
2 1; such lights shall be lighted when such vehicles are
3 actually being used at the scene of a crash or
4 disablement; if the towing vehicle is equipped with a flat
5 bed that supports all wheels of the vehicle being
6 transported, the lights shall not be lighted while the
7 vehicle is engaged in towing on a highway; if the towing
8 vehicle is not equipped with a flat bed that supports all
9 wheels of a vehicle being transported, the lights shall be
10 lighted while the towing vehicle is engaged in towing on a
11 highway during all times when the use of headlights is
12 required under Section 12-201 of this Code; in addition,
13 these vehicles may use white oscillating, rotating, or
14 flashing lights in combination with amber oscillating,
15 rotating, or flashing lights as provided in this
16 paragraph;

17 2. Motor vehicles or equipment of the State of
18 Illinois, the Illinois State Toll Highway Authority, local
19 authorities, and contractors; furthermore, such lights
20 shall not be lighted except while such vehicles are
21 engaged in maintenance or construction operations within
22 the limits of construction projects;

23 3. Vehicles or equipment used by engineering or survey
24 crews; furthermore, such lights shall not be lighted
25 except while such vehicles are actually engaged in work on
26 a highway;

1 4. Vehicles of public utilities, municipalities, or
2 other construction, maintenance, or automotive service
3 vehicles except that such lights shall be lighted only as
4 a means for indicating the presence of a vehicular traffic
5 hazard requiring unusual care in approaching, overtaking,
6 or passing while such vehicles are engaged in maintenance,
7 service, or construction on a highway;

8 5. Oversized vehicle or load; however, such lights
9 shall only be lighted when moving under permit issued by
10 the Department under Section 15-301 of this Code;

11 6. The front and rear of motorized equipment owned and
12 operated by the State of Illinois or any political
13 subdivision thereof, which is designed and used for
14 removal of snow and ice from highways;

15 6.1. The front and rear of motorized equipment or
16 vehicles that (i) are not owned by the State of Illinois or
17 any political subdivision of the State, (ii) are designed
18 and used for removal of snow and ice from highways and
19 parking lots, and (iii) are equipped with a snow plow that
20 is 12 feet in width; these lights may not be lighted except
21 when the motorized equipment or vehicle is actually being
22 used for those purposes on behalf of a unit of government;

23 7. Fleet safety vehicles registered in another state,
24 furthermore, such lights shall not be lighted except as
25 provided for in Section 12-212 of this Code;

26 8. Such other vehicles as may be authorized by local

1 authorities;

2 9. Law enforcement vehicles of State or local
3 authorities when used in combination with red oscillating,
4 rotating, or flashing lights;

5 9.5. Propane delivery trucks;

6 10. Vehicles used for collecting or delivering mail
7 for the United States Postal Service provided that such
8 lights shall not be lighted except when such vehicles are
9 actually being used for such purposes;

10 10.5. Vehicles of the Office of the Illinois State
11 Fire Marshal, provided that such lights shall not be
12 lighted except for when such vehicles are engaged in work
13 for the Office of the Illinois State Fire Marshal;

14 11. Any vehicle displaying a slow-moving vehicle
15 emblem as provided in Section 12-205.1;

16 12. All trucks equipped with self-compactors or
17 roll-off hoists and roll-on containers for garbage,
18 recycling, or refuse hauling. Such lights shall not be
19 lighted except when such vehicles are actually being used
20 for such purposes;

21 13. Vehicles used by a security company, alarm
22 responder, control agency, or the Illinois Department of
23 Corrections;

24 14. Security vehicles of the Department of Human
25 Services; however, the lights shall not be lighted except
26 when being used for security related purposes under the

1 direction of the superintendent of the facility where the
2 vehicle is located; and

3 15. Vehicles of union representatives, except that the
4 lights shall be lighted only while the vehicle is within
5 the limits of a construction project.

6 (c) The use of blue oscillating, rotating, or flashing
7 lights, whether lighted or unlighted, is prohibited except on:

8 1. Rescue squad vehicles not owned by a fire
9 department or fire protection district and vehicles owned
10 or operated by an EMS chief as provided in subsection (a);
11 a voluntary firefighter; a paid firefighter; a part-paid
12 firefighter; a call firefighter; a member of the board of
13 trustees of a fire protection district; a paid or unpaid
14 member of a rescue squad; a paid or unpaid member of a
15 voluntary ambulance unit; or a paid or unpaid member
16 ~~members~~ of a local or county emergency management services
17 agency as defined in the Illinois Emergency Management
18 Agency Act, designated or authorized by local authorities,
19 in writing, and carrying that designation or authorization
20 in the vehicle.

21 However, such lights are not to be lighted except when
22 responding to a bona fide emergency or when parked or
23 stationary at the scene of a fire, rescue call, ambulance
24 call, or motor vehicle crash.

25 Any person using these lights in accordance with this
26 subdivision (c)1 must carry on his or her person an

1 identification card or letter identifying the bona fide
2 member of a fire department, fire protection district,
3 rescue squad, ambulance unit, or emergency management
4 services agency that owns or operates that vehicle. The
5 card or letter must include:

6 (A) the name of the fire department, fire
7 protection district, rescue squad, ambulance unit, or
8 emergency management services agency;

9 (B) the member's position within the fire
10 department, fire protection district, rescue squad,
11 ambulance unit, or emergency management services
12 agency;

13 (C) the member's term of service; and

14 (D) the name of a person within the fire
15 department, fire protection district, rescue squad,
16 ambulance unit, or emergency management services
17 agency to contact to verify the information provided.

18 2. Police department vehicles in cities having a
19 population of 500,000 or more inhabitants.

20 3. Law enforcement vehicles of State or local
21 authorities when used in combination with red oscillating,
22 rotating, or flashing lights.

23 4. Vehicles of local fire departments and State or
24 federal firefighting vehicles when used in combination
25 with red oscillating, rotating, or flashing lights.

26 5. Vehicles which are designed and used exclusively as

1 ambulances or rescue vehicles when used in combination
2 with red oscillating, rotating, or flashing lights;
3 furthermore, such lights shall not be lighted except when
4 responding to an emergency call.

5 6. Vehicles that are equipped and used exclusively as
6 organ transport vehicles when used in combination with red
7 oscillating, rotating, or flashing lights; furthermore,
8 these lights shall only be lighted when the transportation
9 is declared an emergency by a member of the transplant
10 team or a representative of the organ procurement
11 organization.

12 7. Vehicles of the Illinois Emergency Management
13 Agency, vehicles of the Office of the Illinois State Fire
14 Marshal, vehicles of the Illinois Department of Public
15 Health, vehicles of the Illinois Department of
16 Corrections, and vehicles of the Illinois Department of
17 Juvenile Justice, when used in combination with red
18 oscillating, rotating, or flashing lights.

19 8. Vehicles operated by a local or county emergency
20 management services agency as defined in the Illinois
21 Emergency Management Agency Act, when used in combination
22 with red oscillating, rotating, or flashing lights.

23 9. Vehicles of the Illinois Department of Natural
24 Resources that are used for mine rescue and explosives
25 emergency response, when used in combination with red
26 oscillating, rotating, or flashing lights.

1 (c-1) In addition to the blue oscillating, rotating, or
2 flashing lights permitted under subsection (c), and
3 notwithstanding subsection (a), a vehicle operated by a
4 voluntary firefighter, a voluntary member of a rescue squad,
5 or a member of a voluntary ambulance unit may be equipped with
6 flashing white headlights and blue grill lights, which may be
7 used only in responding to an emergency call or when parked or
8 stationary at the scene of a fire, rescue call, ambulance
9 call, or motor vehicle crash.

10 (c-2) In addition to the blue oscillating, rotating, or
11 flashing lights permitted under subsection (c), and
12 notwithstanding subsection (a), a vehicle operated by a paid
13 or unpaid member of a local or county emergency management
14 services agency as defined in the Illinois Emergency
15 Management Agency Act, may be equipped with white oscillating,
16 rotating, or flashing lights to be used in combination with
17 blue oscillating, rotating, or flashing lights, if
18 authorization by local authorities is in writing and carried
19 in the vehicle.

20 (d) The use of a combination of amber and white
21 oscillating, rotating, or flashing lights, whether lighted or
22 unlighted, is prohibited except on second division vehicles
23 designed and used for towing or hoisting vehicles or motor
24 vehicles or equipment of the State of Illinois, local
25 authorities, contractors, and union representatives;
26 furthermore, such lights shall not be lighted on second

1 division vehicles designed and used for towing or hoisting
2 vehicles or vehicles of the State of Illinois, local
3 authorities, and contractors except while such vehicles are
4 engaged in a tow operation, highway maintenance, or
5 construction operations within the limits of highway
6 construction projects, and shall not be lighted on the
7 vehicles of union representatives except when those vehicles
8 are within the limits of a construction project.

9 (d-5) The use of green oscillating, flashing, or rotating
10 lights, whether lighted or unlighted, is prohibited except on:

11 1. Second division vehicles designed and used for
12 towing or hoisting vehicles when the lights on those
13 vehicles are used in combination with amber or amber and
14 white oscillating, flashing, or rotating lights;
15 furthermore, such lights shall not be lighted except when
16 such vehicles are actually being used at the scene of a
17 crash or disablement.

18 2. Motor vehicles or equipment of the State of
19 Illinois when the lights on those vehicles or equipment
20 are used in combination with amber or amber and white
21 oscillating, flashing, or rotating lights; furthermore,
22 such lights shall not be lighted except while such
23 vehicles or equipment are engaged in maintenance
24 operations, snow and ice removal operations, or performing
25 traffic control and protection duties while at an
26 emergency scene.

1 3. Motor vehicles of the Department of Transportation
2 identified as Emergency Traffic Patrol when the lights on
3 those vehicles are used in combination with red and white
4 oscillating, flashing, or rotating lights when responding
5 to an emergency call or when parked or stationary while
6 engaged in motor vehicle assistance or at an emergency
7 scene.

8 4. Motor vehicles of the Illinois State Toll Highway
9 Authority when the lights on those vehicles are used in
10 combination with amber oscillating, flashing, or rotating
11 lights; furthermore, such lights shall not be lighted
12 except while such vehicles are engaged in maintenance
13 operations, snow and ice removal operations, or performing
14 traffic control and protection duties while at an
15 emergency scene.

16 5. Motor vehicles of the Illinois State Toll Highway
17 Authority with a gross vehicle weight rating of 9,000
18 pounds or more and those identified as Highway Emergency
19 Lane Patrol when the lights on those vehicles are used in
20 combination with red and white oscillating, flashing, or
21 rotating lights when responding to an emergency call or
22 when parked or stationary while engaged in motor vehicle
23 assistance or at the scene of the emergency.

24 6. Motor vehicles or equipment of local authority or
25 municipalities which perform highway maintenance
26 operations, when the lights on those vehicles are used in

1 combination with amber or amber and white oscillating,
2 flashing, or rotating lights; furthermore, such lights
3 shall not be lighted except while such vehicles are
4 engaged in the maintenance operations, snow and ice
5 removal operations, or performing traffic control and
6 protection duties while at an emergency scene.

7 7. Fire department vehicles of local fire departments
8 and State or federal firefighting vehicles when the lights
9 on those vehicles are used in combination with red, or red
10 and white, or red and blue, oscillating, rotating, or
11 flashing lights.

12 8. Vehicles used by a security company when the lights
13 on those vehicles are used in combination with amber
14 oscillating, flashing, or rotating lights; furthermore,
15 such lights shall not be lighted except when the vehicle
16 is being operated upon the property or location where the
17 security company is employed to perform security or crime
18 prevention duties.

19 9. Ambulances or rescue vehicles operating in counties
20 with populations of less than 2,000,000.

21 (d-10) Fire department vehicles of local fire departments
22 and State or federal firefighting vehicles, police vehicles of
23 State, federal, or local authorities, and vehicles designated
24 by local or State authority, while parked at an emergency
25 scene, may use a steady-on illumination or steady-burn, or
26 flashing green beacon or beacons if such steady-on,

1 steady-burn, or flashing beacon is used to indicate an
2 emergency operations command post or incident command
3 location.

4 (e) All oscillating, rotating, or flashing lights referred
5 to in this Section shall be of sufficient intensity, when
6 illuminated, to be visible at 500 feet in normal sunlight.

7 (f) Nothing in this Section shall prohibit a manufacturer
8 of oscillating, rotating, or flashing lights or his
9 representative or authorized vendor from temporarily mounting
10 such lights on a vehicle for demonstration purposes only. If
11 the lights are not covered while the vehicle is operated upon a
12 highway, the vehicle shall display signage indicating that the
13 vehicle is out of service or not an emergency vehicle. The
14 signage shall be displayed on all sides of the vehicle in
15 letters at least 2 inches tall and one-half inch wide. A
16 vehicle authorized to have oscillating, rotating, or flashing
17 lights mounted for demonstration purposes may not activate the
18 lights while the vehicle is operated upon a highway.

19 (g) Any person violating the provisions of subsection (a),
20 (b), (c), (d), (d-5), or (d-10) of this Section who without
21 lawful authority stops or detains or attempts to stop or
22 detain another person shall be guilty of a Class 2 felony.

23 (h) Except as provided in subsection (g) above, any person
24 violating the provisions of subsection (a) or (c) of this
25 Section shall be guilty of a Class A misdemeanor.

26 (Source: P.A. 103-154, eff. 6-30-23; 103-667, eff. 1-1-25;

104-81, eff. 1-1-26; 104-213, eff. 1-1-26; revised 11-21-25.)

(625 ILCS 5/12-218)

Sec. 12-218. Auxiliary accent lighting on motorcycles.

(a) A motorcycle registered in this State may be equipped with, and a person operating the motorcycle may use, standard bulb running lights or light-emitting diode (L.E.D.) pods and strips as auxiliary lighting with the intent of protecting the driver.

(b) Auxiliary lighting authorized under subsection (a) of this Section:

(1) shall not project a beam of light of an intensity greater than 25 candlepower or its equivalent from a single lamp or single light-emitting diode (L.E.D.);

(2) shall not be directed horizontally;

(3) shall be so directed that no part of the beam will strike the level of the surface on which the motorcycle stands at a distance of more than 10 feet from the motorcycle;

(4) shall be directed towards the ground;

(5) shall not emit blue light, but may emit red light only while the stop lamp on the motorcycle is illuminated and the motorcycle is in the course of braking;

(6) shall not be:

(A) blinking;

(B) flashing;

1 (C) oscillating; or

2 (D) rotating; and

3 (7) shall not be attached to the wheels of the
4 motorcycle.

5 (Source: P.A. 103-374, eff. 1-1-24; revised 6-27-25.)

6 (625 ILCS 5/12-601)

7 Sec. 12-601. Horns and warning devices.

8 (a) Every motor vehicle when operated upon a highway shall
9 be equipped with a horn in good working order and capable of
10 emitting sound audible under normal conditions from a distance
11 of not less than 200 feet, but no horn or other warning device
12 shall emit an unreasonable loud or harsh sound or a whistle.
13 The driver of a motor vehicle shall when reasonably necessary
14 to insure safe operation give audible warning with his horn
15 but shall not otherwise use such horn when upon a highway.

16 (b) No vehicle shall be equipped with nor shall any person
17 use upon a vehicle any siren, whistle, or bell, except as
18 otherwise permitted in this Section. Any authorized emergency
19 vehicle or organ transport vehicle as defined in Chapter 1 of
20 this Code or a vehicle operated by a fire chief, a deputy fire
21 chief, an assistant fire chief, a chief of a Mutual Aid Box
22 Alarm System, an EMS chief, or the Director or Coordinator of a
23 municipal or county emergency services and disaster agency may
24 be equipped with a siren, whistle, or bell capable of emitting
25 sound audible under normal conditions from a distance of not

1 less than 500 feet, but such siren, whistle, or bell shall not
2 be used except when such vehicle is operated in response to an
3 emergency call or in the immediate pursuit of an actual or
4 suspected violator of the law in either of which events the
5 driver of such vehicle shall sound such siren, whistle, or
6 bell when necessary to warn pedestrians and other drivers of
7 the approach thereof.

8 (c) Trackless trolley coaches, as defined by Section 1-206
9 of this Code, and replica trolleys, as defined by Section
10 1-171.04 of this Code, may be equipped with a bell or bells in
11 lieu of a horn, and may, in addition to the requirements of
12 subsection (a) of this Section, use a bell or bells for the
13 purpose of indicating arrival or departure at designated stops
14 during the hours of scheduled operation.

15 (Source: P.A. 104-81, eff. 1-1-26; 104-213, eff. 1-1-26;
16 revised 11-21-25.)

17 (625 ILCS 5/12-803) (from Ch. 95 1/2, par. 12-803)

18 Sec. 12-803. (a) Each school bus shall be equipped with a
19 stop signal arm on the driver's side of the school bus that may
20 be operated either manually or mechanically. Each school bus
21 stop signal arm shall be an octagon shaped semaphore that
22 conforms to 49 CFR ~~C.F.R.~~ 571.131, "SCHOOL BUS PEDESTRIAN
23 SAFETY DEVICES", S5.1 through S5.5.

24 (b) Each school bus manufactured prior to September 1,
25 1992 shall be equipped with a stop signal arm that conforms to

1 standards promulgated by the Department.

2 (c) A school bus may be equipped with an extension to the
3 required stop arm that partially obstructs the roadway to
4 ensure passenger safety.

5 (d) A maximum of 2 extensions to the required stop arms may
6 be installed on the driver's side of the school bus.

7 (e) In addition to the lighting systems required under
8 Section 12-805, each extension to the required stop arm must
9 be equipped with a system of flashing red lights. The front
10 side extension to the required stop arm must extend no more
11 than 78 inches, measured from the side of the bus to the
12 furthest part of the extension to the required stop arm, and at
13 a height not less than 36 inches from the ground. The rear side
14 extension to the required stop arm must meet the same
15 specification as the front side extension to the required stop
16 arm except that it may not extend more than 32 inches, measured
17 from the side of the bus to the furthest part of the extension
18 to the required stop arm.

19 (f) No driver of a motor vehicle may make contact with any
20 portion of a stopped school bus, including an extension to the
21 required stop arm, or make contact with a school child within
22 30 feet of the school bus. A driver of motor vehicle that
23 violates this subsection shall be subject to the penalties
24 under Section 11-1414.

25 (Source: P.A. 103-404, eff. 7-28-23; revised 6-27-25.)

1 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

2 Sec. 15-301. Permits for excess size and weight.

3 (a) The Department with respect to highways under its
4 jurisdiction and local authorities with respect to highways
5 under their jurisdiction may, in their discretion, upon
6 application and good cause being shown therefor, issue a
7 special permit authorizing the applicant to operate or move a
8 vehicle or combination of vehicles of a size or weight of
9 vehicle or load exceeding the maximum specified in this Code
10 or otherwise not in conformity with this Code upon any highway
11 under the jurisdiction of the party granting such permit and
12 for the maintenance of which the party is responsible.
13 Applications and permits other than those in written or
14 printed form may only be accepted from and issued to the
15 company or individual making the movement. Except for an
16 application to move directly across a highway, it shall be the
17 duty of the applicant to establish in the application that the
18 load to be moved by such vehicle or combination cannot
19 reasonably be dismantled or disassembled, the reasonableness
20 of which shall be determined by the Secretary of the
21 Department. For the purpose of over length movements, more
22 than one object may be carried side by side as long as the
23 height, width, and weight laws are not exceeded and the cause
24 for the over length is not due to multiple objects. For the
25 purpose of over height movements, more than one object may be
26 carried as long as the cause for the over height is not due to

1 multiple objects and the length, width, and weight laws are
2 not exceeded. For the purpose of an over width movement, more
3 than one object may be carried as long as the cause for the
4 over width is not due to multiple objects and length, height,
5 and weight laws are not exceeded. Except for transporting
6 fluid milk products, no State or local agency shall authorize
7 the issuance of excess size or weight permits for vehicles and
8 loads that are divisible and that can be carried, when
9 divided, within the existing size or weight maximums specified
10 in this Chapter. Any excess size or weight permit issued in
11 violation of the provisions of this Section shall be void at
12 issue and any movement made thereunder shall not be authorized
13 under the terms of the void permit. In any prosecution for a
14 violation of this Chapter when the authorization of an excess
15 size or weight permit is at issue, it is the burden of the
16 defendant to establish that the permit was valid because the
17 load to be moved could not reasonably be dismantled or
18 disassembled, or was otherwise nondivisible.

19 (a-1) As used in this Section, "extreme heavy duty tow and
20 recovery vehicle" means a tow truck manufactured as a unit
21 having a lifting capacity of not less than 50 tons, and having
22 either 4 axles and an unladen weight of not more than 80,000
23 pounds or 5 axles and an unladen weight not more than 90,000
24 pounds. Notwithstanding otherwise applicable gross and axle
25 weight limits, an extreme heavy duty tow and recovery vehicle
26 may lawfully travel to and from the scene of a disablement and

1 clear a disabled vehicle if the towing service has obtained an
2 extreme heavy duty tow and recovery permit for the vehicle.
3 The form and content of the permit shall be determined by the
4 Department with respect to highways under its jurisdiction and
5 by local authorities with respect to highways under their
6 jurisdiction.

7 (b) The application for any such permit shall: (1) state
8 whether such permit is requested for a single trip or for
9 limited continuous operation; (2) (blank); (3) specifically
10 describe and identify the vehicle or vehicles and load to be
11 operated or moved; (4) state the routing requested, including
12 the points of origin and destination, and may identify and
13 include a request for routing to the nearest certified scale
14 in accordance with the Department's rules and regulations,
15 provided the applicant has approval to travel on local roads;
16 and (5) (blank).

17 (c) The Department or local authority when not
18 inconsistent with traffic safety is authorized to issue or
19 withhold such permit at its discretion; or, if such permit is
20 issued at its discretion to prescribe the route or routes to be
21 traveled, to limit the number of trips, to establish seasonal
22 or other time limitations within which the vehicles described
23 may be operated on the highways indicated, or otherwise to
24 limit or prescribe conditions of operations of such vehicle or
25 vehicles, when necessary to assure against undue damage to the
26 road foundations, surfaces or structures, and may require such

1 undertaking or other security as may be deemed necessary to
2 compensate for any injury to any roadway or road structure.
3 The Department shall maintain a daily record of each permit
4 issued along with the fee and the stipulated dimensions,
5 weights, conditions, and restrictions authorized and this
6 record shall be presumed correct in any case of questions or
7 dispute. The Department shall install an automatic device for
8 recording telephone conversations involving permit
9 applications. The Department and applicant waive all
10 objections to the recording of the conversation.

11 (d) The Department shall, upon application in writing from
12 any local authority, issue an annual permit authorizing the
13 local authority to move oversize highway construction,
14 transportation, utility, and maintenance equipment over roads
15 under the jurisdiction of the Department. The permit shall be
16 applicable only to equipment and vehicles owned by or
17 registered in the name of the local authority, and no fee shall
18 be charged for the issuance of such permits.

19 (e) As an exception to subsection (a) of this Section, the
20 Department and local authorities, with respect to highways
21 under their respective jurisdictions, in their discretion and
22 upon application in writing, may issue a special permit for
23 limited continuous operation, authorizing the applicant to
24 move loads of agricultural commodities on a 2-axle single
25 vehicle registered by the Secretary of State with axle loads
26 not to exceed 35%, on a 3-axle or 4-axle vehicle registered by

1 the Secretary of State with axle loads not to exceed 20%, and
2 on a 5-axle vehicle registered by the Secretary of State not to
3 exceed 10% above those provided in Section 15-111. The total
4 gross weight of the vehicle, however, may not exceed the
5 maximum gross weight of the registration class of the vehicle
6 allowed under Section 3-815 or 3-818 of this Code.

7 As used in this Section, "agricultural commodities" means:

8 (1) cultivated plants or agricultural produce grown,
9 including, but not limited to, corn, soybeans, wheat,
10 oats, grain sorghum, canola, and rice;

11 (2) livestock, including, but not limited to, hogs,
12 equine, sheep, and poultry;

13 (3) ensilage; and

14 (4) fruits and vegetables.

15 Permits may be issued for a period not to exceed 40 days
16 and moves may be made of a distance not to exceed 50 miles from
17 a field, an on-farm grain storage facility, a warehouse as
18 defined in the Grain Code, or a livestock management facility
19 as defined in the Livestock Management Facilities Act over any
20 highway except the National System of Interstate and Defense
21 Highways. The operator of the vehicle, however, must abide by
22 posted bridge and posted highway weight limits. All implements
23 of husbandry operating under this Section between sunset and
24 sunrise shall be equipped as prescribed in Section 12-205.1.

25 (e-1) A special permit shall be issued by the Department
26 under this Section and shall be required from September 1

1 through December 31 for a vehicle that exceeds the maximum
2 axle weight and gross weight limits under Section 15-111 of
3 this Code or exceeds the vehicle's registered gross weight,
4 provided that the vehicle's axle weight and gross weight do
5 not exceed 10% above the maximum limits under Section 15-111
6 of this Code and does not exceed the vehicle's registered
7 gross weight by 10%. All other restrictions that apply to
8 permits issued under this Section shall apply during the
9 declared time period and no fee shall be charged for the
10 issuance of those permits. Permits issued by the Department
11 under this subsection (e-1) are only valid on federal and
12 State highways under the jurisdiction of the Department,
13 except interstate highways. With respect to highways under the
14 jurisdiction of local authorities, the local authorities may,
15 at their discretion, waive special permit requirements and set
16 a divisible load weight limit not to exceed 10% above a
17 vehicle's registered gross weight, provided that the vehicle's
18 axle weight and gross weight do not exceed 10% above the
19 maximum limits specified in Section 15-111. Permits issued
20 under this subsection (e-1) shall apply to all registered
21 vehicles eligible to obtain permits under this Section,
22 including vehicles used in private or for-hire movement of
23 divisible load agricultural commodities during the declared
24 time period.

25 (f) The form and content of the permit shall be determined
26 by the Department with respect to highways under its

1 jurisdiction and by local authorities with respect to highways
2 under their jurisdiction. Every permit shall be in written
3 form and carried in the vehicle or combination of vehicles to
4 which it refers and shall be open to inspection by any police
5 officer or authorized agent of any authority granting the
6 permit and no person shall violate any of the terms or
7 conditions of such special permit. Violation of the terms and
8 conditions of the permit shall not be deemed a revocation of
9 the permit; however, any vehicle and load found to be off the
10 route prescribed in the permit shall be held to be operating
11 without a permit. Any off-route vehicle and load shall be
12 required to obtain a new permit or permits, as necessary, to
13 authorize the movement back onto the original permit routing.
14 No rule or regulation, nor anything herein, shall be construed
15 to authorize any police officer, court, or authorized agent of
16 any authority granting the permit to remove the permit from
17 the possession of the permittee unless the permittee is
18 charged with a fraudulent permit violation as provided in
19 subsection (i). However, upon arrest for an offense of
20 violation of permit, operating without a permit when the
21 vehicle is off route, or any size or weight offense under this
22 Chapter when the permittee plans to raise the issuance of the
23 permit as a defense, the permittee, or his agent, must produce
24 the permit at any court hearing concerning the alleged
25 offense.

26 If the permit designates and includes a routing to a

1 certified scale, the permittee, while en route to the
2 designated scale, shall be deemed in compliance with the
3 weight provisions of the permit provided the axle or gross
4 weights do not exceed any of the permitted limits by more than
5 the following amounts:

6	Single axle	2000 pounds
7	Tandem axle	3000 pounds
8	Gross	5000 pounds

9 (g) The Department is authorized to adopt, amend, and make
10 available to interested persons a policy concerning reasonable
11 rules, limitations and conditions, or provisions of operation
12 upon highways under its jurisdiction in addition to those
13 contained in this Section for the movement by special permit
14 of vehicles, combinations, or loads which cannot reasonably be
15 dismantled or disassembled, including manufactured and modular
16 home sections and portions thereof. All rules, limitations and
17 conditions, or provisions adopted in the policy shall have due
18 regard for the safety of the traveling public and the
19 protection of the highway system and shall have been
20 promulgated in conformity with the provisions of the Illinois
21 Administrative Procedure Act. The requirements of the policy
22 for flagmen and escort vehicles shall be the same for all moves
23 of comparable size and weight. When escort vehicles are
24 required, they shall meet the following requirements:

25 (1) All operators shall be 18 years of age or over and
26 properly licensed to operate the vehicle.

1 (2) Vehicles escorting oversize ~~oversized~~ loads more
2 than 12 feet wide must be equipped with a rotating or
3 flashing amber light mounted on top as specified under
4 Section 12-215.

5 The Department shall establish reasonable rules and
6 regulations regarding liability insurance or self insurance
7 for vehicles with oversize ~~oversized~~ loads promulgated under
8 the Illinois Administrative Procedure Act. Police vehicles may
9 be required for escort under circumstances as required by
10 rules and regulations of the Department.

11 (h) Violation of any rule, limitation or condition, or
12 provision of any permit issued in accordance with the
13 provisions of this Section shall not render the entire permit
14 null and void but the violator shall be deemed guilty of
15 violation of permit and guilty of exceeding any size, weight,
16 or load limitations in excess of those authorized by the
17 permit. The prescribed route or routes on the permit are not
18 mere rules, limitations, conditions, or provisions of the
19 permit, but are also the sole extent of the authorization
20 granted by the permit. If a vehicle and load are found to be
21 off the route or routes prescribed by any permit authorizing
22 movement, the vehicle and load are operating without a permit.
23 Any off-route movement shall be subject to the size and weight
24 maximums, under the applicable provisions of this Chapter, as
25 determined by the type or class highway upon which the vehicle
26 and load are being operated.

1 (i) Whenever any vehicle is operated or movement made
2 under a fraudulent permit, the permit shall be void, and the
3 person, firm, or corporation to whom such permit was granted,
4 the driver of such vehicle in addition to the person who issued
5 such permit and any accessory, shall be guilty of fraud and
6 either one or all persons may be prosecuted for such
7 violation. Any person, firm, or corporation committing such
8 violation shall be guilty of a Class 4 felony and the
9 Department shall not issue permits to the person, firm, or
10 corporation convicted of such violation for a period of one
11 year after the date of conviction. Penalties for violations of
12 this Section shall be in addition to any penalties imposed for
13 violation of other Sections of this Code.

14 (j) Whenever any vehicle is operated or movement made in
15 violation of a permit issued in accordance with this Section,
16 the person to whom such permit was granted, or the driver of
17 such vehicle, is guilty of such violation and either, but not
18 both, persons may be prosecuted for such violation as stated
19 in this subsection (j). Any person, firm, or corporation
20 convicted of such violation shall be guilty of a petty offense
21 and shall be fined, for the first offense, not less than \$50
22 nor more than \$200 and, for the second offense by the same
23 person, firm, or corporation within a period of one year, not
24 less than \$200 nor more than \$300 and, for the third offense by
25 the same person, firm, or corporation within a period of one
26 year after the date of the first offense, not less than \$300

1 nor more than \$500 and the Department may, in its discretion,
2 not issue permits to the person, firm, or corporation
3 convicted of a third offense during a period of one year after
4 the date of conviction or supervision for such third offense.
5 If any violation is the cause or contributing cause in a motor
6 vehicle crash causing damage to property, injury, or death to
7 a person, the Department may, in its discretion, not issue a
8 permit to the person, firm, or corporation for a period of one
9 year after the date of conviction or supervision for the
10 offense.

11 (k) Whenever any vehicle is operated on local roads under
12 permits for excess width or length issued by local
13 authorities, such vehicle may be moved upon a State highway
14 for a distance not to exceed one-half mile without a permit for
15 the purpose of crossing the State highway.

16 (l) Notwithstanding any other provision of this Section,
17 the Department, with respect to highways under its
18 jurisdiction, and local authorities, with respect to highways
19 under their jurisdiction, may at their discretion authorize
20 the movement of a vehicle in violation of any size or weight
21 requirement, or both, that would not ordinarily be eligible
22 for a permit, when there is a showing of extreme necessity that
23 the vehicle and load should be moved without unnecessary
24 delay.

25 For the purpose of this subsection, showing of extreme
26 necessity shall be limited to the following: shipments of

1 livestock, hazardous materials, liquid concrete being hauled
2 in a mobile cement mixer, or hot asphalt.

3 (m) Penalties for violations of this Section shall be in
4 addition to any penalties imposed for violating any other
5 Section of this Code.

6 (n) The Department with respect to highways under its
7 jurisdiction and local authorities with respect to highways
8 under their jurisdiction, in their discretion and upon
9 application in writing, may issue a special permit for
10 continuous limited operation, authorizing the applicant to
11 operate a tow truck that exceeds the weight limits provided
12 for in subsection (a) of Section 15-111, provided:

13 (1) no rear single axle of the tow truck exceeds
14 26,000 pounds;

15 (2) no rear tandem axle of the tow truck exceeds
16 50,000 pounds;

17 (2.1) no triple rear axle on a manufactured recovery
18 unit exceeds 60,000 pounds;

19 (3) neither the disabled vehicle nor the disabled
20 combination of vehicles exceed the weight restrictions
21 imposed by this Chapter 15, or the weight limits imposed
22 under a permit issued by the Department prior to hookup;

23 (4) the tow truck prior to hookup does not exceed the
24 weight restrictions imposed by this Chapter 15;

25 (5) during the tow operation the tow truck does not
26 violate any weight restriction sign;

1 (6) the tow truck is equipped with flashing, rotating,
2 or oscillating amber lights, visible for at least 500 feet
3 in all directions;

4 (7) the tow truck is specifically designed and
5 licensed as a tow truck;

6 (8) the tow truck has a gross vehicle weight rating of
7 sufficient capacity to safely handle the load;

8 (9) the tow truck is equipped with air brakes;

9 (10) the tow truck is capable of utilizing the
10 lighting and braking systems of the disabled vehicle or
11 combination of vehicles;

12 (11) the tow commences at the initial point of wreck
13 or disablement and terminates at a point where the repairs
14 are actually to occur;

15 (12) the permit issued to the tow truck is carried in
16 the tow truck and exhibited on demand by a police officer;
17 and

18 (13) the movement shall be valid only on State routes
19 approved by the Department.

20 (o) (Blank).

21 (p) In determining whether a load may be reasonably
22 dismantled or disassembled for the purpose of subsection (a),
23 the Department shall consider whether there is a significant
24 negative impact on the condition of the pavement and
25 structures along the proposed route, whether the load or
26 vehicle as proposed causes a safety hazard to the traveling

1 public, whether dismantling or disassembling the load promotes
2 or stifles economic development, and whether the proposed
3 route travels less than 5 miles. A load is not required to be
4 dismantled or disassembled for the purposes of subsection (a)
5 if the Secretary of the Department determines there will be no
6 significant negative impact to pavement or structures along
7 the proposed route, the proposed load or vehicle causes no
8 safety hazard to the traveling public, dismantling or
9 disassembling the load does not promote economic development,
10 and the proposed route travels less than 5 miles. The
11 Department may promulgate rules for the purpose of
12 establishing the divisibility of a load pursuant to subsection
13 (a). Any load determined by the Secretary to be nondivisible
14 shall otherwise comply with the existing size or weight
15 maximums specified in this Chapter.

16 (Source: P.A. 101-81, eff. 7-12-19; 101-547, eff. 1-1-20;
17 102-124, eff. 7-23-21; 102-982, eff. 7-1-23; revised 6-27-25.)

18 (625 ILCS 5/18c-4902) (from Ch. 95 1/2, par. 18c-4902)

19 Sec. 18c-4902. Commission to Set Insurance Coverage Limits
20 and Establish Procedures. The Commission shall prescribe the
21 amounts of insurance or surety coverage required as a minimum,
22 the maximum allowable deductible limits, procedures for the
23 filing and rejection or return of filings, and such other
24 reasonable regulations regarding insurance or surety coverage
25 as are necessary to protect the traveling ~~travelling~~ and

1 shipping or receiving public.

2 (Source: P.A. 85-553; revised 6-27-25.)

3 (625 ILCS 5/18c-6102) (from Ch. 95 1/2, par. 18c-6102)

4 Sec. 18c-6102. Exemptions From Commission Jurisdiction.
5 The provisions of this Sub-chapter shall not, except as
6 provided in Section 18c-6501 of this Chapter, apply to:

7 (1) carriers owned by any political subdivision,
8 school district, institution of higher education, or
9 municipality, and operated either by such political
10 subdivision, institution of higher education, or
11 municipality or its lessee or agent;

12 (2) commuter vans as defined in this Code;

13 (3) carriers transporting passengers without fixed
14 routes or schedules and charging on a time or distance
15 basis, including taxicabs, charter operations, and
16 contract bus operations;

17 (4) carriers transporting passengers with fixed routes
18 and schedules and charging on a per passenger fixed charge
19 basis and which do not include an airport as a point to be
20 served on the route, in whole or in part;

21 (5) transportation in vehicles with a manufacturer's
22 rated seating capacity of less than 8 persons, including
23 the driver;

24 (6) transportation subject to the Ridesharing
25 Arrangements Act;

1 (7) commuter buses offering short-haul for-hire
2 regularly scheduled passenger transportation service
3 within metropolitan and suburban areas, over regular
4 routes with fixed schedules, and utilized primarily by
5 passengers using reduced-fare, multiple-ride, or
6 commutation tickets during morning and evening peak
7 periods in traveling ~~travelling~~ to and from their places
8 of employment; and

9 (8) those persons owning and operating school buses,
10 as defined in this Code, and regulated by other provisions
11 of this Code.

12 (Source: P.A. 90-407, eff. 8-15-97; 91-357, eff. 7-29-99;
13 revised 6-27-25.)

14 (625 ILCS 5/18c-6201) (from Ch. 95 1/2, par. 18c-6201)

15 Sec. 18c-6201. Requirements for issuance of licenses.

16 (1) General requirements. Except as provided in subsection
17 (2) of this Section, the Commission shall grant an application
18 for a motor carrier of passengers license, in whole or in part,
19 to the extent that it finds that the application was properly
20 filed, a need for the proposed service exists, the applicant
21 if fit, willing, and able to provide the service in compliance
22 with this Chapter, Commission regulations and orders, absent a
23 showing that issuance of the license would be inconsistent
24 with the public interest. Otherwise, the application shall be
25 denied. In determining whether issuance of a motor carrier of

1 passengers license would be inconsistent with the public
2 interest, the Commission shall consider:

3 (a) the value of competition which would result from
4 issuance to the traveling ~~travelling~~ public;

5 (b) the effect of issuance on motor carrier of
6 passengers service to small communities;

7 (c) the effect of issuance on the ability of any other
8 carrier to provide a substantial portion of the passenger
9 service such carrier provides over its entire system,
10 except that diversion of revenue or traffic from a carrier
11 in and of itself shall not be sufficient to support a
12 finding that issuance of the license would impair the
13 ability of the other carrier to provide a substantial
14 portion of the passenger service such carrier provides
15 over its entire system; and

16 (d) any other factor relevant to the public interest.

17 (2) Motor carriers of passengers providing service to or
18 from airports. The Commission shall grant an application for a
19 motor carrier of passengers license authorizing service along
20 any route where an airport is a point to be served on the
21 route, in whole or in part, to the extent that it finds that
22 the application was properly filed, a need for the proposed
23 service exists, the applicant is fit, willing, and able to
24 provide the service in compliance with this Chapter,
25 Commission regulations and orders, and the public convenience
26 and necessity requires issuance of the license. Otherwise, the

1 application shall be denied. The provisions of this subsection
2 shall be construed to impose the same entry requirements as
3 were previously applicable under the former Section 55 of the
4 Public Utilities Act ~~"An Act concerning public utilities",~~
5 ~~approved June 29, 1921, as amended.~~

6 (Source: P.A. 85-553; revised 6-27-25.)

7 (625 ILCS 5/18c-7402)

8 (Text of Section before amendment by P.A. 104-457)

9 Sec. 18c-7402. Safety requirements for railroad
10 operations.

11 (1) Obstruction of crossings.

12 (a) Obstruction of emergency vehicles. Every railroad
13 shall be operated in such a manner as to minimize
14 obstruction of emergency vehicles at crossings. Where such
15 obstruction occurs and the train crew is aware of the
16 obstruction, the train crew shall immediately take any
17 action, consistent with safe operating procedure,
18 necessary to remove the obstruction. In the Chicago and
19 St. Louis switching districts, every railroad dispatcher
20 or other person responsible for the movement of railroad
21 equipment in a specific area who receives notification
22 that railroad equipment is obstructing the movement of an
23 emergency vehicle at any crossing within such area shall
24 immediately notify the train crew through use of existing
25 communication facilities. Upon notification, the train

1 crew shall take immediate action in accordance with this
2 paragraph.

3 (b) Obstruction of highway at grade crossing
4 prohibited. It is unlawful for a rail carrier to permit
5 any train, railroad car or engine to obstruct public
6 travel at a railroad-highway grade crossing for a period
7 in excess of 10 minutes, except where such train or
8 railroad car is continuously moving or cannot be moved by
9 reason of circumstances over which the rail carrier has no
10 reasonable control.

11 In a county with a population of greater than
12 1,000,000, as determined by the most recent federal
13 census, during the hours of 7:00 a.m. through 9:00 a.m.
14 and 4:00 p.m. through 6:00 p.m. it is unlawful for a rail
15 carrier to permit any single train or railroad car to
16 obstruct public travel at a railroad-highway grade
17 crossing in excess of a total of 10 minutes during a 30
18 minute period, except where the train or railroad car
19 cannot be moved by reason or circumstances over which the
20 rail carrier has no reasonable control. Under no
21 circumstances will a moving train be stopped for the
22 purposes of issuing a citation related to this Section.

23 However, no employee acting under the rules or orders
24 of the rail carrier or its supervisory personnel may be
25 prosecuted for a violation of this subsection (b).

26 (c) Punishment for obstruction of grade crossing. Any

1 rail carrier violating paragraph (b) of this subsection
2 shall be guilty of a petty offense and fined not less than
3 \$200 nor more than \$500 if the duration of the obstruction
4 is in excess of 10 minutes but no longer than 15 minutes.
5 If the duration of the obstruction exceeds 15 minutes the
6 violation shall be a business offense and the following
7 fines shall be imposed: if the duration of the obstruction
8 is in excess of 15 minutes but no longer than 20 minutes,
9 the fine shall be \$500; if the duration of the obstruction
10 is in excess of 20 minutes but no longer than 25 minutes,
11 the fine shall be \$700; if the duration of the obstruction
12 is in excess of 25 minutes, but no longer than 30 minutes,
13 the fine shall be \$900; if the duration of the obstruction
14 is in excess of 30 minutes but no longer than 35 minutes,
15 the fine shall be \$1,000; if the duration of the
16 obstruction is in excess of 35 minutes, the fine shall be
17 \$1,000 plus an additional \$500 for each 5 minutes of
18 obstruction in excess of 25 minutes of obstruction.

19 (2) Other operational requirements.

20 (a) Bell and whistle-crossings. Every rail carrier
21 shall cause a bell, and a whistle or horn to be placed and
22 kept on each locomotive, and shall cause the same to be
23 rung or sounded by the engineer or fireman, at the
24 distance of at least 1,320 feet, from the place where the
25 railroad crosses or intersects any public highway, and
26 shall be kept ringing or sounding until the highway is

1 reached; provided that at crossings where the Commission
2 shall by order direct, only after a hearing has been held
3 to determine the public is reasonably and sufficiently
4 protected, the rail carrier may be excused from giving
5 warning provided by this paragraph.

6 (a-5) The requirements of paragraph (a) of this
7 subsection (2) regarding ringing a bell and sounding a
8 whistle or horn do not apply at a railroad crossing that
9 has a permanently installed automated audible warning
10 device authorized by the Commission under Section
11 18c-7402.1 that sounds automatically when an approaching
12 train is at least 1,320 feet from the crossing and that
13 keeps sounding until the lead locomotive has crossed the
14 highway. The engineer or fireman may ring the bell or
15 sound the whistle or horn at a railroad crossing that has a
16 permanently installed audible warning device.

17 (b) Speed limits. Each rail carrier shall operate its
18 trains in compliance with speed limits set by the
19 Commission. The Commission may set train speed limits only
20 where such limits are necessitated by extraordinary
21 circumstances affecting the public safety, and shall
22 maintain such train speed limits in effect only for such
23 time as the extraordinary circumstances prevail.

24 The Commission and the Department of Transportation
25 shall conduct a study of the relation between train speeds
26 and railroad-highway grade crossing safety. The Commission

1 shall report the findings of the study to the General
2 Assembly no later than January 5, 1997.

3 (c) Special speed limit; pilot project. The Commission
4 and the Board of the Commuter Rail Division of the
5 Regional Transportation Authority shall conduct a pilot
6 project in the Village of Fox River Grove, the site of the
7 fatal school bus crash at a railroad crossing on October
8 25, 1995, in order to improve railroad crossing safety.
9 For this project, the Commission is directed to set the
10 maximum train speed limit for Regional Transportation
11 Authority trains at 50 miles per hour at intersections on
12 that portion of the intrastate rail line located in the
13 Village of Fox River Grove. If the Regional Transportation
14 Authority deliberately fails to comply with this maximum
15 speed limit, then any entity, governmental or otherwise,
16 that provides capital or operational funds to the Regional
17 Transportation Authority shall appropriately reduce or
18 eliminate that funding. The Commission shall report to the
19 Governor and the General Assembly on the results of this
20 pilot project in January 1999, January 2000, and January
21 2001. The Commission shall also submit a final report on
22 the pilot project to the Governor and the General Assembly
23 in January 2001. The provisions of this subsection (c),
24 other than this sentence, are inoperative after February
25 1, 2001.

26 (d) Freight train crew size. No rail carrier shall

1 operate or cause to operate a train or light engine used in
2 connection with the movement of freight unless it has an
3 operating crew consisting of at least 2 individuals. The
4 minimum freight train crew size indicated in this
5 subsection (d) shall remain in effect until a federal law
6 or rule encompassing the subject matter has been adopted.
7 The Commission, with respect to freight train crew member
8 size under this subsection (d), has the power to conduct
9 evidentiary hearings, make findings, and issue and enforce
10 orders, including sanctions under Section 18c-1704 of this
11 Chapter. As used in this subsection (d), "train or light
12 engine" does not include trains operated by a hostler
13 service or utility employees.

14 (3) Report and investigation of rail accidents.

15 (a) Reports. Every rail carrier shall report to the
16 Commission, by the speediest means possible, whether
17 telephone, telegraph, or otherwise, every accident
18 involving its equipment, track, or other property which
19 resulted in loss of life to any person. In addition, such
20 carriers shall file a written report with the Commission.
21 Reports submitted under this paragraph shall be strictly
22 confidential, shall be specifically prohibited from
23 disclosure, and shall not be admissible in any
24 administrative or judicial proceeding relating to the
25 accidents reported.

26 (b) Investigations. The Commission may investigate all

1 railroad accidents reported to it or of which it acquires
2 knowledge independent of reports made by rail carriers,
3 and shall have the power, consistent with standards and
4 procedures established under the Federal Railroad Safety
5 Act, as amended, to enter such temporary orders as will
6 minimize the risk of future accidents pending notice,
7 hearing, and final action by the Commission.

8 (Source: P.A. 101-294, eff. 1-1-20; 102-982, eff. 7-1-23.)

9 (Text of Section after amendment by P.A. 104-457)

10 Sec. 18c-7402. Safety requirements for railroad
11 operations.

12 (1) Obstruction of crossings.

13 (a) Obstruction of emergency vehicles. Every railroad
14 shall be operated in such a manner as to minimize
15 obstruction of emergency vehicles at crossings. Where such
16 obstruction occurs and the train crew is aware of the
17 obstruction, the train crew shall immediately take any
18 action, consistent with safe operating procedure,
19 necessary to remove the obstruction. In the Chicago and
20 St. Louis switching districts, every railroad dispatcher
21 or other person responsible for the movement of railroad
22 equipment in a specific area who receives notification
23 that railroad equipment is obstructing the movement of an
24 emergency vehicle at any crossing within such area shall
25 immediately notify the train crew through use of existing

1 communication facilities. Upon notification, the train
2 crew shall take immediate action in accordance with this
3 paragraph.

4 (b) Obstruction of highway at grade crossing
5 prohibited. It is unlawful for a rail carrier to permit
6 any train, railroad car or engine to obstruct public
7 travel at a railroad-highway grade crossing for a period
8 in excess of 10 minutes, except where such train or
9 railroad car is continuously moving or cannot be moved by
10 reason of circumstances over which the rail carrier has no
11 reasonable control.

12 In a county with a population of greater than
13 1,000,000, as determined by the most recent federal
14 census, during the hours of 7:00 a.m. through 9:00 a.m.
15 and 4:00 p.m. through 6:00 p.m. it is unlawful for a rail
16 carrier to permit any single train or railroad car to
17 obstruct public travel at a railroad-highway grade
18 crossing in excess of a total of 10 minutes during a 30
19 minute period, except where the train or railroad car
20 cannot be moved by reason or circumstances over which the
21 rail carrier has no reasonable control. Under no
22 circumstances will a moving train be stopped for the
23 purposes of issuing a citation related to this Section.

24 However, no employee acting under the rules or orders
25 of the rail carrier or its supervisory personnel may be
26 prosecuted for a violation of this subsection (b).

1 (c) Punishment for obstruction of grade crossing. Any
2 rail carrier violating paragraph (b) of this subsection
3 shall be guilty of a petty offense and fined not less than
4 \$200 nor more than \$500 if the duration of the obstruction
5 is in excess of 10 minutes but no longer than 15 minutes.
6 If the duration of the obstruction exceeds 15 minutes the
7 violation shall be a business offense and the following
8 fines shall be imposed: if the duration of the obstruction
9 is in excess of 15 minutes but no longer than 20 minutes,
10 the fine shall be \$500; if the duration of the obstruction
11 is in excess of 20 minutes but no longer than 25 minutes,
12 the fine shall be \$700; if the duration of the obstruction
13 is in excess of 25 minutes, but no longer than 30 minutes,
14 the fine shall be \$900; if the duration of the obstruction
15 is in excess of 30 minutes but no longer than 35 minutes,
16 the fine shall be \$1,000; if the duration of the
17 obstruction is in excess of 35 minutes, the fine shall be
18 \$1,000 plus an additional \$500 for each 5 minutes of
19 obstruction in excess of 25 minutes of obstruction.

20 (2) Other operational requirements.

21 (a) Bell and whistle-crossings. Every rail carrier and
22 the Commuter Rail Division of the Northern Illinois
23 Transit Authority shall cause a bell, and a whistle or
24 horn to be placed and kept on each locomotive, and shall
25 cause the same to be rung or sounded by the engineer or
26 fireman, at the distance of at least 1,320 feet, from the

1 place where the railroad crosses or intersects any public
2 highway, and shall be kept ringing or sounding until the
3 highway is reached; provided that at crossings where the
4 Commission shall by order direct, only after a hearing has
5 been held to determine the public is reasonably and
6 sufficiently protected, the rail carrier may be excused
7 from giving warning provided by this paragraph.

8 (a-5) The requirements of paragraph (a) of this
9 subsection (2) regarding ringing a bell and sounding a
10 whistle or horn do not apply at a railroad crossing that
11 has a permanently installed automated audible warning
12 device authorized by the Commission under Section
13 18c-7402.1 that sounds automatically when an approaching
14 train is at least 1,320 feet from the crossing and that
15 keeps sounding until the lead locomotive has crossed the
16 highway. The engineer or fireman may ring the bell or
17 sound the whistle or horn at a railroad crossing that has a
18 permanently installed audible warning device.

19 (b) Speed limits. Each rail carrier shall operate its
20 trains in compliance with speed limits set by the
21 Commission. The Commission may set train speed limits only
22 where such limits are necessitated by extraordinary
23 circumstances affecting the public safety, and shall
24 maintain such train speed limits in effect only for such
25 time as the extraordinary circumstances prevail.

26 The Commission and the Department of Transportation

1 shall conduct a study of the relation between train speeds
2 and railroad-highway grade crossing safety. The Commission
3 shall report the findings of the study to the General
4 Assembly no later than January 5, 1997.

5 (c) Special speed limit; pilot project. The Commission
6 and the Board of the Commuter Rail Division of the
7 Northern Illinois Transit Authority shall conduct a pilot
8 project in the Village of Fox River Grove, the site of the
9 fatal school bus crash at a railroad crossing on October
10 25, 1995, in order to improve railroad crossing safety.
11 For this project, the Commission is directed to set the
12 maximum train speed limit for Northern Illinois Transit
13 Authority trains at 50 miles per hour at intersections on
14 that portion of the intrastate rail line located in the
15 Village of Fox River Grove. If the Northern Illinois
16 Transit Authority deliberately fails to comply with this
17 maximum speed limit, then any entity, governmental or
18 otherwise, that provides capital or operational funds to
19 the Northern Illinois Transit Authority shall
20 appropriately reduce or eliminate that funding. The
21 Commission shall report to the Governor and the General
22 Assembly on the results of this pilot project in January
23 1999, January 2000, and January 2001. The Commission shall
24 also submit a final report on the pilot project to the
25 Governor and the General Assembly in January 2001. The
26 provisions of this subsection (c), other than this

1 sentence, are inoperative after February 1, 2001.

2 (d) Freight train crew size. No rail carrier shall
3 operate or cause to operate a train or light engine used in
4 connection with the movement of freight unless it has an
5 operating crew consisting of at least 2 individuals. The
6 minimum freight train crew size indicated in this
7 subsection (d) shall remain in effect until a federal law
8 or rule encompassing the subject matter has been adopted.
9 The Commission, with respect to freight train crew member
10 size under this subsection (d), has the power to conduct
11 evidentiary hearings, make findings, and issue and enforce
12 orders, including sanctions under Section 18c-1704 of this
13 Chapter. As used in this subsection (d), "train or light
14 engine" does not include trains operated by a hostler
15 service or utility employees.

16 (3) Report and investigation of rail accidents.

17 (a) Reports. Every rail carrier and the Commuter Rail
18 Division of the Northern Illinois Transit Authority shall
19 report to the Commission, by the speediest means possible,
20 whether telephone, telegraph, or otherwise, every accident
21 involving its equipment, track, or other property which
22 resulted in loss of life to any person. In addition, such
23 carriers shall file a written report with the Commission.
24 Reports submitted under this paragraph shall be strictly
25 confidential, shall be specifically prohibited from
26 disclosure, and shall not be admissible in any

1 administrative or judicial proceeding relating to the
2 accidents reported.

3 (b) Investigations. The Commission may investigate all
4 railroad accidents reported to it or of which it acquires
5 knowledge independent of reports made by rail carriers or
6 the Commuter Rail Division of the Northern Illinois
7 Transit Authority, and it shall have the power, consistent
8 with standards and procedures established under the
9 Federal Railroad Safety Act, as amended, to enter such
10 temporary orders as will minimize the risk of future
11 accidents pending notice, hearing, and final action by the
12 Commission.

13 (Source: 104-457, Article 5, Section 5-920, eff. 6-1-26;
14 104-457, Article 15, Section 15-200, eff. 6-1-26; revised
15 1-7-26.)

16 Section 945. The Motor Vehicle Theft Reporting Act is
17 amended by changing Section 5 as follows:

18 (625 ILCS 10/5)

19 Sec. 5. Definitions. In this Act:

20 "Motor vehicle repair station" means a place where the
21 business of performing repair work on motor vehicles is
22 conducted.

23 "Repair work" includes, without limitation, diagnosis,
24 maintenance, alteration, adjustment, installation, or

1 replacement of a part, component, or accessory for a motor
2 vehicle.

3 (Source: P.A. 88-566, eff. 1-1-95; revised 6-27-25.)

4 Section 950. The Boat Registration and Safety Act is
5 amended by changing Section 5-18 as follows:

6 (625 ILCS 45/5-18)

7 Sec. 5-18. (a) No person born on or after January 1, 1998,
8 unless exempted by subsection (i), shall operate a motorboat
9 with over 10 horsepower ~~horse power~~ unless that person has a
10 valid Boating Safety Certificate issued by the Department of
11 Natural Resources or an entity or organization recognized and
12 approved by the Department.

13 (b) No person under 10 years of age may operate a
14 motorboat.

15 (c) Persons at least 10 years of age and less than 12 years
16 of age may operate a motorboat with over 10 horsepower ~~horse~~
17 ~~power~~ only if the person is under the direct on-board
18 supervision of a parent or guardian who meets the requirements
19 of subsection (a) or a person at least 18 years of age who
20 meets the requirements of subsection (a) and is designated by
21 a parent or guardian.

22 (d) Persons at least 12 years and less than 18 years of age
23 may operate a motorboat with over 10 horsepower ~~horse power~~
24 only if the person meets the requirements of subsection (a) or

1 is under the direct on-board supervision of a parent or
2 guardian who meets the requirements of subsection (a) or a
3 person at least 18 years of age who meets the requirements of
4 subsection (a) and is designated by a parent or guardian.

5 (e) The owner of a motorboat or a person given supervisory
6 authority over a motorboat shall not permit a motorboat with
7 over 10 horsepower ~~horse power~~ to be operated by a person who
8 does not meet the Boating Safety Certificate requirements of
9 this Section.

10 (f) Licensed boat liveries shall offer abbreviated
11 operating and safety instruction covering core boat safety
12 rules to all renters, unless the renter can demonstrate
13 compliance with the Illinois Boating Safety Certificate
14 requirements of this Section, or is exempt under subsection
15 (i) of this Section. A person who completes abbreviated
16 operating and safety instruction may operate a motorboat
17 rented from the livery providing the abbreviated operating and
18 safety instruction without having a Boating Safety Certificate
19 for up to one year from the date of instruction. The Department
20 shall adopt rules to implement this subsection.

21 (g) Violations.

22 (1) A person who is operating a motorboat with over 10
23 horsepower ~~horse power~~ and is required to have a valid
24 Boating Safety Certificate under the provisions of this
25 Section shall present the certificate to a law enforcement
26 officer upon request. Failure of the person to present the

1 certificate upon request is a petty offense.

2 (2) A person who provides false or fictitious
3 information in an application for a Boating Safety
4 Certificate; or who alters, forges, counterfeits, or
5 falsifies a Boating Safety Certificate; or who possesses a
6 Boating Safety Certificate that has been altered, forged,
7 counterfeited, or falsified is guilty of a Class A
8 misdemeanor.

9 (3) A person who loans or permits his or her Boating
10 Safety Certificate to be used by another person or who
11 operates a motorboat with over 10 horsepower ~~horse power~~
12 using a Boating Safety Certificate that has not been
13 issued to that person is guilty of a Class A misdemeanor.

14 (4) A violation of this Section done with the
15 knowledge of a parent or guardian shall be deemed a
16 violation by the parent or guardian and punishable under
17 Section 11A-1.

18 (h) The Department of Natural Resources shall establish a
19 program of instruction on boating safety, laws, regulations
20 and administrative laws, and any other subject matter which
21 might be related to the subject of general boat safety. The
22 program shall be conducted by instructors certified by the
23 Department of Natural Resources. The course of instruction for
24 persons certified to teach boating safety shall be not less
25 than 8 hours in length, and the Department shall have the
26 authority to revoke the certification of any instructor who

1 has demonstrated his inability to conduct courses on the
2 subject matter. The Department of Natural Resources shall
3 develop and provide a method for students to complete the
4 program online. Students satisfactorily completing a program
5 of not less than 8 hours in length shall receive a certificate
6 of safety from the Department of Natural Resources. The
7 Department may cooperate with schools, online vendors, private
8 clubs and other organizations in offering boating safety
9 courses throughout the State of Illinois.

10 The Department shall issue certificates of boating safety
11 to persons 10 years of age or older successfully completing
12 the prescribed course of instruction and passing such tests as
13 may be prescribed by the Department. The Department may charge
14 each person who enrolls in a course of instruction a fee not to
15 exceed \$5. If a fee is authorized by the Department, the
16 Department shall authorize instructors conducting such courses
17 meeting standards established by it to charge for the rental
18 of facilities or for the cost of materials utilized in the
19 course. Fees retained by the Department shall be utilized to
20 defray a part of its expenses to operate the safety and
21 accident reporting programs of the Department.

22 (i) A Boating Safety Certificate is not required by:

23 (1) a person who possesses a valid United States Coast
24 Guard commercial vessel operator's license or a marine
25 certificate issued by the Canadian government;

26 (2) a person employed by the United States, this

1 State, another state, or a subdivision thereof while in
2 performance of his or her official duties;

3 (3) a person who is not a resident, is temporarily
4 using the waters of this State for a period not to exceed
5 90 days, and meets any applicable boating safety education
6 requirements of his or her state of residency or possesses
7 a Canadian Pleasure Craft Operator's Card;

8 (4) a person who is a resident of this State who has
9 met the applicable boating safety education requirements
10 of another state or possesses a Canadian Pleasure Craft
11 Operator's Card;

12 (5) a person who has assumed operation of the
13 motorboat due to the illness or physical impairment of the
14 operator, and is returning the motorboat or personal
15 watercraft to shore in order to provide assistance or care
16 for that operator;

17 (6) a person who is registered as a commercial
18 fisherman or a person who is under the onboard direct
19 supervision of the commercial fisherman while operating
20 the commercial fisherman's vessel;

21 (7) a person who is serving or has qualified as a
22 surface warfare officer or enlisted surface warfare
23 specialist in the United States Navy;

24 (8) a person who has assumed operation of the
25 motorboat for the purpose of completing a watercraft
26 safety course approved by the Department, the U.S. Coast

1 Guard, or the National Association of State Boating Law
2 Administrators;

3 (9) (blank);

4 (10) a person operating a motorboat on private
5 property;

6 (11) a person over the age of 12 years who holds a
7 valid certificate issued by another state, a province of
8 the Dominion of Canada, the United States Coast Guard
9 Auxiliary or the United States Power Squadron need not
10 obtain a certificate from the Department if the course
11 content of the program in such other state, province or
12 organization substantially meets that established by the
13 Department under this Section. A certificate issued by the
14 Department or by another state, province of the Dominion
15 of Canada or approved organization shall not constitute an
16 operator's license, but shall certify only that the
17 student has successfully passed a course in boating safety
18 instruction; or

19 (12) a person who is temporarily using the waters of
20 this State for the purpose of participating in a boat
21 racing event sanctioned by the Department of Natural
22 Resources or authorized federal agency. The organizer or
23 holder of the sanctioned event shall possess liability
24 insurance for property damage and bodily injury or death
25 with a minimum benefit of \$1,000,000 that shall remain in
26 effect through the entirety of the event.

1 (j) The Department of Natural Resources shall adopt rules
2 necessary to implement this Section. The Department of Natural
3 Resources shall consult and coordinate with the boating
4 public, professional organizations for recreational boating
5 safety, and the boating retail, leasing, and dealer business
6 community in the adoption of these rules.

7 (Source: P.A. 104-132, eff. 1-1-26; 104-137, eff. 1-1-26;
8 revised 11-21-25.)

9 Section 955. The Transportation Network Providers Act is
10 amended by changing Section 5 as follows:

11 (625 ILCS 57/5)

12 (Section scheduled to be repealed on September 1, 2028)

13 Sec. 5. Definitions. In this Act:

14 "Transportation network company" or "TNC" means an entity
15 operating in this State that uses a digital network or
16 software application service to connect passengers to
17 transportation network company services provided by
18 transportation network company drivers. A TNC is not deemed to
19 own, control, operate, or manage the vehicles used by TNC
20 drivers, and is not a taxicab association or a for-hire
21 vehicle owner.

22 "Transportation network company driver" or "TNC driver"
23 means an individual who operates a motor vehicle that is:

24 (1) owned, leased, or otherwise authorized for use by

1 the individual;

2 (2) not a taxicab or for-hire public passenger
3 vehicle; and

4 (3) used to provide transportation network company
5 services.

6 "Transportation network company services" or "TNC
7 services" means transportation of a passenger between points
8 chosen by the passenger and prearranged with a TNC driver
9 through the use of a TNC digital network or software
10 application. TNC services shall begin when a TNC driver
11 accepts a request for transportation received through the
12 TNC's digital network or software application service,
13 continue while the TNC driver transports the passenger in the
14 TNC driver's vehicle, and end when the passenger exits the TNC
15 driver's vehicle. TNC service is not a taxicab, for-hire
16 vehicle, or street hail service.

17 (Source: Reenacted by P.A. 101-660, eff. 4-2-21; revised
18 6-27-25.)

19 Section 960. The Criminal and Traffic Assessment Act is
20 amended by changing Section 15-70 as follows:

21 (705 ILCS 135/15-70)

22 (Text of Section before amendment by P.A. 104-131)

23 Sec. 15-70. Conditional assessments. In addition to
24 payments under one of the Schedule of Assessments 1 through 13

1 of this Act, the court shall also order payment of any of the
2 following conditional assessment amounts for each sentenced
3 violation in the case to which a conditional assessment is
4 applicable, which shall be collected and remitted by the Clerk
5 of the Circuit Court as provided in this Section:

6 (1) arson, residential arson, or aggravated arson,
7 \$500 per conviction to the State Treasurer for deposit
8 into the Fire Prevention Fund;

9 (2) child sexual abuse material under Section 11-20.1
10 of the Criminal Code of 1961 or the Criminal Code of 2012,
11 \$500 per conviction, unless more than one agency is
12 responsible for the arrest in which case the amount shall
13 be remitted to each unit of government equally:

14 (A) if the arresting agency is an agency of a unit
15 of local government, \$500 to the treasurer of the unit
16 of local government for deposit into the unit of local
17 government's General Fund, except that if the Illinois
18 State Police provides digital or electronic forensic
19 examination assistance, or both, to the arresting
20 agency then \$100 to the State Treasurer for deposit
21 into the State Crime Laboratory Fund; or

22 (B) if the arresting agency is the Illinois State
23 Police, \$500 to the State Treasurer for deposit into
24 the State Crime Laboratory Fund;

25 (3) crime laboratory drug analysis for a drug-related
26 offense involving possession or delivery of cannabis or

1 possession or delivery of a controlled substance as
2 defined in the Cannabis Control Act, the Illinois
3 Controlled Substances Act, or the Methamphetamine Control
4 and Community Protection Act, \$100 reimbursement for
5 laboratory analysis, as set forth in subsection (f) of
6 Section 5-9-1.4 of the Unified Code of Corrections;

7 (4) DNA analysis, \$250 on each conviction in which it
8 was used to the State Treasurer for deposit into the State
9 Crime Laboratory Fund as set forth in Section 5-9-1.4 of
10 the Unified Code of Corrections;

11 (5) DUI analysis, \$150 on each sentenced violation in
12 which it was used as set forth in subsection (f) of Section
13 5-9-1.9 of the Unified Code of Corrections;

14 (6) drug-related offense involving possession or
15 delivery of cannabis or possession or delivery of a
16 controlled substance, other than methamphetamine, as
17 defined in the Cannabis Control Act or the Illinois
18 Controlled Substances Act, an amount not less than the
19 full street value of the cannabis or controlled substance
20 seized for each conviction to be disbursed as follows:

21 (A) 12.5% of the street value assessment shall be
22 paid into the Drug Treatment Fund, to be used by the
23 Department of Human Services for the funding of
24 programs and services for drug-abuse treatment, and
25 prevention and education services;

26 (B) 37.5% to the county in which the charge was

1 prosecuted, to be deposited into the county General
2 Fund;

3 (C) 50% to the treasurer of the arresting law
4 enforcement agency of the municipality or county, or
5 to the State Treasurer if the arresting agency was a
6 state agency, to be deposited as provided in
7 subsection (c) of Section 10-5;

8 (D) if the arrest was made in combination with
9 multiple law enforcement agencies, the clerk shall
10 equitably allocate the portion in subparagraph (C) of
11 this paragraph (6) among the law enforcement agencies
12 involved in the arrest;

13 (6.5) Kane County or Will County, in felony,
14 misdemeanor, local or county ordinance, traffic, or
15 conservation cases, up to \$30 as set by the county board
16 under Section 5-1101.3 of the Counties Code upon the entry
17 of a judgment of conviction, an order of supervision, or a
18 sentence of probation without entry of judgment under
19 Section 10 of the Cannabis Control Act, Section 410 of the
20 Illinois Controlled Substances Act, Section 70 of the
21 Methamphetamine Control and Community Protection Act,
22 Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of
23 the Criminal Code of 1961 or the Criminal Code of 2012,
24 Section 10-102 of the Illinois Alcoholism and Other Drug
25 Dependency Act, or Section 10 of the Steroid Control Act;
26 except in local or county ordinance, traffic, and

1 conservation cases, if fines are paid in full without a
2 court appearance, then the assessment shall not be imposed
3 or collected. Distribution of assessments collected under
4 this paragraph (6.5) shall be as provided in Section
5 5-1101.3 of the Counties Code;

6 (7) methamphetamine-related offense involving
7 possession or delivery of methamphetamine or any salt of
8 an optical isomer of methamphetamine or possession of a
9 methamphetamine manufacturing material as set forth in
10 Section 10 of the Methamphetamine Control and Community
11 Protection Act with the intent to manufacture a substance
12 containing methamphetamine or salt of an optical isomer of
13 methamphetamine, an amount not less than the full street
14 value of the methamphetamine or salt of an optical isomer
15 of methamphetamine or methamphetamine manufacturing
16 materials seized for each conviction to be disbursed as
17 follows:

18 (A) 12.5% of the street value assessment shall be
19 paid into the Drug Treatment Fund, to be used by the
20 Department of Human Services for the funding of
21 programs and services for drug-abuse treatment, and
22 prevention and education services;

23 (B) 37.5% to the county in which the charge was
24 prosecuted, to be deposited into the county General
25 Fund;

26 (C) 50% to the treasurer of the arresting law

1 enforcement agency of the municipality or county, or
2 to the State Treasurer if the arresting agency was a
3 state agency, to be deposited as provided in
4 subsection (c) of Section 10-5;

5 (D) if the arrest was made in combination with
6 multiple law enforcement agencies, the clerk shall
7 equitably allocate the portion in subparagraph (C) of
8 this paragraph (6) among the law enforcement agencies
9 involved in the arrest;

10 (8) order of protection violation under Section 12-3.4
11 of the Criminal Code of 2012, \$200 for each conviction to
12 the county treasurer for deposit into the Probation and
13 Court Services Fund for implementation of a domestic
14 violence surveillance program and any other assessments or
15 fees imposed under Section 5-9-1.16 of the Unified Code of
16 Corrections;

17 (9) order of protection violation, \$25 for each
18 violation to the State Treasurer, for deposit into the
19 Domestic Violence Abuser Services Fund;

20 (10) prosecution by the State's Attorney of a:

21 (A) petty or business offense, \$4 to the county
22 treasurer of which \$2 deposited into the State's
23 Attorney Records Automation Fund and \$2 into the
24 Public Defender Records Automation Fund;

25 (B) conservation or traffic offense, \$2 to the
26 county treasurer for deposit into the State's Attorney

1 Records Automation Fund;

2 (11) speeding in a construction zone violation, \$250
3 to the State Treasurer for deposit into the Transportation
4 Safety Highway Hire-back Fund, unless (i) the violation
5 occurred on a highway other than an interstate highway and
6 (ii) a county police officer wrote the ticket for the
7 violation, in which case to the county treasurer for
8 deposit into that county's Transportation Safety Highway
9 Hire-back Fund;

10 (12) supervision disposition on an offense under the
11 Illinois Vehicle Code or similar provision of a local
12 ordinance, 50 cents, unless waived by the court, into the
13 Prisoner Review Board Vehicle and Equipment Fund;

14 (13) victim and offender are family or household
15 members as defined in Section 103 of the Illinois Domestic
16 Violence Act of 1986 and offender pleads guilty or no
17 contest to or is convicted of murder, voluntary
18 manslaughter, involuntary manslaughter, burglary,
19 residential burglary, criminal trespass to residence,
20 criminal trespass to vehicle, criminal trespass to land,
21 criminal damage to property, telephone harassment,
22 kidnapping, aggravated kidnaping, unlawful restraint,
23 forcible detention, child abduction, indecent solicitation
24 of a child, sexual relations between siblings,
25 exploitation of a child, child sexual abuse material,
26 assault, aggravated assault, battery, aggravated battery,

1 heinous battery, aggravated battery of a child, domestic
2 battery, reckless conduct, intimidation, criminal sexual
3 assault, predatory criminal sexual assault of a child,
4 aggravated criminal sexual assault, criminal sexual abuse,
5 aggravated criminal sexual abuse, violation of an order of
6 protection, disorderly conduct, endangering the life or
7 health of a child, child abandonment, contributing to
8 dependency or neglect of child, or cruelty to children and
9 others, \$200 for each sentenced violation to the State
10 Treasurer for deposit as follows: (i) for sexual assault,
11 as defined in Section 5-9-1.7 of the Unified Code of
12 Corrections, when the offender and victim are family
13 members, one-half to the Domestic Violence Shelter and
14 Service Fund, and one-half to the Sexual Assault Services
15 Fund; (ii) for the remaining offenses to the Domestic
16 Violence Shelter and Service Fund;

17 (14) violation of Section 11-501 of the Illinois
18 Vehicle Code, Section 5-7 of the Snowmobile Registration
19 and Safety Act, Section 5-16 of the Boat Registration and
20 Safety Act, or a similar provision, whose operation of a
21 motor vehicle, snowmobile, or watercraft while in
22 violation of Section 11-501, Section 5-7 of the Snowmobile
23 Registration and Safety Act, Section 5-16 of the Boat
24 Registration and Safety Act, or a similar provision
25 proximately caused an incident resulting in an appropriate
26 emergency response, \$1,000 maximum to the public agency

1 that provided an emergency response related to the
2 person's violation, or as provided in subsection (c) of
3 Section 10-5 if the arresting agency was a State agency,
4 unless more than one agency was responsible for the
5 arrest, in which case the amount shall be remitted to each
6 unit of government equally;

7 (15) violation of Section 401, 407, or 407.2 of the
8 Illinois Controlled Substances Act that proximately caused
9 any incident resulting in an appropriate drug-related
10 emergency response, \$1,000 as reimbursement for the
11 emergency response to the law enforcement agency that made
12 the arrest, or as provided in subsection (c) of Section
13 10-5 if the arresting agency was a State agency, unless
14 more than one agency was responsible for the arrest, in
15 which case the amount shall be remitted to each unit of
16 government equally;

17 (16) violation of reckless driving, aggravated
18 reckless driving, or driving 26 miles per hour or more in
19 excess of the speed limit that triggered an emergency
20 response, \$1,000 maximum reimbursement for the emergency
21 response to be distributed in its entirety to a public
22 agency that provided an emergency response related to the
23 person's violation, or as provided in subsection (c) of
24 Section 10-5 if the arresting agency was a State agency,
25 unless more than one agency was responsible for the
26 arrest, in which case the amount shall be remitted to each

1 unit of government equally;

2 (17) violation based upon each plea of guilty,
3 stipulation of facts, or finding of guilt resulting in a
4 judgment of conviction or order of supervision for an
5 offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of
6 the Criminal Code of 2012 that results in the imposition
7 of a fine, to be distributed as follows:

8 (A) \$50 to the county treasurer for deposit into
9 the Circuit Court Clerk Operation and Administrative
10 Fund to cover the costs in administering this
11 paragraph (17);

12 (B) \$300 to the State Treasurer who shall deposit
13 the portion as follows:

14 (i) if the arresting or investigating agency
15 is the Illinois State Police, into the State
16 Police Law Enforcement Administration Fund;

17 (ii) if the arresting or investigating agency
18 is the Department of Natural Resources, into the
19 Conservation Police Operations Assistance Fund;

20 (iii) if the arresting or investigating agency
21 is the Secretary of State, into the Secretary of
22 State Police Services Fund;

23 (iv) if the arresting or investigating agency
24 is the Illinois Commerce Commission, into the
25 Transportation Regulatory Fund; or

26 (v) if more than one of the State agencies in

1 this subparagraph (B) is the arresting or
2 investigating agency, then equal shares with the
3 shares deposited as provided in the applicable
4 items (i) through (iv) of this subparagraph (B);
5 and

6 (C) the remainder for deposit into the Specialized
7 Services for Survivors of Human Trafficking Fund;

8 (18) weapons violation under Section 24-1.1, 24-1.2,
9 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code
10 of 2012, \$100 for each conviction to the State Treasurer
11 for deposit into the Trauma Center Fund;

12 (19) violation of subsection (c) of Section 11-907 of
13 the Illinois Vehicle Code, \$250 to the State Treasurer for
14 deposit into the Scott's Law Fund, unless a county or
15 municipal police officer wrote the ticket for the
16 violation, in which case to the county treasurer for
17 deposit into that county's or municipality's
18 Transportation Safety Highway Hire-back Fund to be used as
19 provided in subsection (j) of Section 11-907 of the
20 Illinois Vehicle Code; and

21 (20) violation of Section 15-109.1 of the Illinois
22 Vehicle Code, \$150 to be distributed as follows:

23 (A) 50% to the county treasurer for deposit into
24 the county general fund; and

25 (B) 50% to the treasurer of the arresting law
26 enforcement agency of the municipality or county or to

1 the State Treasurer, if the arresting agency was a
2 State agency, to be deposited as provided in
3 subsection (c) of Section 10-5.

4 Except for traffic violations, fines, and assessments,
5 such as fees or administrative costs authorized in this
6 Section, shall not be ordered or imposed on a minor subject to
7 Article III, IV, or V of the Juvenile Court Act of 1987, or a
8 minor under the age of 18 transferred to adult court or
9 excluded from juvenile court jurisdiction under Article V of
10 the Juvenile Court Act of 1987, or the minor's parent,
11 guardian, or legal custodian.

12 (Source: P.A. 103-379, eff. 7-28-23; 103-730, eff. 1-1-25;
13 104-2, eff. 6-16-25; 104-245, eff. 1-1-26; 104-417, eff.
14 8-15-25; revised 9-12-25.)

15 (Text of Section after amendment by P.A. 104-131)

16 Sec. 15-70. Conditional assessments. In addition to
17 payments under one of the Schedule of Assessments 1 through 13
18 of this Act, the court shall also order payment of any of the
19 following conditional assessment amounts for each sentenced
20 violation in the case to which a conditional assessment is
21 applicable, which shall be collected and remitted by the Clerk
22 of the Circuit Court as provided in this Section:

23 (1) arson, residential arson, or aggravated arson,
24 \$500 per conviction to the State Treasurer for deposit
25 into the Fire Prevention Fund;

1 (2) child sexual abuse material under Section 11-20.1
2 of the Criminal Code of 1961 or the Criminal Code of 2012,
3 \$500 per conviction, unless more than one agency is
4 responsible for the arrest in which case the amount shall
5 be remitted to each unit of government equally:

6 (A) if the arresting agency is an agency of a unit
7 of local government, \$500 to the treasurer of the unit
8 of local government for deposit into the unit of local
9 government's General Fund, except that if the Illinois
10 State Police provides digital or electronic forensic
11 examination assistance, or both, to the arresting
12 agency then \$100 to the State Treasurer for deposit
13 into the State Crime Laboratory Fund; or

14 (B) if the arresting agency is the Illinois State
15 Police, \$500 to the State Treasurer for deposit into
16 the State Crime Laboratory Fund;

17 (3) crime laboratory drug analysis for a drug-related
18 offense involving possession or delivery of cannabis or
19 possession or delivery of a controlled substance as
20 defined in the Cannabis Control Act, the Illinois
21 Controlled Substances Act, or the Methamphetamine Control
22 and Community Protection Act, \$100 reimbursement for
23 laboratory analysis, as set forth in subsection (f) of
24 Section 5-9-1.4 of the Unified Code of Corrections;

25 (4) DNA analysis, \$250 on each conviction in which it
26 was used to the State Treasurer for deposit into the State

1 Crime Laboratory Fund as set forth in Section 5-9-1.4 of
2 the Unified Code of Corrections;

3 (5) DUI analysis, \$150 on each sentenced violation in
4 which it was used as set forth in subsection (f) of Section
5 5-9-1.9 of the Unified Code of Corrections;

6 (6) drug-related offense involving possession or
7 delivery of cannabis or possession or delivery of a
8 controlled substance, other than methamphetamine, as
9 defined in the Cannabis Control Act or the Illinois
10 Controlled Substances Act, an amount not less than the
11 full street value of the cannabis or controlled substance
12 seized for each conviction to be disbursed as follows:

13 (A) 12.5% of the street value assessment shall be
14 paid into the Drug Treatment Fund, to be used by the
15 Department of Human Services for the funding of
16 programs and services for drug-abuse treatment, and
17 prevention and education services;

18 (B) 37.5% to the county in which the charge was
19 prosecuted, to be deposited into the county General
20 Fund;

21 (C) 50% to the treasurer of the arresting law
22 enforcement agency of the municipality or county, or
23 to the State Treasurer if the arresting agency was a
24 state agency, to be deposited as provided in
25 subsection (c) of Section 10-5;

26 (D) if the arrest was made in combination with

1 multiple law enforcement agencies, the clerk shall
2 equitably allocate the portion in subparagraph (C) of
3 this paragraph (6) among the law enforcement agencies
4 involved in the arrest;

5 (6.5) Kane County or Will County, in felony,
6 misdemeanor, local or county ordinance, traffic, or
7 conservation cases, up to \$30 as set by the county board
8 under Section 5-1101.3 of the Counties Code upon the entry
9 of a judgment of conviction, an order of supervision, or a
10 sentence of probation without entry of judgment under
11 Section 10 of the Cannabis Control Act, Section 410 of the
12 Illinois Controlled Substances Act, Section 70 of the
13 Methamphetamine Control and Community Protection Act,
14 Section 12-4.3 or paragraph (1) of subsection (b) of
15 Section 12-3.05 of the Criminal Code of 1961 or the
16 Criminal Code of 2012, Section 10-102 of the Illinois
17 Alcoholism and Other Drug Dependency Act, or Section 10 of
18 the Steroid Control Act; except in local or county
19 ordinance, traffic, and conservation cases, if fines are
20 paid in full without a court appearance, then the
21 assessment shall not be imposed or collected. Distribution
22 of assessments collected under this paragraph (6.5) shall
23 be as provided in Section 5-1101.3 of the Counties Code;

24 (7) methamphetamine-related offense involving
25 possession or delivery of methamphetamine or any salt of
26 an optical isomer of methamphetamine or possession of a

1 methamphetamine manufacturing material as set forth in
2 Section 10 of the Methamphetamine Control and Community
3 Protection Act with the intent to manufacture a substance
4 containing methamphetamine or salt of an optical isomer of
5 methamphetamine, an amount not less than the full street
6 value of the methamphetamine or salt of an optical isomer
7 of methamphetamine or methamphetamine manufacturing
8 materials seized for each conviction to be disbursed as
9 follows:

10 (A) 12.5% of the street value assessment shall be
11 paid into the Drug Treatment Fund, to be used by the
12 Department of Human Services for the funding of
13 programs and services for drug-abuse treatment, and
14 prevention and education services;

15 (B) 37.5% to the county in which the charge was
16 prosecuted, to be deposited into the county General
17 Fund;

18 (C) 50% to the treasurer of the arresting law
19 enforcement agency of the municipality or county, or
20 to the State Treasurer if the arresting agency was a
21 state agency, to be deposited as provided in
22 subsection (c) of Section 10-5;

23 (D) if the arrest was made in combination with
24 multiple law enforcement agencies, the clerk shall
25 equitably allocate the portion in subparagraph (C) of
26 this paragraph (6) among the law enforcement agencies

1 involved in the arrest;

2 (8) order of protection violation under Section 12-3.4
3 of the Criminal Code of 2012, \$200 for each conviction to
4 the county treasurer for deposit into the Probation and
5 Court Services Fund for implementation of a domestic
6 violence surveillance program and any other assessments or
7 fees imposed under Section 5-9-1.16 of the Unified Code of
8 Corrections;

9 (9) order of protection violation, \$25 for each
10 violation to the State Treasurer, for deposit into the
11 Domestic Violence Abuser Services Fund;

12 (10) prosecution by the State's Attorney of a:

13 (A) petty or business offense, \$4 to the county
14 treasurer of which \$2 deposited into the State's
15 Attorney Records Automation Fund and \$2 into the
16 Public Defender Records Automation Fund;

17 (B) conservation or traffic offense, \$2 to the
18 county treasurer for deposit into the State's Attorney
19 Records Automation Fund;

20 (11) speeding in a construction zone violation, \$250
21 to the State Treasurer for deposit into the Transportation
22 Safety Highway Hire-back Fund, unless (i) the violation
23 occurred on a highway other than an interstate highway and
24 (ii) a county police officer wrote the ticket for the
25 violation, in which case to the county treasurer for
26 deposit into that county's Transportation Safety Highway

1 Hire-back Fund;

2 (12) supervision disposition on an offense under the
3 Illinois Vehicle Code or similar provision of a local
4 ordinance, 50 cents, unless waived by the court, into the
5 Prisoner Review Board Vehicle and Equipment Fund;

6 (13) victim and offender are family or household
7 members as defined in Section 103 of the Illinois Domestic
8 Violence Act of 1986 and offender pleads guilty or no
9 contest to or is convicted of murder, voluntary
10 manslaughter, involuntary manslaughter, burglary,
11 residential burglary, criminal trespass to residence,
12 criminal trespass to vehicle, criminal trespass to land,
13 criminal damage to property, telephone harassment,
14 kidnapping, aggravated kidnaping, unlawful restraint,
15 forcible detention, child abduction, indecent solicitation
16 of a child, sexual relations between siblings,
17 exploitation of a child, child sexual abuse material,
18 assault, aggravated assault, battery, aggravated battery,
19 heinous battery, aggravated battery of a child, domestic
20 battery, reckless conduct, intimidation, criminal sexual
21 assault, predatory criminal sexual assault of a child,
22 aggravated criminal sexual assault, criminal sexual abuse,
23 aggravated criminal sexual abuse, violation of an order of
24 protection, disorderly conduct, endangering the life or
25 health of a child, child abandonment, contributing to
26 dependency or neglect of child, or cruelty to children and

1 others, \$200 for each sentenced violation to the State
2 Treasurer for deposit as follows: (i) for sexual assault,
3 as defined in Section 5-9-1.7 of the Unified Code of
4 Corrections, when the offender and victim are family
5 members, one-half to the Domestic Violence Shelter and
6 Service Fund, and one-half to the Sexual Assault Services
7 Fund; (ii) for the remaining offenses to the Domestic
8 Violence Shelter and Service Fund;

9 (14) violation of Section 11-501 of the Illinois
10 Vehicle Code, Section 5-7 of the Snowmobile Registration
11 and Safety Act, Section 5-16 of the Boat Registration and
12 Safety Act, or a similar provision, whose operation of a
13 motor vehicle, snowmobile, or watercraft while in
14 violation of Section 11-501, Section 5-7 of the Snowmobile
15 Registration and Safety Act, Section 5-16 of the Boat
16 Registration and Safety Act, or a similar provision
17 proximately caused an incident resulting in an appropriate
18 emergency response, \$1,000 maximum to the public agency
19 that provided an emergency response related to the
20 person's violation, or as provided in subsection (c) of
21 Section 10-5 if the arresting agency was a State agency,
22 unless more than one agency was responsible for the
23 arrest, in which case the amount shall be remitted to each
24 unit of government equally;

25 (15) violation of Section 401, 407, or 407.2 of the
26 Illinois Controlled Substances Act that proximately caused

1 any incident resulting in an appropriate drug-related
2 emergency response, \$1,000 as reimbursement for the
3 emergency response to the law enforcement agency that made
4 the arrest, or as provided in subsection (c) of Section
5 10-5 if the arresting agency was a State agency, unless
6 more than one agency was responsible for the arrest, in
7 which case the amount shall be remitted to each unit of
8 government equally;

9 (16) violation of reckless driving, aggravated
10 reckless driving, or driving 26 miles per hour or more in
11 excess of the speed limit that triggered an emergency
12 response, \$1,000 maximum reimbursement for the emergency
13 response to be distributed in its entirety to a public
14 agency that provided an emergency response related to the
15 person's violation, or as provided in subsection (c) of
16 Section 10-5 if the arresting agency was a State agency,
17 unless more than one agency was responsible for the
18 arrest, in which case the amount shall be remitted to each
19 unit of government equally;

20 (17) violation based upon each plea of guilty,
21 stipulation of facts, or finding of guilt resulting in a
22 judgment of conviction or order of supervision for an
23 offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of
24 the Criminal Code of 2012 that results in the imposition
25 of a fine, to be distributed as follows:

26 (A) \$50 to the county treasurer for deposit into

1 the Circuit Court Clerk Operation and Administrative
2 Fund to cover the costs in administering this
3 paragraph (17);

4 (B) \$300 to the State Treasurer who shall deposit
5 the portion as follows:

6 (i) if the arresting or investigating agency
7 is the Illinois State Police, into the State
8 Police Law Enforcement Administration Fund;

9 (ii) if the arresting or investigating agency
10 is the Department of Natural Resources, into the
11 Conservation Police Operations Assistance Fund;

12 (iii) if the arresting or investigating agency
13 is the Secretary of State, into the Secretary of
14 State Police Services Fund;

15 (iv) if the arresting or investigating agency
16 is the Illinois Commerce Commission, into the
17 Transportation Regulatory Fund; or

18 (v) if more than one of the State agencies in
19 this subparagraph (B) is the arresting or
20 investigating agency, then equal shares with the
21 shares deposited as provided in the applicable
22 items (i) through (iv) of this subparagraph (B);
23 and

24 (C) the remainder for deposit into the Specialized
25 Services for Survivors of Human Trafficking Fund;

26 (18) weapons violation under Section 24-1.1, 24-1.2,

1 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code
2 of 2012, \$100 for each conviction to the State Treasurer
3 for deposit into the Trauma Center Fund;

4 (19) violation of subsection (c) of Section 11-907 of
5 the Illinois Vehicle Code, \$250 to the State Treasurer for
6 deposit into the State Police Operations Assistance Fund,
7 unless a county or municipal police officer wrote the
8 ticket for the violation, in which case to the county
9 treasurer for deposit into that county's or municipality's
10 Transportation Safety Highway Hire-back Fund to be used as
11 provided in subsection (j) of Section 11-907 of the
12 Illinois Vehicle Code; and

13 (20) violation of Section 15-109.1 of the Illinois
14 Vehicle Code, \$150 to be distributed as follows:

15 (A) 50% to the county treasurer for deposit into
16 the county general fund; and

17 (B) 50% to the treasurer of the arresting law
18 enforcement agency of the municipality or county or to
19 the State Treasurer, if the arresting agency was a
20 State agency, to be deposited as provided in
21 subsection (c) of Section 10-5.

22 Except for traffic violations, fines, and assessments,
23 such as fees or administrative costs authorized in this
24 Section, shall not be ordered or imposed on a minor subject to
25 Article III, IV, or V of the Juvenile Court Act of 1987, or a
26 minor under the age of 18 transferred to adult court or

1 excluded from juvenile court jurisdiction under Article V of
2 the Juvenile Court Act of 1987, or the minor's parent,
3 guardian, or legal custodian.

4 (Source: P.A. 103-379, eff. 7-28-23; 103-730, eff. 1-1-25;
5 104-2, eff. 6-16-25; 104-131, eff. 9-1-26; 104-245, eff.
6 1-1-26; 104-417, eff. 8-15-25; revised 9-12-25.)

7 Section 965. The Juvenile Court Act of 1987 is amended by
8 changing Sections 2-28 and 5-745 as follows:

9 (705 ILCS 405/2-28)

10 (Text of Section before amendment by P.A. 104-107)

11 Sec. 2-28. Court review.

12 (1) The court may require any legal custodian or guardian
13 of the person appointed under this Act to report periodically
14 to the court or may cite the legal custodian or guardian into
15 court and require the legal custodian, guardian, or the legal
16 custodian's or guardian's agency to make a full and accurate
17 report of the doings of the legal custodian, guardian, or
18 agency on behalf of the minor. The custodian or guardian,
19 within 10 days after such citation, or earlier if the court
20 determines it to be necessary to protect the health, safety,
21 or welfare of the minor, shall make the report, either in
22 writing verified by affidavit or orally under oath in open
23 court, or otherwise as the court directs. Upon the hearing of
24 the report the court may remove the custodian or guardian and

1 appoint another in the custodian's or guardian's stead or
2 restore the minor to the custody of the minor's parents or
3 former guardian or custodian. However, custody of the minor
4 shall not be restored to any parent, guardian, or legal
5 custodian in any case in which the minor is found to be
6 neglected or abused under Section 2-3 or dependent under
7 Section 2-4 of this Act, unless the minor can be cared for at
8 home without endangering the minor's health or safety and it
9 is in the best interests of the minor, and if such neglect,
10 abuse, or dependency is found by the court under paragraph (1)
11 of Section 2-21 of this Act to have come about due to the acts
12 or omissions or both of such parent, guardian, or legal
13 custodian, until such time as an investigation is made as
14 provided in paragraph (5) and a hearing is held on the issue of
15 the fitness of such parent, guardian, or legal custodian to
16 care for the minor and the court enters an order that such
17 parent, guardian, or legal custodian is fit to care for the
18 minor.

19 (1.5) The public agency that is the custodian or guardian
20 of the minor shall file a written report with the court no
21 later than 15 days after a minor in the agency's care remains:

22 (1) in a shelter placement beyond 30 days;

23 (2) in a psychiatric hospital past the time when the
24 minor is clinically ready for discharge or beyond medical
25 necessity for the minor's health; or

26 (3) in a detention center or Department of Juvenile

1 Justice facility solely because the public agency cannot
2 find an appropriate placement for the minor.

3 The report shall explain the steps the agency is taking to
4 ensure the minor is placed appropriately, how the minor's
5 needs are being met in the minor's shelter placement, and if a
6 future placement has been identified by the Department, why
7 the anticipated placement is appropriate for the needs of the
8 minor and the anticipated placement date.

9 (1.6) Within 30 days after placing a child in its care in a
10 qualified residential treatment program, as defined by the
11 federal Social Security Act, the Department of Children and
12 Family Services shall prepare a written report for filing with
13 the court and send copies of the report to all parties. Within
14 20 days of the filing of the report, or as soon thereafter as
15 the court's schedule allows but not more than 60 days from the
16 date of placement, the court shall hold a hearing to consider
17 the Department's report and determine whether placement of the
18 child in a qualified residential treatment program provides
19 the most effective and appropriate level of care for the child
20 in the least restrictive environment and if the placement is
21 consistent with the short-term and long-term goals for the
22 child, as specified in the permanency plan for the child. The
23 court shall approve or disapprove the placement. If
24 applicable, the requirements of Sections 2-27.1 and 2-27.2
25 must also be met. The Department's written report and the
26 court's written determination shall be included in and made

1 part of the case plan for the child. If the child remains
2 placed in a qualified residential treatment program, the
3 Department shall submit evidence at each status and permanency
4 hearing:

5 (A) demonstrating that ongoing ~~on-going~~ assessment of
6 the strengths and needs of the child continues to support
7 the determination that the child's needs cannot be met
8 through placement in a foster family home, that the
9 placement provides the most effective and appropriate
10 level of care for the child in the least restrictive,
11 appropriate environment, and that the placement is
12 consistent with the short-term and long-term permanency
13 goal for the child, as specified in the permanency plan
14 for the child;

15 (B) documenting the specific treatment or service
16 needs that should be met for the child in the placement and
17 the length of time the child is expected to need the
18 treatment or services;

19 (C) the efforts made by the agency to prepare the
20 child to return home or to be placed with a fit and willing
21 relative, a legal guardian, or an adoptive parent, or in a
22 foster family home; and

23 (D) beginning July 1, 2025, documenting the
24 Department's efforts regarding ongoing family finding and
25 relative engagement required under Section 2-27.3.

26 (2) The first permanency hearing shall be conducted by the

1 judge. Subsequent permanency hearings may be heard by a judge
2 or by hearing officers appointed or approved by the court in
3 the manner set forth in Section 2-28.1 of this Act. The initial
4 hearing shall be held (a) within 12 months from the date
5 temporary custody was taken, regardless of whether an
6 adjudication or dispositional hearing has been completed
7 within that time frame, (b) if the parental rights of both
8 parents have been terminated in accordance with the procedure
9 described in subsection (5) of Section 2-21, within 30 days of
10 the order for termination of parental rights and appointment
11 of a guardian with power to consent to adoption, or (c) in
12 accordance with subsection (2) of Section 2-13.1. Subsequent
13 permanency hearings shall be held every 6 months or more
14 frequently if necessary in the court's determination following
15 the initial permanency hearing, in accordance with the
16 standards set forth in this Section, until the court
17 determines that the plan and goal have been achieved. Once the
18 plan and goal have been achieved, if the minor remains in
19 substitute care, the case shall be reviewed at least every 6
20 months thereafter, subject to the provisions of this Section,
21 unless the minor is placed in the guardianship of a suitable
22 relative or other person and the court determines that further
23 monitoring by the court does not further the health, safety,
24 or best interest of the child and that this is a stable
25 permanent placement. The permanency hearings must occur within
26 the time frames set forth in this subsection and may not be

1 delayed in anticipation of a report from any source or due to
2 the agency's failure to timely file its written report (this
3 written report means the one required under the next paragraph
4 and does not mean the service plan also referred to in that
5 paragraph).

6 The public agency that is the custodian or guardian of the
7 minor, or another agency responsible for the minor's care,
8 shall ensure that all parties to the permanency hearings are
9 provided a copy of the most recent service plan prepared
10 within the prior 6 months at least 14 days in advance of the
11 hearing. If not contained in the agency's service plan, the
12 agency shall also include a report setting forth the
13 following:

14 (A) any special physical, psychological, educational,
15 medical, emotional, or other needs of the minor or the
16 minor's family that are relevant to a permanency or
17 placement determination, and for any minor age 16 or over,
18 a written description of the programs and services that
19 will enable the minor to prepare for independent living;

20 (B) beginning July 1, 2025, a written description of
21 ongoing family finding and relative engagement efforts in
22 accordance with the requirements under Section 2-27.3 the
23 agency has undertaken since the most recent report to the
24 court to plan for the emotional and legal permanency of
25 the minor;

26 (C) whether a minor is placed in a licensed child care

1 facility under a corrective plan by the Department due to
2 concerns impacting the minor's safety and well-being. The
3 report shall explain the steps the Department is taking to
4 ensure the safety and well-being of the minor and that the
5 minor's needs are met in the facility;

6 (D) detail regarding what progress or lack of progress
7 the parent has made in correcting the conditions requiring
8 the child to be in care; whether the child can be returned
9 home without jeopardizing the child's health, safety, and
10 welfare, what permanency goal is recommended to be in the
11 best interests of the child, and the reasons for the
12 recommendation. If a permanency goal under paragraph (A),
13 (B), or (B-1) of subsection (2.3) have been deemed
14 inappropriate and not in the minor's best interest, the
15 report must include the following information:

16 (i) confirmation that the caseworker has discussed
17 the permanency options and subsidies available for
18 guardianship and adoption with the minor's caregivers,
19 the minor's parents, as appropriate, and has discussed
20 the available permanency options with the minor in an
21 age-appropriate manner;

22 (ii) confirmation that the caseworker has
23 discussed with the minor's caregivers, the minor's
24 parents, as appropriate, and the minor as
25 age-appropriate, the distinctions between guardianship
26 and adoption, including, but not limited to, that

1 guardianship does not require termination of the
2 parent's rights or the consent of the parent;

3 (iii) a description of the stated preferences and
4 concerns, if any, the minor, the parent as
5 appropriate, and the caregiver expressed relating to
6 the options of guardianship and adoption, and the
7 reasons for the preferences;

8 (iv) if the minor is not currently in a placement
9 that will provide permanency, identification of all
10 persons presently willing and able to provide
11 permanency to the minor through either guardianship or
12 adoption, and beginning July 1, 2025, if none are
13 available, a description of the efforts made in
14 accordance with Section 2-27.3; and

15 (v) state the recommended permanency goal, why
16 that goal is recommended, and why the other potential
17 goals were not recommended.

18 The caseworker must appear and testify at the permanency
19 hearing. If a permanency hearing has not previously been
20 scheduled by the court, the moving party shall move for the
21 setting of a permanency hearing and the entry of an order
22 within the time frames set forth in this subsection.

23 (2.3) At the permanency hearing, the court shall determine
24 the permanency goal of the child. The court shall set one of
25 the following permanency goals:

26 (A) The minor will be returned home by a specific date

1 within 5 months.

2 (B) The minor will be in short-term care with a
3 continued goal to return home within a period not to
4 exceed one year, where the progress of the parent or
5 parents is substantial giving particular consideration to
6 the age and individual needs of the minor.

7 (B-1) The minor will be in short-term care with a
8 continued goal to return home pending a status hearing.
9 When the court finds that a parent has not made reasonable
10 efforts or reasonable progress to date, the court shall
11 identify what actions the parent and the Department must
12 take in order to justify a finding of reasonable efforts
13 or reasonable progress and shall set a status hearing to
14 be held not earlier than 9 months from the date of
15 adjudication nor later than 11 months from the date of
16 adjudication during which the parent's progress will again
17 be reviewed.

18 If the court has determined that goals (A), (B), and
19 (B-1) are not appropriate and not in the minor's best
20 interest, the court may select one of the following goals:
21 (C), (D), (E), (F), (G), or (H) for the minor as
22 appropriate and based on the best interests of the minor.
23 The court shall determine the appropriate goal for the
24 minor based on best interest factors and any
25 considerations outlined in that goal.

26 (C) The guardianship of the minor shall be transferred

1 to an individual or couple on a permanent basis. Prior to
2 changing the goal to guardianship, the court shall
3 consider the following:

4 (i) whether the agency has discussed adoption and
5 guardianship with the caregiver and what preference,
6 if any, the caregiver has as to the permanency goal;

7 (ii) whether the agency has discussed adoption and
8 guardianship with the minor, as age-appropriate, and
9 what preference, if any, the minor has as to the
10 permanency goal;

11 (iii) whether the minor is of sufficient age to
12 remember the minor's parents and if the child values
13 this familial identity;

14 (iv) whether the minor is placed with a relative,
15 and beginning July 1, 2025, whether the minor is
16 placed in a relative home as defined in Section 4d of
17 the Children and Family Services Act or in a certified
18 relative caregiver home as defined in Section 2.36 of
19 the Child Care Act of 1969; and

20 (v) whether the parent or parents have been
21 informed about guardianship and adoption, and, if
22 appropriate, what preferences, if any, the parent or
23 parents have as to the permanency goal.

24 (D) The minor will be in substitute care pending court
25 determination on termination of parental rights. Prior to
26 changing the goal to substitute care pending court

1 determination on termination of parental rights, the court
2 shall consider the following:

3 (i) whether the agency has discussed adoption and
4 guardianship with the caregiver and what preference,
5 if any, the caregiver has as to the permanency goal;

6 (ii) whether the agency has discussed adoption and
7 guardianship with the minor, as age-appropriate, and
8 what preference, if any, the minor has as to the
9 permanency goal;

10 (iii) whether the minor is of sufficient age to
11 remember the minor's parents and if the child values
12 this familial identity;

13 (iv) whether the minor is placed with a relative,
14 and beginning July 1, 2025, whether the minor is
15 placed in a relative home as defined in Section 4d of
16 the Children and Family Services Act, in a certified
17 relative caregiver home as defined in Section 2.36 of
18 the Child Care Act of 1969;

19 (v) whether the minor is already placed in a
20 pre-adoptive home, and if not, whether such a home has
21 been identified; and

22 (vi) whether the parent or parents have been
23 informed about guardianship and adoption, and, if
24 appropriate, what preferences, if any, the parent or
25 parents have as to the permanency goal.

26 (E) Adoption, provided that parental rights have been

1 terminated or relinquished.

2 (F) Provided that permanency goals (A) through (E)
3 have been deemed inappropriate and not in the minor's best
4 interests, the minor over age 15 will be in substitute
5 care pending independence. In selecting this permanency
6 goal, the Department of Children and Family Services may
7 provide services to enable reunification and to strengthen
8 the minor's connections with family, fictive kin, and
9 other responsible adults, provided the services are in the
10 minor's best interest. The services shall be documented in
11 the service plan.

12 (G) The minor will be in substitute care because the
13 minor cannot be provided for in a home environment due to
14 developmental disabilities or mental illness or because
15 the minor is a danger to self or others, provided that
16 goals (A) through (E) have been deemed inappropriate and
17 not in the child's best interests.

18 In selecting any permanency goal, the court shall indicate
19 in writing the reasons the goal was selected and why the
20 preceding goals were deemed inappropriate and not in the
21 child's best interest. Where the court has selected a
22 permanency goal other than (A), (B), or (B-1), the Department
23 of Children and Family Services shall not provide further
24 reunification services, except as provided in paragraph (F) of
25 this subsection (2.3), but shall provide services consistent
26 with the goal selected.

1 (H) Notwithstanding any other provision in this
2 Section, the court may select the goal of continuing
3 foster care as a permanency goal if:

4 (1) The Department of Children and Family Services
5 has custody and guardianship of the minor;

6 (2) The court has deemed all other permanency
7 goals inappropriate based on the child's best
8 interest;

9 (3) The court has found compelling reasons, based
10 on written documentation reviewed by the court, to
11 place the minor in continuing foster care. Compelling
12 reasons include:

13 (a) the child does not wish to be adopted or to
14 be placed in the guardianship of the minor's
15 relative, certified relative caregiver, or foster
16 care placement;

17 (b) the child exhibits an extreme level of
18 need such that the removal of the child from the
19 minor's placement would be detrimental to the
20 child; or

21 (c) the child who is the subject of the
22 permanency hearing has existing close and strong
23 bonds with a sibling, and achievement of another
24 permanency goal would substantially interfere with
25 the subject child's sibling relationship, taking
26 into consideration the nature and extent of the

1 relationship, and whether ongoing contact is in
2 the subject child's best interest, including
3 long-term emotional interest, as compared with the
4 legal and emotional benefit of permanence;

5 (4) The child has lived with the relative,
6 certified relative caregiver, or foster parent for at
7 least one year; and

8 (5) The relative, certified relative caregiver, or
9 foster parent currently caring for the child is
10 willing and capable of providing the child with a
11 stable and permanent environment.

12 (2.4) The court shall set a permanency goal that is in the
13 best interest of the child. In determining that goal, the
14 court shall consult with the minor in an age-appropriate
15 manner regarding the proposed permanency or transition plan
16 for the minor. The court's determination shall include the
17 following factors:

18 (A) Age of the child.

19 (B) Options available for permanence, including both
20 out-of-state and in-state placement options.

21 (C) Current placement of the child and the intent of
22 the family regarding subsidized guardianship and adoption.

23 (D) Emotional, physical, and mental status or
24 condition of the child.

25 (E) Types of services previously offered and whether
26 or not the services were successful and, if not

1 successful, the reasons the services failed.

2 (F) Availability of services currently needed and
3 whether the services exist.

4 (G) Status of siblings of the minor.

5 (H) If the minor is not currently in a placement
6 likely to achieve permanency, whether there is an
7 identified and willing potential permanent caregiver for
8 the minor, and if so, that potential permanent caregiver's
9 intent regarding guardianship and adoption.

10 The court shall consider (i) the permanency goal contained
11 in the service plan, (ii) the appropriateness of the services
12 contained in the plan and whether those services have been
13 provided, (iii) whether reasonable efforts have been made by
14 all the parties to the service plan to achieve the goal, and
15 (iv) whether the plan and goal have been achieved. All
16 evidence relevant to determining these questions, including
17 oral and written reports, may be admitted and may be relied on
18 to the extent of their probative value.

19 The court shall make findings as to whether, in violation
20 of Section 8.2 of the Abused and Neglected Child Reporting
21 Act, any portion of the service plan compels a child or parent
22 to engage in any activity or refrain from any activity that is
23 not reasonably related to remedying a condition or conditions
24 that gave rise or which could give rise to any finding of child
25 abuse or neglect. The services contained in the service plan
26 shall include services reasonably related to remedy the

1 conditions that gave rise to removal of the child from the home
2 of the child's parents, guardian, or legal custodian or that
3 the court has found must be remedied prior to returning the
4 child home. Any tasks the court requires of the parents,
5 guardian, or legal custodian or child prior to returning the
6 child home must be reasonably related to remedying a condition
7 or conditions that gave rise to or which could give rise to any
8 finding of child abuse or neglect.

9 If the permanency goal is to return home, the court shall
10 make findings that identify any problems that are causing
11 continued placement of the children away from the home and
12 identify what outcomes would be considered a resolution to
13 these problems. The court shall explain to the parents that
14 these findings are based on the information that the court has
15 at that time and may be revised, should additional evidence be
16 presented to the court.

17 The court shall review the Sibling Contact Support Plan
18 developed or modified under subsection (f) of Section 7.4 of
19 the Children and Family Services Act, if applicable. If the
20 Department has not convened a meeting to develop or modify a
21 Sibling Contact Support Plan, or if the court finds that the
22 existing Plan is not in the child's best interest, the court
23 may enter an order requiring the Department to develop,
24 modify, or implement a Sibling Contact Support Plan, or order
25 mediation.

26 Beginning July 1, 2025, the court shall review the Ongoing

1 Family Finding and Relative Engagement Plan required under
2 Section 2-27.3. If the court finds that the plan is not in the
3 minor's best interest, the court shall enter specific factual
4 findings and order the Department to modify the plan
5 consistent with the court's findings.

6 If the goal has been achieved, the court shall enter
7 orders that are necessary to conform the minor's legal custody
8 and status to those findings.

9 If, after receiving evidence, the court determines that
10 the services contained in the plan are not reasonably
11 calculated to facilitate achievement of the permanency goal,
12 the court shall put in writing the factual basis supporting
13 the determination and enter specific findings based on the
14 evidence. The court also shall enter an order for the
15 Department to develop and implement a new service plan or to
16 implement changes to the current service plan consistent with
17 the court's findings. The new service plan shall be filed with
18 the court and served on all parties within 45 days of the date
19 of the order. The court shall continue the matter until the new
20 service plan is filed. Except as authorized by subsection
21 (2.5) of this Section and as otherwise specifically authorized
22 by law, the court is not empowered under this Section to order
23 specific placements, specific services, or specific service
24 providers to be included in the service plan.

25 A guardian or custodian appointed by the court pursuant to
26 this Act shall file updated case plans with the court every 6

1 months.

2 Rights of wards of the court under this Act are
3 enforceable against any public agency by complaints for relief
4 by mandamus filed in any proceedings brought under this Act.

5 (2.5) If, after reviewing the evidence, including evidence
6 from the Department, the court determines that the minor's
7 current or planned placement is not necessary or appropriate
8 to facilitate achievement of the permanency goal, the court
9 shall put in writing the factual basis supporting its
10 determination and enter specific findings based on the
11 evidence. If the court finds that the minor's current or
12 planned placement is not necessary or appropriate, the court
13 may enter an order directing the Department to implement a
14 recommendation by the minor's treating clinician or a
15 clinician contracted by the Department to evaluate the minor
16 or a recommendation made by the Department. If the Department
17 places a minor in a placement under an order entered under this
18 subsection (2.5), the Department has the authority to remove
19 the minor from that placement when a change in circumstances
20 necessitates the removal to protect the minor's health,
21 safety, and best interest. If the Department determines
22 removal is necessary, the Department shall notify the parties
23 of the planned placement change in writing no later than 10
24 days prior to the implementation of its determination unless
25 remaining in the placement poses an imminent risk of harm to
26 the minor, in which case the Department shall notify the

1 parties of the placement change in writing immediately
2 following the implementation of its decision. The Department
3 shall notify others of the decision to change the minor's
4 placement as required by Department rule.

5 (3) Following the permanency hearing, the court shall
6 enter a written order that includes the determinations
7 required under subsections (2) and (2.3) of this Section and
8 sets forth the following:

9 (a) The future status of the minor, including the
10 permanency goal, and any order necessary to conform the
11 minor's legal custody and status to such determination; or

12 (b) If the permanency goal of the minor cannot be
13 achieved immediately, the specific reasons for continuing
14 the minor in the care of the Department of Children and
15 Family Services or other agency for short-term placement,
16 and the following determinations:

17 (i) (Blank).

18 (ii) Whether the services required by the court
19 and by any service plan prepared within the prior 6
20 months have been provided and (A) if so, whether the
21 services were reasonably calculated to facilitate the
22 achievement of the permanency goal or (B) if not
23 provided, why the services were not provided.

24 (iii) Whether the minor's current or planned
25 placement is necessary, and appropriate to the plan
26 and goal, recognizing the right of minors to the least

1 restrictive (most family-like) setting available and
2 in close proximity to the parents' home consistent
3 with the health, safety, best interest, and special
4 needs of the minor and, if the minor is placed
5 out-of-state, whether the out-of-state placement
6 continues to be appropriate and consistent with the
7 health, safety, and best interest of the minor.

8 (iv) (Blank).

9 (v) (Blank).

10 (4) The minor or any person interested in the minor may
11 apply to the court for a change in custody of the minor and the
12 appointment of a new custodian or guardian of the person or for
13 the restoration of the minor to the custody of the minor's
14 parents or former guardian or custodian.

15 When return home is not selected as the permanency goal:

16 (a) The Department, the minor, or the current foster
17 parent or relative caregiver seeking private guardianship
18 may file a motion for private guardianship of the minor.
19 Appointment of a guardian under this Section requires
20 approval of the court.

21 (b) The State's Attorney may file a motion to
22 terminate parental rights of any parent who has failed to
23 make reasonable efforts to correct the conditions which
24 led to the removal of the child or reasonable progress
25 toward the return of the child, as defined in subdivision
26 (D)(m) of Section 1 of the Adoption Act or for whom any

1 other unfitness ground for terminating parental rights as
2 defined in subdivision (D) of Section 1 of the Adoption
3 Act exists.

4 When parental rights have been terminated for a
5 minimum of 3 years and the child who is the subject of the
6 permanency hearing is 13 years old or older and is not
7 currently placed in a placement likely to achieve
8 permanency, the Department of Children and Family Services
9 shall make reasonable efforts to locate parents whose
10 rights have been terminated, except when the Court
11 determines that those efforts would be futile or
12 inconsistent with the subject child's best interests. The
13 Department of Children and Family Services shall assess
14 the appropriateness of the parent whose rights have been
15 terminated, and shall, as appropriate, foster and support
16 connections between the parent whose rights have been
17 terminated and the youth. The Department of Children and
18 Family Services shall document its determinations and
19 efforts to foster connections in the child's case plan.

20 Custody of the minor shall not be restored to any parent,
21 guardian, or legal custodian in any case in which the minor is
22 found to be neglected or abused under Section 2-3 or dependent
23 under Section 2-4 of this Act, unless the minor can be cared
24 for at home without endangering the minor's health or safety
25 and it is in the best interest of the minor, and if such
26 neglect, abuse, or dependency is found by the court under

1 paragraph (1) of Section 2-21 of this Act to have come about
2 due to the acts or omissions or both of such parent, guardian,
3 or legal custodian, until such time as an investigation is
4 made as provided in paragraph (5) and a hearing is held on the
5 issue of the health, safety, and best interest of the minor and
6 the fitness of such parent, guardian, or legal custodian to
7 care for the minor and the court enters an order that such
8 parent, guardian, or legal custodian is fit to care for the
9 minor. If a motion is filed to modify or vacate a private
10 guardianship order and return the child to a parent, guardian,
11 or legal custodian, the court may order the Department of
12 Children and Family Services to assess the minor's current and
13 proposed living arrangements and to provide ongoing monitoring
14 of the health, safety, and best interest of the minor during
15 the pendency of the motion to assist the court in making that
16 determination. In the event that the minor has attained 18
17 years of age and the guardian or custodian petitions the court
18 for an order terminating the minor's guardianship or custody,
19 guardianship or custody shall terminate automatically 30 days
20 after the receipt of the petition unless the court orders
21 otherwise. No legal custodian or guardian of the person may be
22 removed without the legal custodian's or guardian's consent
23 until given notice and an opportunity to be heard by the court.

24 When the court orders a child restored to the custody of
25 the parent or parents, the court shall order the parent or
26 parents to cooperate with the Department of Children and

1 Family Services and comply with the terms of an aftercare
2 ~~after-care~~ plan, or risk the loss of custody of the child and
3 possible termination of their parental rights. The court may
4 also enter an order of protective supervision in accordance
5 with Section 2-24.

6 If the minor is being restored to the custody of a parent,
7 legal custodian, or guardian who lives outside of Illinois,
8 and an Interstate Compact has been requested and refused, the
9 court may order the Department of Children and Family Services
10 to arrange for an assessment of the minor's proposed living
11 arrangement and for ongoing monitoring of the health, safety,
12 and best interest of the minor and compliance with any order of
13 protective supervision entered in accordance with Section
14 2-24.

15 (5) Whenever a parent, guardian, or legal custodian files
16 a motion for restoration of custody of the minor, and the minor
17 was adjudicated neglected, abused, or dependent as a result of
18 physical abuse, the court shall cause to be made an
19 investigation as to whether the movant has ever been charged
20 with or convicted of any criminal offense which would indicate
21 the likelihood of any further physical abuse to the minor.
22 Evidence of such criminal convictions shall be taken into
23 account in determining whether the minor can be cared for at
24 home without endangering the minor's health or safety and
25 fitness of the parent, guardian, or legal custodian.

26 (a) Any agency of this State or any subdivision

1 thereof shall cooperate with the agent of the court in
2 providing any information sought in the investigation.

3 (b) The information derived from the investigation and
4 any conclusions or recommendations derived from the
5 information shall be provided to the parent, guardian, or
6 legal custodian seeking restoration of custody prior to
7 the hearing on fitness and the movant shall have an
8 opportunity at the hearing to refute the information or
9 contest its significance.

10 (c) All information obtained from any investigation
11 shall be confidential as provided in Section 5-150 of this
12 Act.

13 (Source: P.A. 103-22, eff. 8-8-23; 103-154, eff. 6-30-23;
14 103-171, eff. 1-1-24; 103-605, eff. 7-1-24; 103-1061, eff.
15 2-5-25; 104-2, eff. 6-16-25; revised 8-20-25.)

16 (Text of Section after amendment by P.A. 104-107)

17 Sec. 2-28. Court review.

18 (1) The court may require any legal custodian or guardian
19 of the person appointed under this Act to report periodically
20 to the court or may cite the legal custodian or guardian into
21 court and require the legal custodian, guardian, or the legal
22 custodian's or guardian's agency to make a full and accurate
23 report of the doings of the legal custodian, guardian, or
24 agency on behalf of the minor. The custodian or guardian,
25 within 10 days after such citation, or earlier if the court

1 determines it to be necessary to protect the health, safety,
2 or welfare of the minor, shall make the report, either in
3 writing verified by affidavit or orally under oath in open
4 court, or otherwise as the court directs. Upon the hearing of
5 the report the court may remove the custodian or guardian and
6 appoint another in the custodian's or guardian's stead or
7 restore the minor to the custody of the minor's parents or
8 former guardian or custodian. However, custody of the minor
9 shall not be restored to any parent, guardian, or legal
10 custodian in any case in which the minor is found to be
11 neglected or abused under Section 2-3 or dependent under
12 Section 2-4 of this Act, unless the minor can be cared for at
13 home without endangering the minor's health or safety and it
14 is in the best interests of the minor, and if such neglect,
15 abuse, or dependency is found by the court under paragraph (1)
16 of Section 2-21 of this Act to have come about due to the acts
17 or omissions or both of such parent, guardian, or legal
18 custodian, until such time as an investigation is made as
19 provided in paragraph (5) and a hearing is held on the issue of
20 the fitness of such parent, guardian, or legal custodian to
21 care for the minor and the court enters an order that such
22 parent, guardian, or legal custodian is fit to care for the
23 minor.

24 (1.5) The public agency that is the custodian or guardian
25 of the minor shall file a written report with the court no
26 later than 15 days after a minor in the agency's care remains:

1 (1) in a shelter placement beyond 30 days;

2 (2) in a psychiatric hospital past the time when the
3 minor is clinically ready for discharge or beyond medical
4 necessity for the minor's health; or

5 (3) in a detention center or Department of Juvenile
6 Justice facility solely because the public agency cannot
7 find an appropriate placement for the minor.

8 The report shall explain the steps the agency is taking to
9 ensure the minor is placed appropriately, how the minor's
10 needs are being met in the minor's shelter placement, and if a
11 future placement has been identified by the Department, why
12 the anticipated placement is appropriate for the needs of the
13 minor and the anticipated placement date.

14 (1.6) Within 30 days after placing a child in its care in a
15 qualified residential treatment program, as defined by the
16 federal Social Security Act, the Department of Children and
17 Family Services shall prepare a written report for filing with
18 the court and send copies of the report to all parties. Within
19 20 days of the filing of the report, or as soon thereafter as
20 the court's schedule allows but not more than 60 days from the
21 date of placement, the court shall hold a hearing to consider
22 the Department's report and determine whether placement of the
23 child in a qualified residential treatment program provides
24 the most effective and appropriate level of care for the child
25 in the least restrictive environment and if the placement is
26 consistent with the short-term and long-term goals for the

1 child, as specified in the permanency plan for the child. The
2 court shall approve or disapprove the placement. If
3 applicable, the requirements of Sections 2-27.1 and 2-27.2
4 must also be met. The Department's written report and the
5 court's written determination shall be included in and made
6 part of the case plan for the child. If the child remains
7 placed in a qualified residential treatment program, the
8 Department shall submit evidence at each status and permanency
9 hearing:

10 (A) demonstrating that ongoing ~~on-going~~ assessment of
11 the strengths and needs of the child continues to support
12 the determination that the child's needs cannot be met
13 through placement in a foster family home, that the
14 placement provides the most effective and appropriate
15 level of care for the child in the least restrictive,
16 appropriate environment, and that the placement is
17 consistent with the short-term and long-term permanency
18 goal for the child, as specified in the permanency plan
19 for the child;

20 (B) documenting the specific treatment or service
21 needs that should be met for the child in the placement and
22 the length of time the child is expected to need the
23 treatment or services;

24 (C) detailing the efforts made by the agency to
25 prepare the child to return home or to be placed with a fit
26 and willing relative, a legal guardian, or an adoptive

1 parent, or in a foster family home;

2 (D) beginning July 1, 2025, documenting the
3 Department's efforts regarding ongoing family finding and
4 relative engagement required under Section 2-27.3; and

5 (E) detailing efforts to ensure the minor is engaged
6 in age and developmentally appropriate activities to
7 develop life skills, which may include extracurricular
8 activities, coaching by caregivers, or instruction in
9 individual or group settings. For minors who have
10 participated in life skills assessments, the results of
11 such assessments and how the minor's identified needs are
12 being addressed.

13 (2) The first permanency hearing shall be conducted by the
14 judge. Subsequent permanency hearings may be heard by a judge
15 or by hearing officers appointed or approved by the court in
16 the manner set forth in Section 2-28.1 of this Act. The initial
17 hearing shall be held (a) within 12 months from the date
18 temporary custody was taken, regardless of whether an
19 adjudication or dispositional hearing has been completed
20 within that time frame, (b) if the parental rights of both
21 parents have been terminated in accordance with the procedure
22 described in subsection (5) of Section 2-21, within 30 days of
23 the order for termination of parental rights and appointment
24 of a guardian with power to consent to adoption, or (c) in
25 accordance with subsection (2) of Section 2-13.1. Subsequent
26 permanency hearings shall be held every 6 months or more

1 frequently if necessary in the court's determination following
2 the initial permanency hearing, in accordance with the
3 standards set forth in this Section, until the court
4 determines that the plan and goal have been achieved. Once the
5 plan and goal have been achieved, if the minor remains in
6 substitute care, the case shall be reviewed at least every 6
7 months thereafter, subject to the provisions of this Section,
8 unless the minor is placed in the guardianship of a suitable
9 relative or other person and the court determines that further
10 monitoring by the court does not further the health, safety,
11 or best interest of the child and that this is a stable
12 permanent placement. The permanency hearings must occur within
13 the time frames set forth in this subsection and may not be
14 delayed in anticipation of a report from any source or due to
15 the agency's failure to timely file its written report (this
16 written report means the one required under the next paragraph
17 and does not mean the service plan also referred to in that
18 paragraph).

19 The public agency that is the custodian or guardian of the
20 minor, or another agency responsible for the minor's care,
21 shall ensure that all parties to the permanency hearings are
22 provided a copy of the most recent service plan prepared
23 within the prior 6 months at least 14 days in advance of the
24 hearing. If not contained in the agency's service plan, the
25 agency shall also include a report setting forth the
26 following:

1 (A) any special physical, psychological, educational,
2 medical, emotional, or other needs of the minor or the
3 minor's family that are relevant to a permanency or
4 placement determination, and for any minor age 16 or over,
5 a written description of the programs and services that
6 will enable the minor to prepare for independent living;

7 (B) beginning July 1, 2025, a written description of
8 ongoing family finding and relative engagement efforts in
9 accordance with the requirements under Section 2-27.3 the
10 agency has undertaken since the most recent report to the
11 court to plan for the emotional and legal permanency of
12 the minor;

13 (C) whether a minor is placed in a licensed child care
14 facility under a corrective plan by the Department due to
15 concerns impacting the minor's safety and well-being. The
16 report shall explain the steps the Department is taking to
17 ensure the safety and well-being of the minor and that the
18 minor's needs are met in the facility;

19 (D) detail regarding what progress or lack of progress
20 the parent has made in correcting the conditions requiring
21 the child to be in care; whether the child can be returned
22 home without jeopardizing the child's health, safety, and
23 welfare, what permanency goal is recommended to be in the
24 best interests of the child, and the reasons for the
25 recommendation. If a permanency goal under paragraph (A),
26 (B), or (B-1) of subsection (2.3) have been deemed

1 inappropriate and not in the minor's best interest, the
2 report must include the following information:

3 (i) confirmation that the caseworker has discussed
4 the permanency options and subsidies available for
5 guardianship and adoption with the minor's caregivers,
6 the minor's parents, as appropriate, and has discussed
7 the available permanency options with the minor in an
8 age-appropriate manner;

9 (ii) confirmation that the caseworker has
10 discussed with the minor's caregivers, the minor's
11 parents, as appropriate, and the minor as
12 age-appropriate, the distinctions between guardianship
13 and adoption, including, but not limited to, that
14 guardianship does not require termination of the
15 parent's rights or the consent of the parent;

16 (iii) a description of the stated preferences and
17 concerns, if any, the minor, the parent as
18 appropriate, and the caregiver expressed relating to
19 the options of guardianship and adoption, and the
20 reasons for the preferences;

21 (iv) if the minor is not currently in a placement
22 that will provide permanency, identification of all
23 persons presently willing and able to provide
24 permanency to the minor through either guardianship or
25 adoption, and beginning July 1, 2025, if none are
26 available, a description of the efforts made in

1 accordance with Section 2-27.3; and

2 (v) state the recommended permanency goal, why
3 that goal is recommended, and why the other potential
4 goals were not recommended.

5 The caseworker must appear and testify at the permanency
6 hearing. If a permanency hearing has not previously been
7 scheduled by the court, the moving party shall move for the
8 setting of a permanency hearing and the entry of an order
9 within the time frames set forth in this subsection.

10 (2.3) At the permanency hearing, the court shall determine
11 the permanency goal of the child. The court shall set one of
12 the following permanency goals:

13 (A) The minor will be returned home by a specific date
14 within 5 months.

15 (B) The minor will be in short-term care with a
16 continued goal to return home within a period not to
17 exceed one year, where the progress of the parent or
18 parents is substantial giving particular consideration to
19 the age and individual needs of the minor.

20 (B-1) The minor will be in short-term care with a
21 continued goal to return home pending a status hearing.
22 When the court finds that a parent has not made reasonable
23 efforts or reasonable progress to date, the court shall
24 identify what actions the parent and the Department must
25 take in order to justify a finding of reasonable efforts
26 or reasonable progress and shall set a status hearing to

1 be held not earlier than 9 months from the date of
2 adjudication nor later than 11 months from the date of
3 adjudication during which the parent's progress will again
4 be reviewed.

5 If the court has determined that goals (A), (B), and
6 (B-1) are not appropriate and not in the minor's best
7 interest, the court may select one of the following goals:
8 (C), (D), (E), (F), (G), or (H) for the minor as
9 appropriate and based on the best interests of the minor.
10 The court shall determine the appropriate goal for the
11 minor based on best interest factors and any
12 considerations outlined in that goal.

13 (C) The guardianship of the minor shall be transferred
14 to an individual or couple on a permanent basis. Prior to
15 changing the goal to guardianship, the court shall
16 consider the following:

17 (i) whether the agency has discussed adoption and
18 guardianship with the caregiver and what preference,
19 if any, the caregiver has as to the permanency goal;

20 (ii) whether the agency has discussed adoption and
21 guardianship with the minor, as age-appropriate, and
22 what preference, if any, the minor has as to the
23 permanency goal;

24 (iii) whether the minor is of sufficient age to
25 remember the minor's parents and if the child values
26 this familial identity;

1 (iv) whether the minor is placed with a relative,
2 and beginning July 1, 2025, whether the minor is
3 placed in a relative home as defined in Section 4d of
4 the Children and Family Services Act or in a certified
5 relative caregiver home as defined in Section 2.36 of
6 the Child Care Act of 1969; and

7 (v) whether the parent or parents have been
8 informed about guardianship and adoption, and, if
9 appropriate, what preferences, if any, the parent or
10 parents have as to the permanency goal.

11 (D) The minor will be in substitute care pending court
12 determination on termination of parental rights. Prior to
13 changing the goal to substitute care pending court
14 determination on termination of parental rights, the court
15 shall consider the following:

16 (i) whether the agency has discussed adoption and
17 guardianship with the caregiver and what preference,
18 if any, the caregiver has as to the permanency goal;

19 (ii) whether the agency has discussed adoption and
20 guardianship with the minor, as age-appropriate, and
21 what preference, if any, the minor has as to the
22 permanency goal;

23 (iii) whether the minor is of sufficient age to
24 remember the minor's parents and if the child values
25 this familial identity;

26 (iv) whether the minor is placed with a relative,

1 and beginning July 1, 2025, whether the minor is
2 placed in a relative home as defined in Section 4d of
3 the Children and Family Services Act, in a certified
4 relative caregiver home as defined in Section 2.36 of
5 the Child Care Act of 1969;

6 (v) whether the minor is already placed in a
7 pre-adoptive home, and if not, whether such a home has
8 been identified; and

9 (vi) whether the parent or parents have been
10 informed about guardianship and adoption, and, if
11 appropriate, what preferences, if any, the parent or
12 parents have as to the permanency goal.

13 (E) Adoption, provided that parental rights have been
14 terminated or relinquished.

15 (F) Provided that permanency goals (A) through (E)
16 have been deemed inappropriate and not in the minor's best
17 interests, the minor over age 15 will be in substitute
18 care pending independence. In selecting this permanency
19 goal, the Department of Children and Family Services may
20 provide services to enable reunification and to strengthen
21 the minor's connections with family, fictive kin, and
22 other responsible adults, provided the services are in the
23 minor's best interest. The services shall be documented in
24 the service plan.

25 (G) The minor will be in substitute care because the
26 minor cannot be provided for in a home environment due to

1 developmental disabilities or mental illness or because
2 the minor is a danger to self or others, provided that
3 goals (A) through (E) have been deemed inappropriate and
4 not in the child's best interests.

5 In selecting any permanency goal, the court shall indicate
6 in writing the reasons the goal was selected and why the
7 preceding goals were deemed inappropriate and not in the
8 child's best interest. Where the court has selected a
9 permanency goal other than (A), (B), or (B-1), the Department
10 of Children and Family Services shall not provide further
11 reunification services, except as provided in paragraph (F) of
12 this subsection (2.3), but shall provide services consistent
13 with the goal selected.

14 (H) Notwithstanding any other provision in this
15 Section, the court may select the goal of continuing
16 foster care as a permanency goal if:

17 (1) The Department of Children and Family Services
18 has custody and guardianship of the minor;

19 (2) The court has deemed all other permanency
20 goals inappropriate based on the child's best
21 interest;

22 (3) The court has found compelling reasons, based
23 on written documentation reviewed by the court, to
24 place the minor in continuing foster care. Compelling
25 reasons include:

26 (a) the child does not wish to be adopted or to

1 be placed in the guardianship of the minor's
2 relative, certified relative caregiver, or foster
3 care placement;

4 (b) the child exhibits an extreme level of
5 need such that the removal of the child from the
6 minor's placement would be detrimental to the
7 child; or

8 (c) the child who is the subject of the
9 permanency hearing has existing close and strong
10 bonds with a sibling, and achievement of another
11 permanency goal would substantially interfere with
12 the subject child's sibling relationship, taking
13 into consideration the nature and extent of the
14 relationship, and whether ongoing contact is in
15 the subject child's best interest, including
16 long-term emotional interest, as compared with the
17 legal and emotional benefit of permanence;

18 (4) The child has lived with the relative,
19 certified relative caregiver, or foster parent for at
20 least one year; and

21 (5) The relative, certified relative caregiver, or
22 foster parent currently caring for the child is
23 willing and capable of providing the child with a
24 stable and permanent environment.

25 (2.4) The court shall set a permanency goal that is in the
26 best interest of the child. In determining that goal, the

1 court shall consult with the minor in an age-appropriate
2 manner regarding the proposed permanency or transition plan
3 for the minor. The court's determination shall include the
4 following factors:

5 (A) Age of the child.

6 (B) Options available for permanence, including both
7 out-of-state and in-state placement options.

8 (C) Current placement of the child and the intent of
9 the family regarding subsidized guardianship and adoption.

10 (D) Emotional, physical, and mental status or
11 condition of the child.

12 (E) Types of services previously offered and whether
13 or not the services were successful and, if not
14 successful, the reasons the services failed.

15 (F) Availability of services currently needed and
16 whether the services exist.

17 (G) Status of siblings of the minor.

18 (H) If the minor is not currently in a placement
19 likely to achieve permanency, whether there is an
20 identified and willing potential permanent caregiver for
21 the minor, and if so, that potential permanent caregiver's
22 intent regarding guardianship and adoption.

23 The court shall consider (i) the permanency goal contained
24 in the service plan, (ii) the appropriateness of the services
25 contained in the plan and whether those services have been
26 provided, (iii) whether reasonable efforts have been made by

1 all the parties to the service plan to achieve the goal, and
2 (iv) whether the plan and goal have been achieved. All
3 evidence relevant to determining these questions, including
4 oral and written reports, may be admitted and may be relied on
5 to the extent of their probative value.

6 The court shall make findings as to whether, in violation
7 of Section 8.2 of the Abused and Neglected Child Reporting
8 Act, any portion of the service plan compels a child or parent
9 to engage in any activity or refrain from any activity that is
10 not reasonably related to remedying a condition or conditions
11 that gave rise or which could give rise to any finding of child
12 abuse or neglect. The services contained in the service plan
13 shall include services reasonably related to remedy the
14 conditions that gave rise to removal of the child from the home
15 of the child's parents, guardian, or legal custodian or that
16 the court has found must be remedied prior to returning the
17 child home. Any tasks the court requires of the parents,
18 guardian, or legal custodian or child prior to returning the
19 child home must be reasonably related to remedying a condition
20 or conditions that gave rise to or which could give rise to any
21 finding of child abuse or neglect.

22 If the permanency goal is to return home, the court shall
23 make findings that identify any problems that are causing
24 continued placement of the children away from the home and
25 identify what outcomes would be considered a resolution to
26 these problems. The court shall explain to the parents that

1 these findings are based on the information that the court has
2 at that time and may be revised, should additional evidence be
3 presented to the court.

4 The court shall review the Sibling Contact Support Plan
5 developed or modified under subsection (f) of Section 7.4 of
6 the Children and Family Services Act, if applicable. If the
7 Department has not convened a meeting to develop or modify a
8 Sibling Contact Support Plan, or if the court finds that the
9 existing Plan is not in the child's best interest, the court
10 may enter an order requiring the Department to develop,
11 modify, or implement a Sibling Contact Support Plan, or order
12 mediation.

13 The court shall review the Department's efforts to provide
14 the minor with age and developmentally appropriate life
15 skills. If the court finds the Department's efforts are not in
16 the minor's best interest, the court may enter an order
17 requiring the Department to develop, modify, or implement the
18 service plan to develop the minor's life skills in an age and
19 developmentally appropriate manner.

20 Beginning July 1, 2025, the court shall review the Ongoing
21 Family Finding and Relative Engagement Plan required under
22 Section 2-27.3. If the court finds that the plan is not in the
23 minor's best interest, the court shall enter specific factual
24 findings and order the Department to modify the plan
25 consistent with the court's findings.

26 If the goal has been achieved, the court shall enter

1 orders that are necessary to conform the minor's legal custody
2 and status to those findings.

3 If, after receiving evidence, the court determines that
4 the services contained in the plan are not reasonably
5 calculated to facilitate achievement of the permanency goal,
6 the court shall put in writing the factual basis supporting
7 the determination and enter specific findings based on the
8 evidence. The court also shall enter an order for the
9 Department to develop and implement a new service plan or to
10 implement changes to the current service plan consistent with
11 the court's findings. The new service plan shall be filed with
12 the court and served on all parties within 45 days of the date
13 of the order. The court shall continue the matter until the new
14 service plan is filed. Except as authorized by subsection
15 (2.5) of this Section and as otherwise specifically authorized
16 by law, the court is not empowered under this Section to order
17 specific placements, specific services, or specific service
18 providers to be included in the service plan.

19 A guardian or custodian appointed by the court pursuant to
20 this Act shall file updated case plans with the court every 6
21 months.

22 Rights of wards of the court under this Act are
23 enforceable against any public agency by complaints for relief
24 by mandamus filed in any proceedings brought under this Act.

25 (2.5) If, after reviewing the evidence, including evidence
26 from the Department, the court determines that the minor's

1 current or planned placement is not necessary or appropriate
2 to facilitate achievement of the permanency goal, the court
3 shall put in writing the factual basis supporting its
4 determination and enter specific findings based on the
5 evidence. If the court finds that the minor's current or
6 planned placement is not necessary or appropriate, the court
7 may enter an order directing the Department to implement a
8 recommendation by the minor's treating clinician or a
9 clinician contracted by the Department to evaluate the minor
10 or a recommendation made by the Department. If the Department
11 places a minor in a placement under an order entered under this
12 subsection (2.5), the Department has the authority to remove
13 the minor from that placement when a change in circumstances
14 necessitates the removal to protect the minor's health,
15 safety, and best interest. If the Department determines
16 removal is necessary, the Department shall notify the parties
17 of the planned placement change in writing no later than 10
18 days prior to the implementation of its determination unless
19 remaining in the placement poses an imminent risk of harm to
20 the minor, in which case the Department shall notify the
21 parties of the placement change in writing immediately
22 following the implementation of its decision. The Department
23 shall notify others of the decision to change the minor's
24 placement as required by Department rule.

25 (3) Following the permanency hearing, the court shall
26 enter a written order that includes the determinations

1 required under subsections (2) and (2.3) of this Section and
2 sets forth the following:

3 (a) The future status of the minor, including the
4 permanency goal, and any order necessary to conform the
5 minor's legal custody and status to such determination; or

6 (b) If the permanency goal of the minor cannot be
7 achieved immediately, the specific reasons for continuing
8 the minor in the care of the Department of Children and
9 Family Services or other agency for short-term placement,
10 and the following determinations:

11 (i) (Blank).

12 (ii) Whether the services required by the court
13 and by any service plan prepared within the prior 6
14 months have been provided and (A) if so, whether the
15 services were reasonably calculated to facilitate the
16 achievement of the permanency goal or (B) if not
17 provided, why the services were not provided.

18 (iii) Whether the minor's current or planned
19 placement is necessary, and appropriate to the plan
20 and goal, recognizing the right of minors to the least
21 restrictive (most family-like) setting available and
22 in close proximity to the parents' home consistent
23 with the health, safety, best interest, and special
24 needs of the minor and, if the minor is placed
25 out-of-state, whether the out-of-state placement
26 continues to be appropriate and consistent with the

1 health, safety, and best interest of the minor.

2 (iv) (Blank).

3 (v) (Blank).

4 If the court sets a permanency goal of independence or if
5 the minor is 17 years of age or older, the court shall schedule
6 a Successful Transition to Adulthood Review hearing in
7 accordance with Section 2-28.2.

8 (4) The minor or any person interested in the minor may
9 apply to the court for a change in custody of the minor and the
10 appointment of a new custodian or guardian of the person or for
11 the restoration of the minor to the custody of the minor's
12 parents or former guardian or custodian.

13 When return home is not selected as the permanency goal:

14 (a) The Department, the minor, or the current foster
15 parent or relative caregiver seeking private guardianship
16 may file a motion for private guardianship of the minor.
17 Appointment of a guardian under this Section requires
18 approval of the court.

19 (b) The State's Attorney may file a motion to
20 terminate parental rights of any parent who has failed to
21 make reasonable efforts to correct the conditions which
22 led to the removal of the child or reasonable progress
23 toward the return of the child, as defined in subdivision
24 (D)(m) of Section 1 of the Adoption Act or for whom any
25 other unfitness ground for terminating parental rights as
26 defined in subdivision (D) of Section 1 of the Adoption

1 Act exists.

2 When parental rights have been terminated for a
3 minimum of 3 years and the child who is the subject of the
4 permanency hearing is 13 years old or older and is not
5 currently placed in a placement likely to achieve
6 permanency, the Department of Children and Family Services
7 shall make reasonable efforts to locate parents whose
8 rights have been terminated, except when the Court
9 determines that those efforts would be futile or
10 inconsistent with the subject child's best interests. The
11 Department of Children and Family Services shall assess
12 the appropriateness of the parent whose rights have been
13 terminated, and shall, as appropriate, foster and support
14 connections between the parent whose rights have been
15 terminated and the youth. The Department of Children and
16 Family Services shall document its determinations and
17 efforts to foster connections in the child's case plan.

18 Custody of the minor shall not be restored to any parent,
19 guardian, or legal custodian in any case in which the minor is
20 found to be neglected or abused under Section 2-3 or dependent
21 under Section 2-4 of this Act, unless the minor can be cared
22 for at home without endangering the minor's health or safety
23 and it is in the best interest of the minor, and if such
24 neglect, abuse, or dependency is found by the court under
25 paragraph (1) of Section 2-21 of this Act to have come about
26 due to the acts or omissions or both of such parent, guardian,

1 or legal custodian, until such time as an investigation is
2 made as provided in paragraph (5) and a hearing is held on the
3 issue of the health, safety, and best interest of the minor and
4 the fitness of such parent, guardian, or legal custodian to
5 care for the minor and the court enters an order that such
6 parent, guardian, or legal custodian is fit to care for the
7 minor. If a motion is filed to modify or vacate a private
8 guardianship order and return the child to a parent, guardian,
9 or legal custodian, the court may order the Department of
10 Children and Family Services to assess the minor's current and
11 proposed living arrangements and to provide ongoing monitoring
12 of the health, safety, and best interest of the minor during
13 the pendency of the motion to assist the court in making that
14 determination. In the event that the minor has attained 18
15 years of age and the guardian or custodian petitions the court
16 for an order terminating the minor's guardianship or custody,
17 guardianship or custody shall terminate automatically 30 days
18 after the receipt of the petition unless the court orders
19 otherwise. No legal custodian or guardian of the person may be
20 removed without the legal custodian's or guardian's consent
21 until given notice and an opportunity to be heard by the court.

22 When the court orders a child restored to the custody of
23 the parent or parents, the court shall order the parent or
24 parents to cooperate with the Department of Children and
25 Family Services and comply with the terms of an aftercare
26 ~~after care~~ plan, or risk the loss of custody of the child and

1 possible termination of their parental rights. The court may
2 also enter an order of protective supervision in accordance
3 with Section 2-24.

4 If the minor is being restored to the custody of a parent,
5 legal custodian, or guardian who lives outside of Illinois,
6 and an Interstate Compact has been requested and refused, the
7 court may order the Department of Children and Family Services
8 to arrange for an assessment of the minor's proposed living
9 arrangement and for ongoing monitoring of the health, safety,
10 and best interest of the minor and compliance with any order of
11 protective supervision entered in accordance with Section
12 2-24.

13 (5) Whenever a parent, guardian, or legal custodian files
14 a motion for restoration of custody of the minor, and the minor
15 was adjudicated neglected, abused, or dependent as a result of
16 physical abuse, the court shall cause to be made an
17 investigation as to whether the movant has ever been charged
18 with or convicted of any criminal offense which would indicate
19 the likelihood of any further physical abuse to the minor.
20 Evidence of such criminal convictions shall be taken into
21 account in determining whether the minor can be cared for at
22 home without endangering the minor's health or safety and
23 fitness of the parent, guardian, or legal custodian.

24 (a) Any agency of this State or any subdivision
25 thereof shall cooperate with the agent of the court in
26 providing any information sought in the investigation.

1 (b) The information derived from the investigation and
2 any conclusions or recommendations derived from the
3 information shall be provided to the parent, guardian, or
4 legal custodian seeking restoration of custody prior to
5 the hearing on fitness and the movant shall have an
6 opportunity at the hearing to refute the information or
7 contest its significance.

8 (c) All information obtained from any investigation
9 shall be confidential as provided in Section 5-150 of this
10 Act.

11 (Source: P.A. 103-22, eff. 8-8-23; 103-154, eff. 6-30-23;
12 103-171, eff. 1-1-24; 103-605, eff. 7-1-24; 103-1061, eff.
13 2-5-25; 104-2, eff. 6-16-25; 104-107, eff. 7-1-26; revised
14 8-20-25.)

15 (705 ILCS 405/5-745)

16 (Text of Section before amendment by P.A. 104-107)

17 Sec. 5-745. Court review.

18 (1) The court may require any legal custodian or guardian
19 of the person appointed under this Act, including the
20 Department of Juvenile Justice for youth committed under
21 Section 5-750 of this Act, to report periodically to the court
22 or may cite the legal custodian or guardian into court and
23 require the legal custodian or guardian, or the legal
24 custodian's or guardian's agency, to make a full and accurate
25 report of the doings of the legal custodian, guardian, or

1 agency on behalf of the minor, including efforts to secure
2 post-release placement of the youth after release from the
3 Department's facilities. The legal custodian or guardian,
4 within 10 days after the citation, shall make the report,
5 either in writing verified by affidavit or orally under oath
6 in open court, or otherwise as the court directs. Upon the
7 hearing of the report, the court may remove the legal
8 custodian or guardian and appoint another in the legal
9 custodian's or guardian's stead or restore the minor to the
10 custody of the minor's parents or former guardian or legal
11 custodian.

12 (2) If the Department of Children and Family Services is
13 appointed legal custodian or guardian of a minor under Section
14 5-740 of this Act, the Department of Children and Family
15 Services shall file updated case plans with the court every 6
16 months. Every agency which has guardianship of a child shall
17 file a supplemental petition for court review, or review by an
18 administrative body appointed or approved by the court and
19 further order within 18 months of the sentencing order and
20 each 18 months thereafter. The petition shall state facts
21 relative to the child's present condition of physical, mental,
22 and emotional health as well as facts relative to the minor's
23 present custodial or foster care. The petition shall be set
24 for hearing and the clerk shall mail 10 days' ~~days~~ notice of
25 the hearing by certified mail, return receipt requested, to
26 the person or agency having the physical custody of the child,

1 the minor and other interested parties unless a written waiver
2 of notice is filed with the petition.

3 If the minor is in the custody of the Illinois Department
4 of Children and Family Services, pursuant to an order entered
5 under this Article, the court shall conduct permanency
6 hearings as set out in subsections (1), (1.5), (1.6), (2),
7 (2.3), (2.4), (2.5), and (3) of Section 2-28 of Article II of
8 this Act.

9 Rights of wards of the court under this Act are
10 enforceable against any public agency by complaints for relief
11 by mandamus filed in any proceedings brought under this Act.

12 (3) The minor or any person interested in the minor may
13 apply to the court for a change in custody of the minor and the
14 appointment of a new custodian or guardian of the person or for
15 the restoration of the minor to the custody of the minor's
16 parents or former guardian or custodian. In the event that the
17 minor has attained 18 years of age and the guardian or
18 custodian petitions the court for an order terminating the
19 minor's guardianship or custody, guardianship or legal custody
20 shall terminate automatically 30 days after the receipt of the
21 petition unless the court orders otherwise. No legal custodian
22 or guardian of the person may be removed without the legal
23 custodian's or guardian's consent until given notice and an
24 opportunity to be heard by the court.

25 (4) If the minor is committed to the Department of
26 Juvenile Justice under Section 5-750 of this Act, the

1 Department shall notify the court in writing of the occurrence
2 of any of the following:

3 (a) a critical incident involving a youth committed to
4 the Department; as used in this paragraph (a), "critical
5 incident" means any incident that involves a serious risk
6 to the life, health, or well-being of the youth and
7 includes, but is not limited to, an accident or suicide
8 attempt resulting in serious bodily harm or
9 hospitalization, psychiatric hospitalization, alleged or
10 suspected abuse, or escape or attempted escape from
11 custody, filed within 10 days of the occurrence;

12 (b) a youth who has been released by the Prisoner
13 Review Board but remains in a Department facility solely
14 because the youth does not have an approved aftercare
15 release host site, filed within 10 days of the occurrence;

16 (c) a youth, except a youth who has been adjudicated a
17 habitual or violent juvenile offender under Section 5-815
18 or 5-820 of this Act or committed for first degree murder,
19 who has been held in a Department facility for over one
20 consecutive year; or

21 (d) if a report has been filed under paragraph (c) of
22 this subsection, a supplemental report shall be filed
23 every 6 months thereafter.

24 The notification required by this subsection (4) shall contain
25 a brief description of the incident or situation and a summary
26 of the youth's current physical, mental, and emotional health

1 and the actions the Department took in response to the
2 incident or to identify an aftercare release host site, as
3 applicable. Upon receipt of the notification, the court may
4 require the Department to make a full report under subsection
5 (1) of this Section.

6 (5) With respect to any report required to be filed with
7 the court under this Section, the Independent Juvenile
8 Ombudsperson shall provide a copy to the minor's court
9 appointed guardian ad litem, if the Department has received
10 written notice of the appointment, and to the minor's
11 attorney, if the Department has received written notice of
12 representation from the attorney. If the Department has a
13 record that a guardian has been appointed for the minor and a
14 record of the last known address of the minor's court
15 appointed guardian, the Independent Juvenile Ombudsperson
16 shall send a notice to the guardian that the report is
17 available and will be provided by the Independent Juvenile
18 Ombudsperson upon request. If the Department has no record
19 regarding the appointment of a guardian for the minor, and the
20 Department's records include the last known addresses of the
21 minor's parents, the Independent Juvenile Ombudsperson shall
22 send a notice to the parents that the report is available and
23 will be provided by the Independent Juvenile Ombudsperson upon
24 request.

25 (Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 2-5-25;
26 104-66, eff. 1-1-26; revised 11-21-25.)

1 (Text of Section after amendment by P.A. 104-107)

2 Sec. 5-745. Court review.

3 (1) The court may require any legal custodian or guardian
4 of the person appointed under this Act, including the
5 Department of Juvenile Justice for youth committed under
6 Section 5-750 of this Act, to report periodically to the court
7 or may cite the legal custodian or guardian into court and
8 require the legal custodian or guardian, or the legal
9 custodian's or guardian's agency, to make a full and accurate
10 report of the doings of the legal custodian, guardian, or
11 agency on behalf of the minor, including efforts to secure
12 post-release placement of the youth after release from the
13 Department's facilities. The legal custodian or guardian,
14 within 10 days after the citation, shall make the report,
15 either in writing verified by affidavit or orally under oath
16 in open court, or otherwise as the court directs. Upon the
17 hearing of the report, the court may remove the legal
18 custodian or guardian and appoint another in the legal
19 custodian's or guardian's stead or restore the minor to the
20 custody of the minor's parents or former guardian or legal
21 custodian.

22 (2) If the Department of Children and Family Services is
23 appointed legal custodian or guardian of a minor under Section
24 5-740 of this Act, the Department of Children and Family
25 Services shall file updated case plans with the court every 6

1 months. Every agency which has guardianship of a child shall
2 file a supplemental petition for court review, or review by an
3 administrative body appointed or approved by the court and
4 further order within 18 months of the sentencing order and
5 each 18 months thereafter. The petition shall state facts
6 relative to the child's present condition of physical, mental,
7 and emotional health as well as facts relative to the minor's
8 present custodial or foster care. The petition shall be set
9 for hearing and the clerk shall mail 10 days' ~~days~~ notice of
10 the hearing by certified mail, return receipt requested, to
11 the person or agency having the physical custody of the child,
12 the minor and other interested parties unless a written waiver
13 of notice is filed with the petition.

14 If the minor is in the custody of the Illinois Department
15 of Children and Family Services, pursuant to an order entered
16 under this Article, the court shall conduct permanency
17 hearings as set out in subsections (1), (1.5), (1.6), (2),
18 (2.3), (2.4), (2.5), and (3) of Section 2-28 of Article II of
19 this Act and Successful Transition to Adulthood Review
20 hearings as set out in Section 2-28.2 of Article II of this
21 Act.

22 Rights of wards of the court under this Act are
23 enforceable against any public agency by complaints for relief
24 by mandamus filed in any proceedings brought under this Act.

25 (3) The minor or any person interested in the minor may
26 apply to the court for a change in custody of the minor and the

1 appointment of a new custodian or guardian of the person or for
2 the restoration of the minor to the custody of the minor's
3 parents or former guardian or custodian. In the event that the
4 minor has attained 18 years of age and the guardian or
5 custodian petitions the court for an order terminating the
6 minor's guardianship or custody, guardianship or legal custody
7 shall terminate automatically 30 days after the receipt of the
8 petition unless the court orders otherwise. No legal custodian
9 or guardian of the person may be removed without the legal
10 custodian's or guardian's consent until given notice and an
11 opportunity to be heard by the court.

12 (4) If the minor is committed to the Department of
13 Juvenile Justice under Section 5-750 of this Act, the
14 Department shall notify the court in writing of the occurrence
15 of any of the following:

16 (a) a critical incident involving a youth committed to
17 the Department; as used in this paragraph (a), "critical
18 incident" means any incident that involves a serious risk
19 to the life, health, or well-being of the youth and
20 includes, but is not limited to, an accident or suicide
21 attempt resulting in serious bodily harm or
22 hospitalization, psychiatric hospitalization, alleged or
23 suspected abuse, or escape or attempted escape from
24 custody, filed within 10 days of the occurrence;

25 (b) a youth who has been released by the Prisoner
26 Review Board but remains in a Department facility solely

1 because the youth does not have an approved aftercare
2 release host site, filed within 10 days of the occurrence;

3 (c) a youth, except a youth who has been adjudicated a
4 habitual or violent juvenile offender under Section 5-815
5 or 5-820 of this Act or committed for first degree murder,
6 who has been held in a Department facility for over one
7 consecutive year; or

8 (d) if a report has been filed under paragraph (c) of
9 this subsection, a supplemental report shall be filed
10 every 6 months thereafter.

11 The notification required by this subsection (4) shall contain
12 a brief description of the incident or situation and a summary
13 of the youth's current physical, mental, and emotional health
14 and the actions the Department took in response to the
15 incident or to identify an aftercare release host site, as
16 applicable. Upon receipt of the notification, the court may
17 require the Department to make a full report under subsection
18 (1) of this Section.

19 (5) With respect to any report required to be filed with
20 the court under this Section, the Independent Juvenile
21 Ombudsperson shall provide a copy to the minor's court
22 appointed guardian ad litem, if the Department has received
23 written notice of the appointment, and to the minor's
24 attorney, if the Department has received written notice of
25 representation from the attorney. If the Department has a
26 record that a guardian has been appointed for the minor and a

1 record of the last known address of the minor's court
2 appointed guardian, the Independent Juvenile Ombudsperson
3 shall send a notice to the guardian that the report is
4 available and will be provided by the Independent Juvenile
5 Ombudsperson upon request. If the Department has no record
6 regarding the appointment of a guardian for the minor, and the
7 Department's records include the last known addresses of the
8 minor's parents, the Independent Juvenile Ombudsperson shall
9 send a notice to the parents that the report is available and
10 will be provided by the Independent Juvenile Ombudsperson upon
11 request.

12 (Source: P.A. 103-22, eff. 8-8-23; 103-1061, eff. 2-5-25;
13 104-66, eff. 1-1-26; 104-107, eff. 7-1-26; revised 11-21-25.)

14 Section 970. The Seed Arbitration Act is amended by
15 changing Section 5 as follows:

16 (710 ILCS 25/5) (from Ch. 10, par. 251-5)

17 Sec. 5. Definitions. In this Act:

18 "Arbitration" means arbitration under this Act.

19 "Council" means the Seed Arbitration Council.

20 "Department" means the Illinois Department of Agriculture.

21 "Director" means the Illinois Director of Agriculture.

22 "Seed" means agricultural and vegetable seed as defined in
23 the Illinois Seed Law.

24 (Source: P.A. 87-186; revised 6-23-25.)

1 Section 975. The Criminal Code of 2012 is amended by
2 changing Sections 3-6, 8-2, 11-0.1, 11-9.3, 11-20.1, and 36-1
3 as follows:

4 (720 ILCS 5/3-6)

5 Sec. 3-6. Extended limitations. The period within which a
6 prosecution must be commenced under the provisions of Section
7 3-5 or other applicable statute is extended under the
8 following conditions:

9 (a) A prosecution for theft involving a breach of a
10 fiduciary obligation to the aggrieved person may be commenced
11 as follows:

12 (1) If the aggrieved person is a minor or a person
13 under legal disability, then during the minority or legal
14 disability or within one year after the termination
15 thereof.

16 (2) In any other instance, within one year after the
17 discovery of the offense by an aggrieved person, or by a
18 person who has legal capacity to represent an aggrieved
19 person or has a legal duty to report the offense, and is
20 not himself or herself a party to the offense; or in the
21 absence of such discovery, within one year after the
22 proper prosecuting officer becomes aware of the offense.
23 However, in no such case is the period of limitation so
24 extended more than 3 years beyond the expiration of the

1 period otherwise applicable.

2 (b) A prosecution for any offense based upon misconduct in
3 office by a public officer or employee may be commenced within
4 one year after discovery of the offense by a person having a
5 legal duty to report such offense, or in the absence of such
6 discovery, within one year after the proper prosecuting
7 officer becomes aware of the offense. However, in no such case
8 is the period of limitation so extended more than 3 years
9 beyond the expiration of the period otherwise applicable.

10 (b-5) (1) When the victim is under 18 years of age at the
11 time of the offense, a prosecution for involuntary servitude,
12 involuntary sexual servitude of a minor, or trafficking in
13 persons and related offenses under Section 10-9 of this Code
14 may be commenced within 25 years of the victim attaining the
15 age of 18 years.

16 (2) When the victim is under 18 years of age at the time of
17 the offense, a prosecution for involuntary servitude,
18 involuntary sexual servitude of a minor, or trafficking in
19 persons and related offenses under Section 10-9 of this Code
20 may be commenced at any time. This paragraph (2) applies to
21 prosecutions for such conduct arising on or after January 1,
22 2026 (the effective date of Public Act 104-241) ~~this~~
23 ~~amendatory Act of the 104th General Assembly.~~

24 (b-6) When the victim is 18 years of age or over at the
25 time of the offense, a prosecution for involuntary servitude,
26 involuntary sexual servitude of a minor, or trafficking in

1 persons and related offenses under Section 10-9 of this Code
2 may be commenced within 25 years after the commission of the
3 offense.

4 (b-7) When the victim is under 18 years of age at the time
5 of the offense, a prosecution for female genital mutilation
6 may be commenced at any time.

7 (b-8) When the victim is under 17 years of age at the time
8 of the offense, a prosecution for grooming may be commenced
9 within 10 years after the victim attains 17 years of age.

10 (c) (Blank).

11 (d) A prosecution for child sexual abuse material or child
12 pornography, aggravated child pornography, indecent
13 solicitation of a child, soliciting for a sexually exploited
14 child, juvenile pimping, exploitation of a child, or promoting
15 commercial sexual exploitation of a child except for keeping a
16 place of commercial sexual exploitation of a child may be
17 commenced within one year of the victim attaining the age of 18
18 years. However, in no such case shall the time period for
19 prosecution expire sooner than 3 years after the commission of
20 the offense.

21 (e) Except as otherwise provided in subdivision (j), a
22 prosecution for any offense involving sexual conduct or sexual
23 penetration, as defined in Section 11-0.1 of this Code, where
24 the defendant was within a professional or fiduciary
25 relationship or a purported professional or fiduciary
26 relationship with the victim at the time of the commission of

1 the offense may be commenced within one year after the
2 discovery of the offense by the victim.

3 (f) A prosecution for any offense set forth in Section 44
4 of the Environmental Protection Act may be commenced within 5
5 years after the discovery of such an offense by a person or
6 agency having the legal duty to report the offense or in the
7 absence of such discovery, within 5 years after the proper
8 prosecuting officer becomes aware of the offense.

9 (f-5) A prosecution for any offense set forth in Section
10 16-30 of this Code may be commenced within 5 years after the
11 discovery of the offense by the victim of that offense.

12 (g) (Blank).

13 (h) (Blank).

14 (i) Except as otherwise provided in subdivision (j), a
15 prosecution for criminal sexual assault, aggravated criminal
16 sexual assault, or aggravated criminal sexual abuse may be
17 commenced at any time. If the victim consented to the
18 collection of evidence using an Illinois State Police Sexual
19 Assault Evidence Collection Kit under the Sexual Assault
20 Survivors Emergency Treatment Act, it shall constitute
21 reporting for purposes of this Section.

22 Nothing in this subdivision (i) shall be construed to
23 shorten a period within which a prosecution must be commenced
24 under any other provision of this Section.

25 (i-5) A prosecution for armed robbery, home invasion,
26 kidnapping, or aggravated kidnaping may be commenced within 10

1 years of the commission of the offense if it arises out of the
2 same course of conduct and meets the criteria under one of the
3 offenses in subsection (i) of this Section.

4 (j) (1) When the victim is under 18 years of age at the
5 time of the offense, a prosecution for criminal sexual
6 assault, aggravated criminal sexual assault, predatory
7 criminal sexual assault of a child, aggravated criminal sexual
8 abuse, felony criminal sexual abuse, or female genital
9 mutilation may be commenced at any time.

10 (2) When in circumstances other than as described in
11 paragraph (1) of this subsection (j), when the victim is under
12 18 years of age at the time of the offense, a prosecution for
13 failure of a person who is required to report an alleged or
14 suspected commission of criminal sexual assault, aggravated
15 criminal sexual assault, predatory criminal sexual assault of
16 a child, aggravated criminal sexual abuse, or felony criminal
17 sexual abuse under the Abused and Neglected Child Reporting
18 Act may be commenced within 20 years after the child victim
19 attains 18 years of age.

20 (3) When the victim is under 18 years of age at the time of
21 the offense, a prosecution for misdemeanor criminal sexual
22 abuse may be commenced within 10 years after the child victim
23 attains 18 years of age.

24 (4) Nothing in this subdivision (j) shall be construed to
25 shorten a period within which a prosecution must be commenced
26 under any other provision of this Section.

1 (j-5) A prosecution for armed robbery, home invasion,
2 kidnapping, or aggravated kidnaping may be commenced at any
3 time if it arises out of the same course of conduct and meets
4 the criteria under one of the offenses in subsection (j) of
5 this Section.

6 (k) (Blank).

7 (l) A prosecution for any offense set forth in Section
8 26-4 of this Code may be commenced within one year after the
9 discovery of the offense by the victim of that offense.

10 (l-5) A prosecution for any offense involving sexual
11 conduct or sexual penetration, as defined in Section 11-0.1 of
12 this Code, in which the victim was 18 years of age or older at
13 the time of the offense, may be commenced within one year after
14 the discovery of the offense by the victim when corroborating
15 physical evidence is available. The charging document shall
16 state that the statute of limitations is extended under this
17 subsection (l-5) and shall state the circumstances justifying
18 the extension. Nothing in this subsection (l-5) shall be
19 construed to shorten a period within which a prosecution must
20 be commenced under any other provision of this Section or
21 Section 3-5 of this Code.

22 (m) The prosecution shall not be required to prove at
23 trial facts which extend the general limitations in Section
24 3-5 of this Code when the facts supporting extension of the
25 period of general limitations are properly pled in the
26 charging document. Any challenge relating to the extension of

1 the general limitations period as defined in this Section
2 shall be exclusively conducted under Section 114-1 of the Code
3 of Criminal Procedure of 1963.

4 (n) A prosecution for any offense set forth in subsection
5 (a), (b), or (c) of Section 8A-3 or Section 8A-13 of the
6 Illinois Public Aid Code, in which the total amount of money
7 involved is \$5,000 or more, including the monetary value of
8 food stamps and the value of commodities under Section 16-1 of
9 this Code may be commenced within 5 years of the last act
10 committed in furtherance of the offense.

11 (o) A prosecution for any offense based upon fraudulent
12 activity connected to COVID-19-related relief programs, to
13 include the Paycheck Protection Program, COVID-19 Economic
14 Injury Disaster Loan Program, and the Unemployment Benefit
15 Programs shall be commenced within 5 years after discovery of
16 the offense by a person having a legal duty to report such
17 offense, or in the absence of such discovery, within 5 years
18 after the proper prosecuting officer becomes aware of the
19 offense. However, in no such case is the period of limitation
20 so extended more than 10 years beyond the expiration of the
21 period otherwise applicable.

22 (Source: P.A. 103-184, eff. 1-1-24; 103-1071, eff. 7-1-25;
23 104-241, eff. 1-1-26; 104-245, eff. 1-1-26; revised 11-21-25.)

24 (720 ILCS 5/8-2) (from Ch. 38, par. 8-2)

25 Sec. 8-2. Conspiracy.

1 (a) Elements of the offense. A person commits the offense
2 of conspiracy when, with intent that an offense be committed,
3 he or she agrees with another to the commission of that
4 offense. No person may be convicted of conspiracy to commit an
5 offense unless an act in furtherance of that agreement is
6 alleged and proved to have been committed by him or her or by a
7 co-conspirator.

8 (b) Co-conspirators. It is not a defense to conspiracy
9 that the person or persons with whom the accused is alleged to
10 have conspired:

- 11 (1) have not been prosecuted or convicted,
- 12 (2) have been convicted of a different offense,
- 13 (3) are not amenable to justice,
- 14 (4) have been acquitted, or
- 15 (5) lacked the capacity to commit an offense.

16 (c) Sentence.

17 (1) Except as otherwise provided in this subsection or
18 Code, a person convicted of conspiracy to commit:

19 (A) a Class X felony shall be sentenced for a Class
20 1 felony;

21 (B) a Class 1 felony shall be sentenced for a Class
22 2 felony;

23 (C) a Class 2 felony shall be sentenced for a Class
24 3 felony;

25 (D) a Class 3 felony shall be sentenced for a Class
26 4 felony;

1 (E) a Class 4 felony shall be sentenced for a Class
2 4 felony; and

3 (F) a misdemeanor may be fined or imprisoned or
4 both not to exceed the maximum provided for the
5 offense that is the object of the conspiracy.

6 (2) A person convicted of conspiracy to commit any of
7 the following offenses shall be sentenced for a Class X
8 felony:

9 (A) aggravated insurance fraud conspiracy when the
10 person is an organizer of the conspiracy (720 ILCS
11 5/46-4); or

12 (B) aggravated governmental entity insurance fraud
13 conspiracy when the person is an organizer of the
14 conspiracy (720 ILCS 5/46-4).

15 (3) A person convicted of conspiracy to commit any of
16 the following offenses shall be sentenced for a Class 1
17 felony:

18 (A) first degree murder (720 ILCS 5/9-1); or

19 (B) aggravated insurance fraud (720 ILCS 5/46-3)
20 or aggravated governmental insurance fraud (720 ILCS
21 5/46-3).

22 (4) A person convicted of conspiracy to commit
23 insurance fraud (720 ILCS 5/46-3) or governmental entity
24 insurance fraud (720 ILCS 5/46-3) shall be sentenced for a
25 Class 2 felony.

26 (5) A person convicted of conspiracy to commit any of

1 the following offenses shall be sentenced for a Class 3
2 felony:

3 (A) soliciting for a person engaged in the sex
4 trade (720 ILCS 5/11-14.3(a)(1));

5 (B) pandering (720 ILCS 5/11-14.3(a)(2)(A) or
6 5/11-14.3(a)(2)(B));

7 (C) keeping a place of prostitution (720 ILCS
8 5/11-14.3(a)(1));

9 (D) pimping (720 ILCS 5/11-14.3(a)(2)(C));

10 (E) unlawful possession of weapons under Section
11 24-1(a)(1) (720 ILCS 5/24-1(a)(1));

12 (F) unlawful possession of weapons under Section
13 24-1(a)(7) (720 ILCS 5/24-1(a)(7));

14 (G) gambling (720 ILCS 5/28-1);

15 (H) keeping a gambling place (720 ILCS 5/28-3);

16 (I) registration of federal gambling stamps
17 violation (720 ILCS 5/28-4);

18 (J) look-alike substances violation (720 ILCS
19 570/404);

20 (K) miscellaneous controlled substance violation
21 under Section 406(b) (720 ILCS 570/406(b)); or

22 (L) an inchoate offense related to any of the
23 principal offenses set forth in this item (5).

24 (Source: P.A. 103-822, eff. 1-1-25; 103-1071, eff. 7-1-25;
25 revised 6-11-25.)

1 (720 ILCS 5/11-0.1)

2 Sec. 11-0.1. Definitions. In this Article, unless the
3 context clearly requires otherwise, the following terms are
4 defined as indicated:

5 "Accused" means a person accused of an offense prohibited
6 by Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of
7 this Code or a person for whose conduct the accused is legally
8 responsible under Article 5 of this Code.

9 "Adult obscenity or child sexual abuse material Internet
10 site". See Section 11-23.

11 "Advance prostitution" means:

12 (1) Soliciting for a person engaged in the sex trade
13 by performing any of the following acts when acting other
14 than as a person engaged in the sex trade or a patron of a
15 person engaged in the sex trade:

16 (A) Soliciting another for the purpose of
17 prostitution.

18 (B) Arranging or offering to arrange a meeting of
19 persons for the purpose of prostitution.

20 (C) Directing another to a place knowing the
21 direction is for the purpose of prostitution.

22 (2) Keeping a place of prostitution by controlling or
23 exercising control over the use of any place that could
24 offer seclusion or shelter for the practice of
25 prostitution and performing any of the following acts when
26 acting other than as a person engaged in the sex trade or a

1 patron of a person engaged in the sex trade:

2 (A) Knowingly granting or permitting the use of
3 the place for the purpose of prostitution.

4 (B) Granting or permitting the use of the place
5 under circumstances from which he or she could
6 reasonably know that the place is used or is to be used
7 for purposes of prostitution.

8 (C) Permitting the continued use of the place
9 after becoming aware of facts or circumstances from
10 which he or she should reasonably know that the place
11 is being used for purposes of prostitution.

12 "Agency". See Section 11-9.5.

13 "Arranges". See Section 11-6.5.

14 "Bodily harm" means physical harm, and includes, but is
15 not limited to, sexually transmitted disease, pregnancy, and
16 impotence.

17 "Care and custody". See Section 11-9.5.

18 "Child care institution". See Section 11-9.3.

19 "Child sexual abuse material". See Section 11-20.1.

20 "Child sex offender". See Section 11-9.3.

21 "Community agency". See Section 11-9.5.

22 "Conditional release". See Section 11-9.2.

23 "Consent" means a freely given agreement to the act of
24 sexual penetration or sexual conduct in question. Lack of
25 verbal or physical resistance or submission by the victim
26 resulting from the use of force or threat of force by the

1 accused shall not constitute consent. The manner of dress of
2 the victim at the time of the offense shall not constitute
3 consent.

4 "Custody". See Section 11-9.2.

5 "Day care center". See Section 11-9.3.

6 "Depict by computer". See Section 11-20.1.

7 "Depiction by computer". See Section 11-20.1.

8 "Disseminate". See Section 11-20.1.

9 "Distribute". See Section 11-21.

10 "Family member" means a parent, grandparent, child,
11 sibling, aunt, uncle, great-aunt, or great-uncle, whether by
12 whole blood, half-blood, or adoption, and includes a
13 step-grandparent, step-parent, or step-child. "Family member"
14 also means, if the victim is a child under 18 years of age, an
15 accused who has resided in the household with the child
16 continuously for at least 3 months.

17 "Force or threat of force" means the use of force or
18 violence or the threat of force or violence, including, but
19 not limited to, the following situations:

20 (1) when the accused threatens to use force or
21 violence on the victim or on any other person, and the
22 victim under the circumstances reasonably believes that
23 the accused has the ability to execute that threat; or

24 (2) when the accused overcomes the victim by use of
25 superior strength or size, physical restraint, or physical
26 confinement.

1 "Harmful to minors". See Section 11-21.
2 "Loiter". See Section 9.3.
3 "Material". See Section 11-21.
4 "Minor". See Section 11-21.
5 "Nudity". See Section 11-21.
6 "Obscene". See Section 11-20.
7 "Part day child care facility". See Section 11-9.3.
8 "Penal system". See Section 11-9.2.
9 "Person responsible for the child's welfare". See Section
10 11-9.1A.
11 "Person with a disability". See Section 11-9.5.
12 "Playground". See Section 11-9.3.
13 "Probation officer". See Section 11-9.2.
14 "Produce". See Section 11-20.1.
15 "Profit from prostitution" means, when acting other than
16 as a person engaged in the sex trade, to receive anything of
17 value for personally rendered prostitution services or to
18 receive anything of value from a person engaged in the sex
19 trade, if the thing received is not for lawful consideration
20 and the person knows it was earned in whole or in part from the
21 practice of prostitution.
22 "Public park". See Section 11-9.3.
23 "Public place". See Section 11-30.
24 "Reproduce". See Section 11-20.1.
25 "Sado-masochistic abuse". See Section 11-21.
26 "School". See Section 11-9.3.

1 "School official". See Section 11-9.3.

2 "Sexual abuse". See Section 11-9.1A.

3 "Sexual act". See Section 11-9.1.

4 "Sexual conduct" means any knowing touching or fondling by
5 the victim or the accused, either directly or through
6 clothing, of the sex organs, anus, or breast of the victim or
7 the accused, or any part of the body of a child under 13 years
8 of age, or any transfer or transmission of semen by the accused
9 upon any part of the clothed or unclothed body of the victim,
10 for the purpose of sexual gratification or arousal of the
11 victim or the accused.

12 "Sexual excitement". See Section 11-21.

13 "Sexual penetration" means any contact, however slight,
14 between the sex organ or anus of one person and an object or
15 the sex organ, mouth, or anus of another person, or any
16 intrusion, however slight, of any part of the body of one
17 person or of any animal or object into the sex organ or anus of
18 another person, including, but not limited to, cunnilingus,
19 fellatio, or anal penetration. Evidence of emission of semen
20 is not required to prove sexual penetration.

21 "Solicit". See Section 11-6.

22 "State-operated facility". See Section 11-9.5.

23 "Supervising officer". See Section 11-9.2.

24 "Surveillance agent". See Section 11-9.2.

25 "Treatment and detention facility". See Section 11-9.2.

26 "Unable to give knowing consent" includes, but is not

1 limited to, when the victim was asleep, unconscious, or
2 unaware of the nature of the act such that the victim could not
3 give voluntary and knowing agreement to the sexual act.

4 "Unable to give knowing consent" also includes when the
5 accused administers any intoxicating or anesthetic substance,
6 or any controlled substance causing the victim to become
7 unconscious of the nature of the act and this condition was
8 known, or reasonably should have been known by the accused.

9 "Unable to give knowing consent" also includes when the victim
10 has taken an intoxicating substance or any controlled
11 substance causing the victim to become unconscious of the
12 nature of the act, and this condition was known or reasonably
13 should have been known by the accused, but the accused did not
14 provide or administer the intoxicating substance. As used in
15 this paragraph, "unconscious of the nature of the act" means
16 incapable of resisting because the victim meets any one of the
17 following conditions:

18 (1) was unconscious or asleep;

19 (2) was not aware, knowing, perceiving, or cognizant
20 that the act occurred;

21 (3) was not aware, knowing, perceiving, or cognizant
22 of the essential characteristics of the act due to the
23 perpetrator's fraud in fact; or

24 (4) was not aware, knowing, perceiving, or cognizant
25 of the essential characteristics of the act due to the
26 perpetrator's fraudulent representation that the sexual

1 penetration served a professional purpose when it served
2 no professional purpose.

3 It is inferred that a victim is unable to give knowing
4 consent when the victim:

5 (1) is committed to the care and custody or
6 supervision of the Illinois Department of Corrections
7 (IDOC) and the accused is an employee or volunteer who is
8 not married to the victim who knows or reasonably should
9 know that the victim is committed to the care and custody
10 or supervision of such department;

11 (2) is committed to or placed with the Department of
12 Children and Family Services (DCFS) and in residential
13 care, and the accused employee is not married to the
14 victim, and knows or reasonably should know that the
15 victim is committed to or placed with DCFS and in
16 residential care;

17 (3) is a client or patient and the accused is a health
18 care provider or mental health care provider and the
19 sexual conduct or sexual penetration occurs during a
20 treatment session, consultation, interview, or
21 examination;

22 (4) is a resident or inpatient of a residential
23 facility and the accused is an employee of the facility
24 who is not married to such resident or inpatient who
25 provides direct care services, case management services,
26 medical or other clinical services, habilitative services

1 or direct supervision of the residents in the facility in
2 which the resident resides; or an officer or other
3 employee, consultant, contractor or volunteer of the
4 residential facility, who knows or reasonably should know
5 that the person is a resident of such facility; or

6 (5) is detained or otherwise in the custody of a
7 police officer, peace officer, or other law enforcement
8 official who: (i) is detaining or maintaining custody of
9 such person; or (ii) knows, or reasonably should know,
10 that at the time of the offense, such person was detained
11 or in custody and the police officer, peace officer, or
12 other law enforcement official is not married to such
13 detainee.

14 "Victim" means a person alleging to have been subjected to
15 an offense prohibited by Section 11-1.20, 11-1.30, 11-1.40,
16 11-1.50, or 11-1.60 of this Code.

17 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
18 revised 11-21-25.)

19 (720 ILCS 5/11-9.3)

20 Sec. 11-9.3. Presence within school zone by child sex
21 offenders prohibited; approaching, contacting, residing with,
22 or communicating with a child within certain places by child
23 sex offenders prohibited.

24 (a) It is unlawful for a child sex offender to knowingly be
25 present in any school building, on real property comprising

1 any school, or in any conveyance owned, leased, or contracted
2 by a school to transport students to or from school or a
3 school-related ~~school-related~~ activity when persons under the
4 age of 18 are present in the building, on the grounds or in the
5 conveyance, unless the offender is a parent or guardian of a
6 student attending the school and the parent or guardian is:
7 (i) attending a conference at the school with school personnel
8 to discuss the progress of his or her child academically or
9 socially, (ii) participating in child review conferences in
10 which evaluation and placement decisions may be made with
11 respect to his or her child regarding special education
12 services, or (iii) attending conferences to discuss other
13 student issues concerning his or her child such as retention
14 and promotion and notifies the principal of the school of his
15 or her presence at the school or unless the offender has
16 permission to be present from the superintendent or the school
17 board or in the case of a private school from the principal. In
18 the case of a public school, if permission is granted, the
19 superintendent or school board president must inform the
20 principal of the school where the sex offender will be
21 present. Notification includes the nature of the sex
22 offender's visit and the hours in which the sex offender will
23 be present in the school. The sex offender is responsible for
24 notifying the principal's office when he or she arrives on
25 school property and when he or she departs from school
26 property. If the sex offender is to be present in the vicinity

1 of children, the sex offender has the duty to remain under the
2 direct supervision of a school official.

3 (a-5) It is unlawful for a child sex offender to knowingly
4 be present within 100 feet of a site posted as a pick-up or
5 discharge stop for a conveyance owned, leased, or contracted
6 by a school to transport students to or from school or a
7 school-related ~~school-related~~ activity when one or more
8 persons under the age of 18 are present at the site.

9 (a-10) It is unlawful for a child sex offender to
10 knowingly be present in any public park building, a playground
11 or recreation area within any publicly accessible privately
12 owned building, or on real property comprising any public park
13 when persons under the age of 18 are present in the building or
14 on the grounds and to approach, contact, or communicate with a
15 child under 18 years of age, unless the offender is a parent or
16 guardian of a person under 18 years of age present in the
17 building or on the grounds.

18 (b) It is unlawful for a child sex offender to knowingly
19 loiter within 500 feet of a school building or real property
20 comprising any school while persons under the age of 18 are
21 present in the building or on the grounds, unless the offender
22 is a parent or guardian of a student attending the school and
23 the parent or guardian is: (i) attending a conference at the
24 school with school personnel to discuss the progress of his or
25 her child academically or socially, (ii) participating in
26 child review conferences in which evaluation and placement

1 decisions may be made with respect to his or her child
2 regarding special education services, or (iii) attending
3 conferences to discuss other student issues concerning his or
4 her child such as retention and promotion and notifies the
5 principal of the school of his or her presence at the school or
6 has permission to be present from the superintendent or the
7 school board or in the case of a private school from the
8 principal. In the case of a public school, if permission is
9 granted, the superintendent or school board president must
10 inform the principal of the school where the sex offender will
11 be present. Notification includes the nature of the sex
12 offender's visit and the hours in which the sex offender will
13 be present in the school. The sex offender is responsible for
14 notifying the principal's office when he or she arrives on
15 school property and when he or she departs from school
16 property. If the sex offender is to be present in the vicinity
17 of children, the sex offender has the duty to remain under the
18 direct supervision of a school official.

19 (b-2) It is unlawful for a child sex offender to knowingly
20 loiter on a public way within 500 feet of a public park
21 building or real property comprising any public park while
22 persons under the age of 18 are present in the building or on
23 the grounds and to approach, contact, or communicate with a
24 child under 18 years of age, unless the offender is a parent or
25 guardian of a person under 18 years of age present in the
26 building or on the grounds.

1 (b-5) It is unlawful for a child sex offender to knowingly
2 reside within 500 feet of a school building or the real
3 property comprising any school that persons under the age of
4 18 attend. Nothing in this subsection (b-5) prohibits a child
5 sex offender from residing within 500 feet of a school
6 building or the real property comprising any school that
7 persons under 18 attend if the property is owned by the child
8 sex offender and was purchased before July 7, 2000 (the
9 effective date of Public Act 91-911).

10 (b-10) It is unlawful for a child sex offender to
11 knowingly reside within 500 feet of a playground, child care
12 institution, day care center, part day child care facility,
13 day care home, group day care home, or a facility providing
14 programs or services exclusively directed toward persons under
15 18 years of age. Nothing in this subsection (b-10) prohibits a
16 child sex offender from residing within 500 feet of a
17 playground or a facility providing programs or services
18 exclusively directed toward persons under 18 years of age if
19 the property is owned by the child sex offender and was
20 purchased before July 7, 2000. Nothing in this subsection
21 (b-10) prohibits a child sex offender from residing within 500
22 feet of a child care institution, day care center, or part day
23 child care facility if the property is owned by the child sex
24 offender and was purchased before June 26, 2006. Nothing in
25 this subsection (b-10) prohibits a child sex offender from
26 residing within 500 feet of a day care home or group day care

1 home if the property is owned by the child sex offender and was
2 purchased before August 14, 2008 (the effective date of Public
3 Act 95-821).

4 (b-15) It is unlawful for a child sex offender to
5 knowingly reside within 500 feet of the victim of the sex
6 offense. Nothing in this subsection (b-15) prohibits a child
7 sex offender from residing within 500 feet of the victim if the
8 property in which the child sex offender resides is owned by
9 the child sex offender and was purchased before August 22,
10 2002.

11 This subsection (b-15) does not apply if the victim of the
12 sex offense is 21 years of age or older.

13 (b-20) It is unlawful for a child sex offender to
14 knowingly communicate, other than for a lawful purpose under
15 Illinois law, using the Internet or any other digital media,
16 with a person under 18 years of age or with a person whom he or
17 she believes to be a person under 18 years of age, unless the
18 offender is a parent or guardian of the person under 18 years
19 of age.

20 (c) It is unlawful for a child sex offender to knowingly
21 operate, manage, be employed by, volunteer at, be associated
22 with, or knowingly be present at any: (i) facility providing
23 programs or services exclusively directed toward persons under
24 the age of 18; (ii) day care center; (iii) part day child care
25 facility; (iv) child care institution; (v) school providing
26 before and after school programs for children under 18 years

1 of age; (vi) day care home; or (vii) group day care home. This
2 does not prohibit a child sex offender from owning the real
3 property upon which the programs or services are offered or
4 upon which the day care center, part day child care facility,
5 child care institution, or school providing before and after
6 school programs for children under 18 years of age is located,
7 provided the child sex offender refrains from being present on
8 the premises for the hours during which: (1) the programs or
9 services are being offered or (2) the day care center, part day
10 child care facility, child care institution, or school
11 providing before and after school programs for children under
12 18 years of age, day care home, or group day care home is
13 operated.

14 (c-2) It is unlawful for a child sex offender to
15 participate in a holiday event involving children under 18
16 years of age, including, but not limited to, distributing
17 candy or other items to children on Halloween, wearing a Santa
18 Claus costume on or preceding Christmas, being employed as a
19 department store Santa Claus, or wearing an Easter Bunny
20 costume on or preceding Easter. For the purposes of this
21 subsection, child sex offender has the meaning as defined in
22 this Section, but does not include as a sex offense under
23 paragraph (2) of subsection (d) of this Section, the offense
24 under subsection (c) of Section 11-1.50 of this Code. This
25 subsection does not apply to a child sex offender who is a
26 parent or guardian of children under 18 years of age that are

1 present in the home and other non-familial minors are not
2 present.

3 (c-5) It is unlawful for a child sex offender to knowingly
4 operate, manage, be employed by, or be associated with any
5 carnival, amusement enterprise, or county or State fair when
6 persons under the age of 18 are present.

7 (c-6) It is unlawful for a child sex offender who owns and
8 resides at residential real estate to knowingly rent any
9 residential unit within the same building in which he or she
10 resides to a person who is the parent or guardian of a child or
11 children under 18 years of age. This subsection shall apply
12 only to leases or other rental arrangements entered into after
13 January 1, 2009 (the effective date of Public Act 95-820).

14 (c-7) It is unlawful for a child sex offender to knowingly
15 offer or provide any programs or services to persons under 18
16 years of age in his or her residence or the residence of
17 another or in any facility for the purpose of offering or
18 providing such programs or services, whether such programs or
19 services are offered or provided by contract, agreement,
20 arrangement, or on a volunteer basis.

21 (c-8) It is unlawful for a child sex offender to knowingly
22 operate, whether authorized to do so or not, any of the
23 following vehicles: (1) a vehicle which is specifically
24 designed, constructed or modified and equipped to be used for
25 the retail sale of food or beverages, including, but not
26 limited to, an ice cream truck; (2) an authorized emergency

1 vehicle; or (3) a rescue vehicle.

2 (d) Definitions. In this Section:

3 (1) "Child sex offender" means any person who:

4 (i) has been charged under Illinois law, or any
5 substantially similar federal law or law of another
6 state, with a sex offense set forth in paragraph (2) of
7 this subsection (d) or the attempt to commit an
8 included sex offense, and the victim is a person under
9 18 years of age at the time of the offense; and:

10 (A) is convicted of such offense or an attempt
11 to commit such offense; or

12 (B) is found not guilty by reason of insanity
13 of such offense or an attempt to commit such
14 offense; or

15 (C) is found not guilty by reason of insanity
16 pursuant to subsection (c) of Section 104-25 of
17 the Code of Criminal Procedure of 1963 of such
18 offense or an attempt to commit such offense; or

19 (D) is the subject of a finding not resulting
20 in an acquittal at a hearing conducted pursuant to
21 subsection (a) of Section 104-25 of the Code of
22 Criminal Procedure of 1963 for the alleged
23 commission or attempted commission of such
24 offense; or

25 (E) is found not guilty by reason of insanity
26 following a hearing conducted pursuant to a

1 federal law or the law of another state
2 substantially similar to subsection (c) of Section
3 104-25 of the Code of Criminal Procedure of 1963
4 of such offense or of the attempted commission of
5 such offense; or

6 (F) is the subject of a finding not resulting
7 in an acquittal at a hearing conducted pursuant to
8 a federal law or the law of another state
9 substantially similar to subsection (a) of Section
10 104-25 of the Code of Criminal Procedure of 1963
11 for the alleged violation or attempted commission
12 of such offense; or

13 (ii) is certified as a sexually dangerous person
14 pursuant to the Illinois Sexually Dangerous Persons
15 Act, or any substantially similar federal law or the
16 law of another state, when any conduct giving rise to
17 such certification is committed or attempted against a
18 person less than 18 years of age; or

19 (iii) is subject to the provisions of Section 2 of
20 the Interstate Agreements on Sexually Dangerous
21 Persons Act.

22 Convictions that result from or are connected with the
23 same act, or result from offenses committed at the same
24 time, shall be counted for the purpose of this Section as
25 one conviction. Any conviction set aside pursuant to law
26 is not a conviction for purposes of this Section.

1 (2) Except as otherwise provided in paragraph (2.5),
2 "sex offense" means:

3 (i) A violation of any of the following Sections
4 of the Criminal Code of 1961 or the Criminal Code of
5 2012:

6 10-4 (forcible detention),

7 10-7 (aiding or abetting child abduction under
8 Section 10-5(b) (10)),

9 10-5(b) (10) (child luring),

10 11-1.40 (predatory criminal sexual assault of
11 a child),

12 11-6 (indecent solicitation of a child),

13 11-6.5 (indecent solicitation of an adult),

14 11-9.1 (sexual exploitation of a child),

15 11-9.2 (custodial sexual misconduct),

16 11-9.5 (sexual misconduct with a person with a
17 disability),

18 11-11 (sexual relations within families),

19 11-14.3(a) (1) (promoting prostitution by
20 advancing prostitution),

21 11-14.3(a) (2) (A) (promoting prostitution by
22 profiting from prostitution by compelling a person
23 to be a person engaged in the sex trade),

24 11-14.3(a) (2) (C) (promoting prostitution by
25 profiting from prostitution by means other than as
26 described in subparagraphs (A) and (B) of

1 paragraph (2) of subsection (a) of Section
2 11-14.3),

3 11-14.4 (promoting commercial sexual
4 exploitation of a child),

5 11-18.1 (patronizing a sexually exploited
6 child),

7 11-20.1 (child sexual abuse material or child
8 pornography),

9 11-20.1B (aggravated child pornography),

10 11-21 (harmful material),

11 11-25 (grooming),

12 11-26 (traveling to meet a minor or traveling
13 to meet a child),

14 12-33 (ritualized abuse of a child),

15 11-20 (obscenity) (when that offense was
16 committed in any school, on real property
17 comprising any school, in any conveyance owned,
18 leased, or contracted by a school to transport
19 students to or from school or a school-related
20 ~~school-related~~ activity, or in a public park),

21 11-30 (public indecency) (when committed in a
22 school, on real property comprising a school, in
23 any conveyance owned, leased, or contracted by a
24 school to transport students to or from school or
25 a school-related ~~school-related~~ activity, or in a
26 public park).

1 An attempt to commit any of these offenses.

2 (ii) A violation of any of the following Sections
3 of the Criminal Code of 1961 or the Criminal Code of
4 2012, when the victim is a person under 18 years of
5 age:

6 11-1.20 (criminal sexual assault),

7 11-1.30 (aggravated criminal sexual assault),

8 11-1.50 (criminal sexual abuse),

9 11-1.60 (aggravated criminal sexual abuse).

10 An attempt to commit any of these offenses.

11 (iii) A violation of any of the following Sections
12 of the Criminal Code of 1961 or the Criminal Code of
13 2012, when the victim is a person under 18 years of age
14 and the defendant is not a parent of the victim:

15 10-1 (kidnapping),

16 10-2 (aggravated kidnapping),

17 10-3 (unlawful restraint),

18 10-3.1 (aggravated unlawful restraint),

19 11-9.1(A) (permitting sexual abuse of a
20 child).

21 An attempt to commit any of these offenses.

22 (iv) A violation of any former law of this State
23 substantially equivalent to any offense listed in
24 clause (2)(i) or (2)(ii) of subsection (d) of this
25 Section.

26 (2.5) For the purposes of subsections (b-5) and (b-10)

1 only, a sex offense means:

2 (i) A violation of any of the following Sections
3 of the Criminal Code of 1961 or the Criminal Code of
4 2012:

5 10-5(b)(10) (child luring),

6 10-7 (aiding or abetting child abduction under
7 Section 10-5(b)(10)),

8 11-1.40 (predatory criminal sexual assault of
9 a child),

10 11-6 (indecent solicitation of a child),

11 11-6.5 (indecent solicitation of an adult),

12 11-9.2 (custodial sexual misconduct),

13 11-9.5 (sexual misconduct with a person with a
14 disability),

15 11-11 (sexual relations within families),

16 11-14.3(a)(1) (promoting prostitution by
17 advancing prostitution),

18 11-14.3(a)(2)(A) (promoting prostitution by
19 profiting from prostitution by compelling a person
20 to be a person engaged in the sex trade),

21 11-14.3(a)(2)(C) (promoting prostitution by
22 profiting from prostitution by means other than as
23 described in subparagraphs (A) and (B) of
24 paragraph (2) of subsection (a) of Section
25 11-14.3),

26 11-14.4 (promoting commercial sexual

1 exploitation of a child),

2 11-18.1 (patronizing a sexually exploited
3 child),

4 11-20.1 (child sexual abuse material or child
5 pornography),

6 11-20.1B (aggravated child pornography),

7 11-25 (grooming),

8 11-26 (traveling to meet a minor or traveling
9 to meet a child), or

10 12-33 (ritualized abuse of a child).

11 An attempt to commit any of these offenses.

12 (ii) A violation of any of the following Sections
13 of the Criminal Code of 1961 or the Criminal Code of
14 2012, when the victim is a person under 18 years of
15 age:

16 11-1.20 (criminal sexual assault),

17 11-1.30 (aggravated criminal sexual assault),

18 11-1.60 (aggravated criminal sexual abuse),

19 and

20 subsection (a) of Section 11-1.50 (criminal
21 sexual abuse).

22 An attempt to commit any of these offenses.

23 (iii) A violation of any of the following Sections
24 of the Criminal Code of 1961 or the Criminal Code of
25 2012, when the victim is a person under 18 years of age
26 and the defendant is not a parent of the victim:

10-1 (kidnapping),

10-2 (aggravated kidnapping),

10-3 (unlawful restraint),

10-3.1 (aggravated unlawful restraint),

11-9.1(A) (permitting sexual abuse of a
child).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State
substantially equivalent to any offense listed in this
paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the
law of another state that is substantially equivalent to
any offense listed in paragraph (2) of subsection (d) of
this Section shall constitute a conviction for the purpose
of this Section. A finding or adjudication as a sexually
dangerous person under any federal law or law of another
state that is substantially equivalent to the Sexually
Dangerous Persons Act shall constitute an adjudication for
the purposes of this Section.

(4) "Authorized emergency vehicle", "rescue vehicle",
and "vehicle" have the meanings ascribed to them in
Sections 1-105, 1-171.8 and 1-217, respectively, of the
Illinois Vehicle Code.

(5) "Child care institution" has the meaning ascribed
to it in Section 2.06 of the Child Care Act of 1969.

(6) "Day care center" has the meaning ascribed to it

1 in Section 2.09 of the Child Care Act of 1969.

2 (7) "Day care home" has the meaning ascribed to it in
3 Section 2.18 of the Child Care Act of 1969.

4 (8) "Facility providing programs or services directed
5 towards persons under the age of 18" means any facility
6 providing programs or services exclusively directed
7 towards persons under the age of 18.

8 (9) "Group day care home" has the meaning ascribed to
9 it in Section 2.20 of the Child Care Act of 1969.

10 (10) "Internet" has the meaning set forth in Section
11 16-0.1 of this Code.

12 (11) "Loiter" means:

13 (i) Standing, sitting idly, whether or not the
14 person is in a vehicle, or remaining in or around
15 school or public park property.

16 (ii) Standing, sitting idly, whether or not the
17 person is in a vehicle, or remaining in or around
18 school or public park property, for the purpose of
19 committing or attempting to commit a sex offense.

20 (iii) Entering or remaining in a building in or
21 around school property, other than the offender's
22 residence.

23 (12) "Part day child care facility" has the meaning
24 ascribed to it in Section 2.10 of the Child Care Act of
25 1969.

26 (13) "Playground" means a piece of land owned or

1 controlled by a unit of local government that is
2 designated by the unit of local government for use solely
3 or primarily for children's recreation.

4 (14) "Public park" includes a park, forest preserve,
5 bikeway, trail, or conservation area under the
6 jurisdiction of the State or a unit of local government.

7 (15) "School" means a public or private preschool or
8 elementary or secondary school.

9 (16) "School official" means the principal, a teacher,
10 or any other certified employee of the school, the
11 superintendent of schools or a member of the school board.

12 (e) For the purposes of this Section, the 500 feet
13 distance shall be measured from: (1) the edge of the property
14 of the school building or the real property comprising the
15 school that is closest to the edge of the property of the child
16 sex offender's residence or where he or she is loitering, and
17 (2) the edge of the property comprising the public park
18 building or the real property comprising the public park,
19 playground, child care institution, day care center, part day
20 child care facility, or facility providing programs or
21 services exclusively directed toward persons under 18 years of
22 age, or a victim of the sex offense who is under 21 years of
23 age, to the edge of the child sex offender's place of residence
24 or place where he or she is loitering.

25 (f) Sentence. A person who violates this Section is guilty
26 of a Class 4 felony.

1 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
2 revised 11-21-25.)

3 (720 ILCS 5/11-20.1)

4 Sec. 11-20.1. Child sexual abuse material.

5 (a) Recognizing the enormous negative societal impact that
6 sexually explicit visual depictions of children engaged in
7 sexual abuse activities have on the children who are abused,
8 and the overarching broader impact these materials and imagery
9 have at various levels to the public, especially when this
10 material is disseminated, we are changing all references in
11 Illinois statutes from "child pornography" to "child sexual
12 abuse material". It is important that the statutes of the
13 State of Illinois reflect the content and realities of these
14 materials as the sexual abuse and exploitation of children.
15 The word "pornography" implied legality involving "consent" of
16 which this imagery is not, as children can never "consent" to
17 sexual abuse and sexual exploitation. This name change is not
18 a change in meaning, definitions, statutes or application of
19 the laws of this State and all previous references to "child
20 pornography" are now encapsulated in "child sexual abuse
21 materials".

22 A person commits child sexual abuse material who:

23 (1) films, videotapes, photographs, or otherwise
24 depicts or portrays by means of any similar visual medium
25 or reproduction or depicts by computer any child whom he

1 or she knows or reasonably should know to be under the age
2 of 18 or any person with a severe or profound intellectual
3 disability where such child or person with a severe or
4 profound intellectual disability is:

5 (i) actually or by simulation engaged in any act
6 of sexual penetration or sexual conduct with any
7 person or animal; or

8 (ii) actually or by simulation engaged in any act
9 of sexual penetration or sexual conduct involving the
10 sex organs of the child or person with a severe or
11 profound intellectual disability and the mouth, anus,
12 or sex organs of another person or animal; or which
13 involves the mouth, anus or sex organs of the child or
14 person with a severe or profound intellectual
15 disability and the sex organs of another person or
16 animal; or

17 (iii) actually or by simulation engaged in any act
18 of masturbation; or

19 (iv) actually or by simulation portrayed as being
20 the object of, or otherwise engaged in, any act of lewd
21 fondling, touching, or caressing involving another
22 person or animal; or

23 (v) actually or by simulation engaged in any act
24 of excretion or urination within a sexual context; or

25 (vi) actually or by simulation portrayed or
26 depicted as bound, fettered, or subject to sadistic,

1 masochistic, or sadomasochistic abuse in any sexual
2 context; or

3 (vii) depicted or portrayed in any pose, posture
4 or setting involving a lewd exhibition of the
5 unclothed or transparently clothed genitals, pubic
6 area, buttocks, or, if such person is female, a fully
7 or partially developed breast of the child or other
8 person; or

9 (2) with the knowledge of the nature or content
10 thereof, reproduces, disseminates, offers to disseminate,
11 exhibits or possesses with intent to disseminate any film,
12 videotape, photograph or other similar visual reproduction
13 or depiction by computer of any child or person with a
14 severe or profound intellectual disability whom the person
15 knows or reasonably should know to be under the age of 18
16 or to be a person with a severe or profound intellectual
17 disability, engaged in any activity described in
18 subparagraphs (i) through (vii) of paragraph (1) of this
19 subsection; or

20 (3) with knowledge of the subject matter or theme
21 thereof, produces any stage play, live performance, film,
22 videotape or other similar visual portrayal or depiction
23 by computer which includes a child whom the person knows
24 or reasonably should know to be under the age of 18 or a
25 person with a severe or profound intellectual disability
26 engaged in any activity described in subparagraphs (i)

1 through (vii) of paragraph (1) of this subsection; or

2 (4) solicits, uses, persuades, induces, entices, or
3 coerces any child whom he or she knows or reasonably
4 should know to be under the age of 18 or a person with a
5 severe or profound intellectual disability to appear in
6 any stage play, live presentation, film, videotape,
7 photograph or other similar visual reproduction or
8 depiction by computer in which the child or person with a
9 severe or profound intellectual disability is or will be
10 depicted, actually or by simulation, in any act, pose or
11 setting described in subparagraphs (i) through (vii) of
12 paragraph (1) of this subsection; or

13 (5) is a parent, step-parent, legal guardian or other
14 person having care or custody of a child whom the person
15 knows or reasonably should know to be under the age of 18
16 or a person with a severe or profound intellectual
17 disability and who knowingly permits, induces, promotes,
18 or arranges for such child or person with a severe or
19 profound intellectual disability to appear in any stage
20 play, live performance, film, videotape, photograph or
21 other similar visual presentation, portrayal or simulation
22 or depiction by computer of any act or activity described
23 in subparagraphs (i) through (vii) of paragraph (1) of
24 this subsection; or

25 (6) with knowledge of the nature or content thereof,
26 possesses any film, videotape, photograph or other similar

1 visual reproduction or depiction by computer of any child
2 or person with a severe or profound intellectual
3 disability whom the person knows or reasonably should know
4 to be under the age of 18 or to be a person with a severe
5 or profound intellectual disability, engaged in any
6 activity described in subparagraphs (i) through (vii) of
7 paragraph (1) of this subsection; or

8 (7) solicits, or knowingly uses, persuades, induces,
9 entices, or coerces, a person to provide a child under the
10 age of 18 or a person with a severe or profound
11 intellectual disability to appear in any videotape,
12 photograph, film, stage play, live presentation, or other
13 similar visual reproduction or depiction by computer in
14 which the child or person with a severe or profound
15 intellectual disability will be depicted, actually or by
16 simulation, in any act, pose, or setting described in
17 subparagraphs (i) through (vii) of paragraph (1) of this
18 subsection.

19 (a-5) The possession of each individual film, videotape,
20 photograph, or other similar visual reproduction or depiction
21 by computer in violation of this Section constitutes a single
22 and separate violation. This subsection (a-5) does not apply
23 to multiple copies of the same film, videotape, photograph, or
24 other similar visual reproduction or depiction by computer
25 that are identical to each other.

26 (b) (1) It shall be an affirmative defense to a charge of

1 child sexual abuse material that the defendant reasonably
2 believed, under all of the circumstances, that the child was
3 18 years of age or older or that the person was not a person
4 with a severe or profound intellectual disability but only
5 where, prior to the act or acts giving rise to a prosecution
6 under this Section, he or she took some affirmative action or
7 made a bonafide inquiry designed to ascertain whether the
8 child was 18 years of age or older or that the person was not a
9 person with a severe or profound intellectual disability and
10 his or her reliance upon the information so obtained was
11 clearly reasonable.

12 (1.5) Telecommunications carriers, commercial mobile
13 service providers, and providers of information services,
14 including, but not limited to, Internet service providers and
15 hosting service providers, are not liable under this Section
16 by virtue of the transmission, storage, or caching of
17 electronic communications or messages of others or by virtue
18 of the provision of other related telecommunications,
19 commercial mobile services, or information services used by
20 others in violation of this Section.

21 (2) (Blank).

22 (3) The charge of child sexual abuse material shall not
23 apply to the performance of official duties by law enforcement
24 or prosecuting officers or persons employed by law enforcement
25 or prosecuting agencies, court personnel or attorneys, nor to
26 bonafide treatment or professional education programs

1 conducted by licensed physicians, psychologists or social
2 workers. In any criminal proceeding, any property or material
3 that constitutes child sexual abuse material shall remain in
4 the care, custody, and control of either the State or the
5 court. A motion to view the evidence shall comply with
6 subsection (e-5) of this Section.

7 (3.5) The charge of child sexual abuse material
8 ~~pornography~~ does not apply to the creator of a film, video,
9 photograph, or other similar visual image or depiction in
10 which the creator is the sole subject of the film, video,
11 photograph, or other similar visual image or depiction.

12 (4) If the defendant possessed more than one of the same
13 film, videotape or visual reproduction or depiction by
14 computer in which child sexual abuse material is depicted,
15 then the trier of fact may infer that the defendant possessed
16 such materials with the intent to disseminate them.

17 (5) The charge of child sexual abuse material does not
18 apply to a person who does not voluntarily possess a film,
19 videotape, or visual reproduction or depiction by computer in
20 which child sexual abuse material is depicted. Possession is
21 voluntary if the defendant knowingly procures or receives a
22 film, videotape, or visual reproduction or depiction for a
23 sufficient time to be able to terminate his or her possession.

24 (6) Any violation of paragraph (1), (2), (3), (4), (5), or
25 (7) of subsection (a) that includes a child engaged in,
26 solicited for, depicted in, or posed in any act of sexual

1 penetration or bound, fettered, or subject to sadistic,
2 masochistic, or sadomasochistic abuse in a sexual context
3 shall be deemed a crime of violence.

4 (c) If the violation does not involve a film, videotape,
5 or other moving depiction, a violation of paragraph (1), (4),
6 (5), or (7) of subsection (a) is a Class 1 felony with a
7 mandatory minimum fine of \$2,000 and a maximum fine of
8 \$100,000. If the violation involves a film, videotape, or
9 other moving depiction, a violation of paragraph (1), (4),
10 (5), or (7) of subsection (a) is a Class X felony with a
11 mandatory minimum fine of \$2,000 and a maximum fine of
12 \$100,000. If the violation does not involve a film, videotape,
13 or other moving depiction, a violation of paragraph (3) of
14 subsection (a) is a Class 1 felony with a mandatory minimum
15 fine of \$1500 and a maximum fine of \$100,000. If the violation
16 involves a film, videotape, or other moving depiction, a
17 violation of paragraph (3) of subsection (a) is a Class X
18 felony with a mandatory minimum fine of \$1500 and a maximum
19 fine of \$100,000. If the violation does not involve a film,
20 videotape, or other moving depiction, a violation of paragraph
21 (2) of subsection (a) is a Class 1 felony with a mandatory
22 minimum fine of \$1000 and a maximum fine of \$100,000. If the
23 violation involves a film, videotape, or other moving
24 depiction, a violation of paragraph (2) of subsection (a) is a
25 Class X felony with a mandatory minimum fine of \$1000 and a
26 maximum fine of \$100,000. If the violation does not involve a

1 film, videotape, or other moving depiction, a violation of
2 paragraph (6) of subsection (a) is a Class 3 felony with a
3 mandatory minimum fine of \$1000 and a maximum fine of
4 \$100,000. If the violation involves a film, videotape, or
5 other moving depiction, a violation of paragraph (6) of
6 subsection (a) is a Class 2 felony with a mandatory minimum
7 fine of \$1000 and a maximum fine of \$100,000.

8 (c-5) Where the child depicted is under the age of 13, a
9 violation of paragraph (1), (2), (3), (4), (5), or (7) of
10 subsection (a) is a Class X felony with a mandatory minimum
11 fine of \$2,000 and a maximum fine of \$100,000. Where the child
12 depicted is under the age of 13, a violation of paragraph (6)
13 of subsection (a) is a Class 2 felony with a mandatory minimum
14 fine of \$1,000 and a maximum fine of \$100,000. Where the child
15 depicted is under the age of 13, a person who commits a
16 violation of paragraph (1), (2), (3), (4), (5), or (7) of
17 subsection (a) where the defendant has previously been
18 convicted under the laws of this State or any other state of
19 the offense of child sexual abuse material or child
20 pornography, aggravated child pornography, aggravated criminal
21 sexual abuse, aggravated criminal sexual assault, predatory
22 criminal sexual assault of a child, or any of the offenses
23 formerly known as rape, deviate sexual assault, indecent
24 liberties with a child, or aggravated indecent liberties with
25 a child where the victim was under the age of 18 years or an
26 offense that is substantially equivalent to those offenses, is

1 guilty of a Class X felony for which the person shall be
2 sentenced to a term of imprisonment of not less than 9 years
3 with a mandatory minimum fine of \$2,000 and a maximum fine of
4 \$100,000. Where the child depicted is under the age of 13, a
5 person who commits a violation of paragraph (6) of subsection
6 (a) where the defendant has previously been convicted under
7 the laws of this State or any other state of the offense of
8 child sexual abuse material or child pornography, aggravated
9 child pornography, aggravated criminal sexual abuse,
10 aggravated criminal sexual assault, predatory criminal sexual
11 assault of a child, or any of the offenses formerly known as
12 rape, deviate sexual assault, indecent liberties with a child,
13 or aggravated indecent liberties with a child where the victim
14 was under the age of 18 years or an offense that is
15 substantially equivalent to those offenses, is guilty of a
16 Class 1 felony with a mandatory minimum fine of \$1,000 and a
17 maximum fine of \$100,000. The issue of whether the child
18 depicted is under the age of 13 is an element of the offense to
19 be resolved by the trier of fact.

20 (d) If a person is convicted of a second or subsequent
21 violation of this Section within 10 years of a prior
22 conviction, the court shall order a presentence psychiatric
23 examination of the person. The examiner shall report to the
24 court whether treatment of the person is necessary.

25 (e) Any film, videotape, photograph or other similar
26 visual reproduction or depiction by computer which includes a

1 child under the age of 18 or a person with a severe or profound
2 intellectual disability engaged in any activity described in
3 subparagraphs (i) through (vii) of paragraph (1) of subsection
4 (a), and any material or equipment used or intended for use in
5 photographing, filming, printing, producing, reproducing,
6 manufacturing, projecting, exhibiting, depiction by computer,
7 or disseminating such material shall be seized and forfeited
8 in the manner, method and procedure provided by Section 36-1
9 of this Code for the seizure and forfeiture of vessels,
10 vehicles and aircraft.

11 In addition, any person convicted under this Section is
12 subject to the property forfeiture provisions set forth in
13 Article 124B of the Code of Criminal Procedure of 1963.

14 (e-5) Upon the conclusion of a case brought under this
15 Section, the court shall seal all evidence depicting a victim
16 or witness that is sexually explicit. The evidence may be
17 unsealed and viewed, on a motion of the party seeking to unseal
18 and view the evidence, only for good cause shown and in the
19 discretion of the court. The motion must expressly set forth
20 the purpose for viewing the material. The State's Attorney and
21 the victim, if possible, shall be provided reasonable notice
22 of the hearing on the motion to unseal the evidence. Any person
23 entitled to notice of a hearing under this subsection (e-5)
24 may object to the motion.

25 (f) Definitions. For the purposes of this Section:

26 (1) "Disseminate" means (i) to sell, distribute,

1 exchange or transfer possession, whether with or without
2 consideration or (ii) to make a depiction by computer
3 available for distribution or downloading through the
4 facilities of any telecommunications network or through
5 any other means of transferring computer programs or data
6 to a computer.

7 (2) "Produce" means to direct, promote, advertise,
8 publish, manufacture, issue, present or show.

9 (3) "Reproduce" means to make a duplication or copy.

10 (4) "Depict by computer" means to generate or create,
11 or cause to be created or generated, a computer program or
12 data that, after being processed by a computer either
13 alone or in conjunction with one or more computer
14 programs, results in a visual depiction on a computer
15 monitor, screen, or display.

16 (5) "Depiction by computer" means a computer program
17 or data that, after being processed by a computer either
18 alone or in conjunction with one or more computer
19 programs, results in a visual depiction on a computer
20 monitor, screen, or display.

21 (6) "Computer", "computer program", and "data" have
22 the meanings ascribed to them in Section 17.05 of this
23 Code.

24 (7) For the purposes of this Section, "child sexual
25 abuse material" includes a film, videotape, photograph, or
26 other similar visual medium or reproduction or depiction

1 by computer that is, or appears to be, that of a person,
2 either in part, or in total, under the age of 18 or a
3 person with a severe or profound intellectual disability,
4 regardless of the method by which the film, videotape,
5 photograph, or other similar visual medium or reproduction
6 or depiction by computer is created, adopted, or modified
7 to appear as such. "Child sexual abuse material" also
8 includes a film, videotape, photograph, or other similar
9 visual medium or reproduction or depiction by computer
10 that is advertised, promoted, presented, described, or
11 distributed in such a manner that conveys the impression
12 that the film, videotape, photograph, or other similar
13 visual medium or reproduction or depiction by computer is
14 of a person under the age of 18 or a person with a severe
15 or profound intellectual disability. "Child sexual abuse
16 material" includes the depiction of a part of an actual
17 child under the age of 18 who, by manipulation, creation,
18 or modification, appears to be engaged in any activity
19 described in subparagraphs (i) through (vii) of paragraph
20 (1) of subsection (a). ~~sexual abuse material~~
21 (g) Re-enactment; findings; purposes.

22 (1) The General Assembly finds and declares that:

23 (i) Section 50-5 of Public Act 88-680, effective
24 January 1, 1995, contained provisions amending the
25 child sexual abuse material statute, Section 11-20.1
26 of the Criminal Code of 1961. Section 50-5 also

1 contained other provisions.

2 (ii) In addition, Public Act 88-680 was entitled
3 "AN ACT to create a Safe Neighborhoods Law". (A)
4 Article 5 was entitled JUVENILE JUSTICE and amended
5 the Juvenile Court Act of 1987. (B) Article 15 was
6 entitled GANGS and amended various provisions of the
7 Criminal Code of 1961 and the Unified Code of
8 Corrections. (C) Article 20 was entitled ALCOHOL ABUSE
9 and amended various provisions of the Illinois Vehicle
10 Code. (D) Article 25 was entitled DRUG ABUSE and
11 amended the Cannabis Control Act and the Illinois
12 Controlled Substances Act. (E) Article 30 was entitled
13 FIREARMS and amended the Criminal Code of 1961 and the
14 Code of Criminal Procedure of 1963. (F) Article 35
15 amended the Criminal Code of 1961, the Rights of Crime
16 Victims and Witnesses Act, and the Unified Code of
17 Corrections. (G) Article 40 amended the Criminal Code
18 of 1961 to increase the penalty for compelling
19 organization membership of persons. (H) Article 45
20 created the Secure Residential Youth Care Facility
21 Licensing Act and amended the State Finance Act, the
22 Juvenile Court Act of 1987, the Unified Code of
23 Corrections, and the Private Correctional Facility
24 Moratorium Act. (I) Article 50 amended the WIC Vendor
25 Management Act, the Firearm Owners Identification Card
26 Act, the Juvenile Court Act of 1987, the Criminal Code

1 of 1961, the Wrongs to Children Act, and the Unified
2 Code of Corrections.

3 (iii) On September 22, 1998, the Third District
4 Appellate Court in People v. Dainty, 701 N.E. 2d 118,
5 ruled that Public Act 88-680 violates the single
6 subject clause of the Illinois Constitution (Article
7 IV, Section 8 (d)) and was unconstitutional in its
8 entirety. As of the time this amendatory Act of 1999
9 was prepared, People v. Dainty was still subject to
10 appeal.

11 (iv) Child sexual abuse material is a vital
12 concern to the people of this State and the validity of
13 future prosecutions under the child sexual abuse
14 material statute of the Criminal Code of 1961 is in
15 grave doubt.

16 (2) It is the purpose of this amendatory Act of 1999 to
17 prevent or minimize any problems relating to prosecutions
18 for child sexual abuse material that may result from
19 challenges to the constitutional validity of Public Act
20 88-680 by re-enacting the Section relating to child sexual
21 abuse material that was included in Public Act 88-680.

22 (3) This amendatory Act of 1999 re-enacts Section
23 11-20.1 of the Criminal Code of 1961, as it has been
24 amended. This re-enactment is intended to remove any
25 question as to the validity or content of that Section; it
26 is not intended to supersede any other Public Act that

1 amends the text of the Section as set forth in this
2 amendatory Act of 1999. The material is shown as existing
3 text (i.e., without underscoring) because, as of the time
4 this amendatory Act of 1999 was prepared, People v. Dainty
5 was subject to appeal to the Illinois Supreme Court.

6 (4) The re-enactment by this amendatory Act of 1999 of
7 Section 11-20.1 of the Criminal Code of 1961 relating to
8 child sexual abuse material that was amended by Public Act
9 88-680 is not intended, and shall not be construed, to
10 imply that Public Act 88-680 is invalid or to limit or
11 impair any legal argument concerning whether those
12 provisions were substantially re-enacted by other Public
13 Acts.

14 (Source: P.A. 103-825, eff. 1-1-25; 103-1081, eff. 3-21-25;
15 104-245, eff. 1-1-26; revised 11-21-25.)

16 (720 ILCS 5/36-1) (from Ch. 38, par. 36-1)

17 Sec. 36-1. Property subject to forfeiture.

18 (a) Any vessel or watercraft, vehicle, or aircraft is
19 subject to forfeiture under this Article if the vessel or
20 watercraft, vehicle, or aircraft is used with the knowledge
21 and consent of the owner in the commission of or in the attempt
22 to commit as defined in Section 8-4 of this Code:

23 (1) an offense prohibited by Section 9-1 (first degree
24 murder), Section 9-3 (involuntary manslaughter and
25 reckless homicide), Section 10-2 (aggravated kidnaping),

1 Section 11-1.20 (criminal sexual assault), Section 11-1.30
2 (aggravated criminal sexual assault), Section 11-1.40
3 (predatory criminal sexual assault of a child), subsection
4 (a) of Section 11-1.50 (criminal sexual abuse), subsection
5 (a), (c), or (d) of Section 11-1.60 (aggravated criminal
6 sexual abuse), Section 11-6 (indecent solicitation of a
7 child), Section 11-14.4 (promoting commercial sexual
8 exploitation of a child except for keeping a place of
9 commercial sexual exploitation of a child), Section
10 11-20.1 (child sexual abuse material), paragraph (a)(1),
11 (a)(2), (a)(4), (b)(1), (b)(2), (e)(1), (e)(2), (e)(3),
12 (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05
13 (aggravated battery), Section 12-7.3 (stalking), Section
14 12-7.4 (aggravated stalking), Section 16-1 (theft if the
15 theft is of precious metal or of scrap metal), subdivision
16 (f)(2) or (f)(3) of Section 16-25 (retail theft), Section
17 18-2 (armed robbery), Section 19-1 (burglary), Section
18 19-2 (possession of burglary tools), Section 19-3
19 (residential burglary), Section 20-1 (arson; residential
20 arson; place of worship arson), Section 20-2 (possession
21 of explosives or explosive or incendiary devices),
22 subdivision (a)(6) or (a)(7) of Section 24-1 (unlawful
23 possession of weapons), Section 24-1.2 (aggravated
24 discharge of a firearm), Section 24-1.2-5 (aggravated
25 discharge of a machine gun or a firearm equipped with a
26 device designed or used for silencing the report of a

1 firearm), Section 24-1.5 (reckless discharge of a
2 firearm), Section 28-1 (gambling), or Section 29D-15.2
3 (possession of a deadly substance) of this Code;

4 (2) an offense prohibited by Section 21, 22, 23, 24,
5 or 26 of the Cigarette Tax Act if the vessel or watercraft,
6 vehicle, or aircraft contains more than 10 cartons of such
7 cigarettes;

8 (3) an offense prohibited by Section 28, 29, or 30 of
9 the Cigarette Use Tax Act if the vessel or watercraft,
10 vehicle, or aircraft contains more than 10 cartons of such
11 cigarettes;

12 (4) an offense prohibited by Section 44 of the
13 Environmental Protection Act;

14 (5) an offense prohibited by Section 11-204.1 of the
15 Illinois Vehicle Code (aggravated fleeing or attempting to
16 elude a peace officer);

17 (6) an offense prohibited by Section 11-501 of the
18 Illinois Vehicle Code (driving while under the influence
19 of alcohol or other drug or drugs, intoxicating compound
20 or compounds or any combination thereof) or a similar
21 provision of a local ordinance, and:

22 (A) during a period in which his or her driving
23 privileges are revoked or suspended if the revocation
24 or suspension was for:

25 (i) Section 11-501 (driving under the
26 influence of alcohol or other drug or drugs,

1 intoxicating compound or compounds or any
2 combination thereof),

3 (ii) Section 11-501.1 (statutory summary
4 suspension or revocation),

5 (iii) paragraph (b) of Section 11-401 (motor
6 vehicle crashes involving death or personal
7 injuries), or

8 (iv) reckless homicide as defined in Section
9 9-3 of this Code;

10 (B) has been previously convicted of reckless
11 homicide or a similar provision of a law of another
12 state relating to reckless homicide in which the
13 person was determined to have been under the influence
14 of alcohol, other drug or drugs, or intoxicating
15 compound or compounds as an element of the offense or
16 the person has previously been convicted of committing
17 a violation of driving under the influence of alcohol
18 or other drug or drugs, intoxicating compound or
19 compounds or any combination thereof and was involved
20 in a motor vehicle crash that resulted in death, great
21 bodily harm, or permanent disability or disfigurement
22 to another, when the violation was a proximate cause
23 of the death or injuries;

24 (C) the person committed a violation of driving
25 under the influence of alcohol or other drug or drugs,
26 intoxicating compound or compounds or any combination

1 thereof under Section 11-501 of the Illinois Vehicle
2 Code or a similar provision for the third or
3 subsequent time;

4 (D) he or she did not possess a valid driver's
5 license or permit or a valid restricted driving permit
6 or a valid judicial driving permit or a valid
7 monitoring device driving permit; or

8 (E) he or she knew or should have known that the
9 vehicle he or she was driving was not covered by a
10 liability insurance policy;

11 (7) an offense described in subsection (g) of Section
12 6-303 of the Illinois Vehicle Code;

13 (8) an offense described in subsection (e) of Section
14 6-101 of the Illinois Vehicle Code; or

15 (9) (A) operating a watercraft under the influence of
16 alcohol, other drug or drugs, intoxicating compound or
17 compounds, or combination thereof under Section 5-16 of
18 the Boat Registration and Safety Act during a period in
19 which his or her privileges to operate a watercraft are
20 revoked or suspended and the revocation or suspension was
21 for operating a watercraft under the influence of alcohol,
22 other drug or drugs, intoxicating compound or compounds,
23 or combination thereof; (B) operating a watercraft under
24 the influence of alcohol, other drug or drugs,
25 intoxicating compound or compounds, or combination thereof
26 and has been previously convicted of reckless homicide or

1 a similar provision of a law in another state relating to
2 reckless homicide in which the person was determined to
3 have been under the influence of alcohol, other drug or
4 drugs, intoxicating compound or compounds, or combination
5 thereof as an element of the offense or the person has
6 previously been convicted of committing a violation of
7 operating a watercraft under the influence of alcohol,
8 other drug or drugs, intoxicating compound or compounds,
9 or combination thereof and was involved in an accident
10 that resulted in death, great bodily harm, or permanent
11 disability or disfigurement to another, when the violation
12 was a proximate cause of the death or injuries; or (C) the
13 person committed a violation of operating a watercraft
14 under the influence of alcohol, other drug or drugs,
15 intoxicating compound or compounds, or combination thereof
16 under Section 5-16 of the Boat Registration and Safety Act
17 or a similar provision for the third or subsequent time.

18 (b) In addition, any mobile or portable equipment used in
19 the commission of an act which is in violation of Section 7g of
20 the Metropolitan Water Reclamation District Act shall be
21 subject to seizure and forfeiture under the same procedures
22 provided in this Article for the seizure and forfeiture of
23 vessels or watercraft, vehicles, and aircraft, and any such
24 equipment shall be deemed a vessel or watercraft, vehicle, or
25 aircraft for purposes of this Article.

26 (c) In addition, when a person discharges a firearm at

1 another individual from a vehicle with the knowledge and
2 consent of the owner of the vehicle and with the intent to
3 cause death or great bodily harm to that individual and as a
4 result causes death or great bodily harm to that individual,
5 the vehicle shall be subject to seizure and forfeiture under
6 the same procedures provided in this Article for the seizure
7 and forfeiture of vehicles used in violations of clauses (1),
8 (2), (3), or (4) of subsection (a) of this Section.

9 (d) If the spouse of the owner of a vehicle seized for an
10 offense described in subsection (g) of Section 6-303 of the
11 Illinois Vehicle Code, a violation of subdivision (d)(1)(A),
12 (d)(1)(D), (d)(1)(G), (d)(1)(H), or (d)(1)(I) of Section
13 11-501 of the Illinois Vehicle Code, or Section 9-3 of this
14 Code makes a showing that the seized vehicle is the only source
15 of transportation and it is determined that the financial
16 hardship to the family as a result of the seizure outweighs the
17 benefit to the State from the seizure, the vehicle may be
18 forfeited to the spouse or family member and the title to the
19 vehicle shall be transferred to the spouse or family member
20 who is properly licensed and who requires the use of the
21 vehicle for employment or family transportation purposes. A
22 written declaration of forfeiture of a vehicle under this
23 Section shall be sufficient cause for the title to be
24 transferred to the spouse or family member. The provisions of
25 this paragraph shall apply only to one forfeiture per vehicle.
26 If the vehicle is the subject of a subsequent forfeiture

1 proceeding by virtue of a subsequent conviction of either
2 spouse or the family member, the spouse or family member to
3 whom the vehicle was forfeited under the first forfeiture
4 proceeding may not utilize the provisions of this paragraph in
5 another forfeiture proceeding. If the owner of the vehicle
6 seized owns more than one vehicle, the procedure set out in
7 this paragraph may be used for only one vehicle.

8 (e) In addition, property subject to forfeiture under
9 Section 40 of the Illinois Streetgang Terrorism Omnibus
10 Prevention Act may be seized and forfeited under this Article.

11 (Source: P.A. 103-822, eff. 1-1-25; 103-1071, eff. 7-1-25;
12 104-245, eff. 1-1-26; revised 10-21-25.)

13 Section 980. The Cannabis Control Act is amended by
14 changing Section 10.2 as follows:

15 (720 ILCS 550/10.2)

16 (Text of Section before amendment by P.A. 104-131)

17 Sec. 10.2. (a) Twelve and one-half percent of all amounts
18 collected as fines pursuant to the provisions of this Act
19 shall be paid into the Drug Treatment Fund, to be used by the
20 Department of Human Services for the funding of programs and
21 services for drug-abuse treatment, and prevention and
22 education services, for juveniles.

23 (b) Eighty-seven and one-half percent of the proceeds of
24 all fines received under the provisions of this Act shall be

1 transmitted to and deposited in the treasurer's office at the
2 level of government as follows:

3 (1) If such seizure was made by a combination of law
4 enforcement personnel representing differing units of
5 local government, the court levying the fine shall
6 equitably allocate 50% of the fine among these units of
7 local government and shall allocate 37 1/2% to the county
8 general corporate fund. In the event that the seizure was
9 made by law enforcement personnel representing a unit of
10 local government from a municipality where the number of
11 inhabitants exceeds 2 million in population, the court
12 levying the fine shall allocate 87 1/2% of the fine to that
13 unit of local government. If the seizure was made by a
14 combination of law enforcement personnel representing
15 differing units of local government, and at least one of
16 those units represents a municipality where the number of
17 inhabitants exceeds 2 million in population, the court
18 shall equitably allocate 87 1/2% of the proceeds of the
19 fines received among the differing units of local
20 government.

21 (2) If such seizure was made by State law enforcement
22 personnel, then the court shall allocate 37 1/2% to the
23 State treasury and 50% to the county general corporate
24 fund.

25 (3) If a State law enforcement agency in combination
26 with a law enforcement agency or agencies of a unit or

1 units of local government conducted the seizure, the court
2 shall equitably allocate 37 1/2% of the fines to or among
3 the law enforcement agency or agencies of the unit or
4 units of local government which conducted the seizure and
5 shall allocate 50% to the county general corporate fund.

6 (c) The proceeds of all fines allocated to the law
7 enforcement agency or agencies of the unit or units of local
8 government pursuant to subsection (b) shall be made available
9 to that law enforcement agency as expendable receipts for use
10 in the enforcement of laws regulating controlled substances
11 and cannabis. The proceeds of fines awarded to the State
12 treasury shall be deposited into a special fund known as the
13 Drug Traffic Prevention Fund, except that amounts distributed
14 to the Secretary of State shall be deposited into the
15 Secretary of State Evidence Fund to be used as provided in
16 Section 2-115 of the Illinois Vehicle Code. Monies from this
17 fund may be used by the Illinois State Police for use in the
18 enforcement of laws regulating controlled substances and
19 cannabis; to satisfy funding provisions of the
20 Intergovernmental Drug Laws Enforcement Act; to defray costs
21 and expenses associated with returning violators of this Act,
22 the Illinois Controlled Substances Act, and the
23 Methamphetamine Control and Community Protection Act only, as
24 provided in such Acts, when punishment of the crime shall be
25 confinement of the criminal in the penitentiary; and all other
26 monies shall be paid into the General Revenue Fund in the State

1 treasury.

2 (Source: P.A. 104-2, eff. 6-16-25.)

3 (Text of Section after amendment by P.A. 104-131)

4 Sec. 10.2. (a) Twelve and one-half percent of all amounts
5 collected as fines pursuant to the provisions of this Act
6 shall be paid into the Drug Treatment Fund, to be used by the
7 Department of Human Services for the funding of programs and
8 services for drug-abuse treatment, and prevention and
9 education services, for juveniles.

10 (b) Eighty-seven and one-half percent of the proceeds of
11 all fines received under the provisions of this Act shall be
12 transmitted to and deposited in the treasurer's office at the
13 level of government as follows:

14 (1) If such seizure was made by a combination of law
15 enforcement personnel representing differing units of
16 local government, the court levying the fine shall
17 equitably allocate 50% of the fine among these units of
18 local government and shall allocate 37 1/2% to the county
19 general corporate fund. In the event that the seizure was
20 made by law enforcement personnel representing a unit of
21 local government from a municipality where the number of
22 inhabitants exceeds 2 million in population, the court
23 levying the fine shall allocate 87 1/2% of the fine to that
24 unit of local government. If the seizure was made by a
25 combination of law enforcement personnel representing

1 differing units of local government, and at least one of
2 those units represents a municipality where the number of
3 inhabitants exceeds 2 million in population, the court
4 shall equitably allocate 87 1/2% of the proceeds of the
5 fines received among the differing units of local
6 government.

7 (2) If such seizure was made by State law enforcement
8 personnel, then the court shall allocate 37 1/2% to the
9 State treasury and 50% to the county general corporate
10 fund.

11 (3) If a State law enforcement agency in combination
12 with a law enforcement agency or agencies of a unit or
13 units of local government conducted the seizure, the court
14 shall equitably allocate 37 1/2% of the fines to or among
15 the law enforcement agency or agencies of the unit or
16 units of local government which conducted the seizure and
17 shall allocate 50% to the county general corporate fund.

18 (c) The proceeds of all fines allocated to the law
19 enforcement agency or agencies of the unit or units of local
20 government pursuant to subsection (b) shall be made available
21 to that law enforcement agency as expendable receipts for use
22 in the enforcement of laws regulating controlled substances
23 and cannabis. The proceeds of fines awarded to the State
24 treasury shall be deposited into a special fund known as the
25 State Police Operations Assistance Fund, except that amounts
26 distributed to the Secretary of State shall be deposited into

1 the Secretary of State Evidence Fund to be used as provided in
2 Section 2-115 of the Illinois Vehicle Code. Monies from this
3 fund may be used by the Illinois State Police for use in the
4 enforcement of laws regulating controlled substances and
5 cannabis; to satisfy funding provisions of the
6 Intergovernmental Drug Laws Enforcement Act; to defray costs
7 and expenses associated with returning violators of this Act,
8 the Illinois Controlled Substances Act, and the
9 Methamphetamine Control and Community Protection Act only, as
10 provided in such Acts, when punishment of the crime shall be
11 confinement of the criminal in the penitentiary; and all other
12 monies shall be paid into the General Revenue Fund in the State
13 treasury.

14 (Source: P.A. 104-2, eff. 6-16-25; 104-131, eff. 9-1-26;
15 revised 8-20-25.)

16 Section 985. The Illinois Controlled Substances Act is
17 amended by changing Section 413 as follows:

18 (720 ILCS 570/413)

19 (Text of Section before amendment by P.A. 104-131)

20 Sec. 413. (a) Twelve and one-half percent of all amounts
21 collected as fines pursuant to the provisions of this Article
22 shall be paid into the Drug Treatment Fund, to be used by the
23 Department for the funding of programs and services for
24 substance use disorder treatment, and prevention and education

1 services, for juveniles.

2 (b) Eighty-seven and one-half percent of the proceeds of
3 all fines received under the provisions of this Article shall
4 be transmitted to and deposited in the treasurer's office at
5 the level of government as follows:

6 (1) If such seizure was made by a combination of law
7 enforcement personnel representing differing units of
8 local government, the court levying the fine shall
9 equitably allocate 50% of the fine among these units of
10 local government and shall allocate 37 1/2% to the county
11 general corporate fund. In the event that the seizure was
12 made by law enforcement personnel representing a unit of
13 local government from a municipality where the number of
14 inhabitants exceeds 2 million in population, the court
15 levying the fine shall allocate 87 1/2% of the fine to that
16 unit of local government. If the seizure was made by a
17 combination of law enforcement personnel representing
18 differing units of local government, and at least one of
19 those units represents a municipality where the number of
20 inhabitants exceeds 2 million in population, the court
21 shall equitably allocate 87 1/2% of the proceeds of the
22 fines received among the differing units of local
23 government.

24 (2) If such seizure was made by State law enforcement
25 personnel, then the court shall allocate 37 1/2% to the
26 State treasury and 50% to the county general corporate

1 fund.

2 (3) If a State law enforcement agency in combination
3 with a law enforcement agency or agencies of a unit or
4 units of local government conducted the seizure, the court
5 shall equitably allocate 37 1/2% of the fines to or among
6 the law enforcement agency or agencies of the unit or
7 units of local government which conducted the seizure and
8 shall allocate 50% to the county general corporate fund.

9 (c) The proceeds of all fines allocated to the law
10 enforcement agency or agencies of the unit or units of local
11 government pursuant to subsection (b) shall be made available
12 to that law enforcement agency as expendable receipts for use
13 in the enforcement of laws regulating cannabis,
14 methamphetamine, and other controlled substances. The proceeds
15 of fines awarded to the State treasury shall be deposited into
16 a special fund known as the Drug Traffic Prevention Fund,
17 except that amounts distributed to the Secretary of State
18 shall be deposited into the Secretary of State Evidence Fund
19 to be used as provided in Section 2-115 of the Illinois Vehicle
20 Code. Monies from this fund may be used by the Illinois State
21 Police or use in the enforcement of laws regulating cannabis,
22 methamphetamine, and other controlled substances; to satisfy
23 funding provisions of the Intergovernmental Drug Laws
24 Enforcement Act; to defray costs and expenses associated with
25 returning violators of the Cannabis Control Act and this Act
26 only, as provided in those Acts, when punishment of the crime

1 shall be confinement of the criminal in the penitentiary; and
2 all other monies shall be paid into the General Revenue Fund in
3 the State treasury.

4 (Source: P.A. 103-881, eff. 1-1-25; 104-2, eff. 6-16-25.)

5 (Text of Section after amendment by P.A. 104-131)

6 Sec. 413. (a) Twelve and one-half percent of all amounts
7 collected as fines pursuant to the provisions of this Article
8 shall be paid into the Drug Treatment Fund, to be used by the
9 Department for the funding of programs and services for
10 substance use disorder treatment, and prevention and education
11 services, for juveniles.

12 (b) Eighty-seven and one-half percent of the proceeds of
13 all fines received under the provisions of this Article shall
14 be transmitted to and deposited in the treasurer's office at
15 the level of government as follows:

16 (1) If such seizure was made by a combination of law
17 enforcement personnel representing differing units of
18 local government, the court levying the fine shall
19 equitably allocate 50% of the fine among these units of
20 local government and shall allocate 37 1/2% to the county
21 general corporate fund. In the event that the seizure was
22 made by law enforcement personnel representing a unit of
23 local government from a municipality where the number of
24 inhabitants exceeds 2 million in population, the court
25 levying the fine shall allocate 87 1/2% of the fine to that

1 unit of local government. If the seizure was made by a
2 combination of law enforcement personnel representing
3 differing units of local government, and at least one of
4 those units represents a municipality where the number of
5 inhabitants exceeds 2 million in population, the court
6 shall equitably allocate 87 1/2% of the proceeds of the
7 fines received among the differing units of local
8 government.

9 (2) If such seizure was made by State law enforcement
10 personnel, then the court shall allocate 37 1/2% to the
11 State treasury and 50% to the county general corporate
12 fund.

13 (3) If a State law enforcement agency in combination
14 with a law enforcement agency or agencies of a unit or
15 units of local government conducted the seizure, the court
16 shall equitably allocate 37 1/2% of the fines to or among
17 the law enforcement agency or agencies of the unit or
18 units of local government which conducted the seizure and
19 shall allocate 50% to the county general corporate fund.

20 (c) The proceeds of all fines allocated to the law
21 enforcement agency or agencies of the unit or units of local
22 government pursuant to subsection (b) shall be made available
23 to that law enforcement agency as expendable receipts for use
24 in the enforcement of laws regulating cannabis,
25 methamphetamine, and other controlled substances. The proceeds
26 of fines awarded to the State treasury shall be deposited into

1 a special fund known as the State Police Operations Assistance
2 Fund, except that amounts distributed to the Secretary of
3 State shall be deposited into the Secretary of State Evidence
4 Fund to be used as provided in Section 2-115 of the Illinois
5 Vehicle Code. Monies from this fund may be used by the Illinois
6 State Police or use in the enforcement of laws regulating
7 cannabis, methamphetamine, and other controlled substances; to
8 satisfy funding provisions of the Intergovernmental Drug Laws
9 Enforcement Act; to defray costs and expenses associated with
10 returning violators of the Cannabis Control Act and this Act
11 only, as provided in those Acts, when punishment of the crime
12 shall be confinement of the criminal in the penitentiary; and
13 all other monies shall be paid into the General Revenue Fund in
14 the State treasury.

15 (Source: P.A. 103-881, eff. 1-1-25; 104-2, eff. 6-16-25;
16 104-131, eff. 9-1-26; revised 8-20-25.)

17 Section 990. The Ephedra Prohibition Act is amended by
18 changing Section 15 as follows:

19 (720 ILCS 602/15)

20 Sec. 15. Definitions. In this Act:

21 "Ephedra" means herbs and herbal products that contain
22 ephedrine alkaloids, including ma huang, Chinese ephedra,
23 ephedra sinica, ephedra herb powder, epitonin, or any extract
24 of those substances, but does not include any drug that

1 contains ephedrine and is lawfully sold, transferred, or
2 furnished over the counter with or without a prescription
3 pursuant to the federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 301 and following) or regulations adopted under that
5 Act.

6 "Person" means any natural person, individual,
7 corporation, unincorporated association, proprietorship,
8 firm, partnership, joint venture, joint stock association, or
9 any other business organization or entity.

10 (Source: P.A. 93-8, eff. 5-28-03; revised 6-23-25.)

11 Section 995. The Methamphetamine Control and Community
12 Protection Act is amended by changing Section 95 as follows:

13 (720 ILCS 646/95)

14 (Text of Section before amendment by P.A. 104-131)

15 Sec. 95. Drug Treatment Fund.

16 (a) Twelve and one-half percent of all amounts collected
17 as fines pursuant to the provisions of this Article shall be
18 paid into the Drug Treatment Fund, to be used by the Department
19 for the funding of programs and services for drug-abuse
20 treatment, and prevention and education services, for
21 juveniles.

22 (b) Eighty-seven and one-half percent of the proceeds of
23 all fines received under the provisions of this Act shall be
24 transmitted to and deposited into the State treasury and

1 distributed as follows:

2 (1) If such seizure was made by a combination of law
3 enforcement personnel representing differing units of
4 local government, the court levying the fine shall
5 equitably allocate 50% of the fine among these units of
6 local government and shall allocate 37.5% to the county
7 general corporate fund. If the seizure was made by law
8 enforcement personnel representing a unit of local
9 government from a municipality where the number of
10 inhabitants exceeds 2 million in population, the court
11 levying the fine shall allocate 87.5% of the fine to that
12 unit of local government. If the seizure was made by a
13 combination of law enforcement personnel representing
14 differing units of local government and if at least one of
15 those units represents a municipality where the number of
16 inhabitants exceeds 2 million in population, the court
17 shall equitably allocate 87.5% of the proceeds of the
18 fines received among the differing units of local
19 government.

20 (2) If such seizure was made by State law enforcement
21 personnel, then the court shall allocate 37.5% to the
22 State treasury and 50% to the county general corporate
23 fund.

24 (3) If a State law enforcement agency in combination
25 with any law enforcement agency or agencies of a unit or
26 units of local government conducted the seizure, the court

1 shall equitably allocate 37.5% of the fines to or among
2 the law enforcement agency or agencies of the unit or
3 units of local government that conducted the seizure and
4 shall allocate 50% to the county general corporate fund.

5 (c) The proceeds of all fines allocated to the law
6 enforcement agency or agencies of the unit or units of local
7 government pursuant to subsection (b) shall be made available
8 to that law enforcement agency as expendable receipts for use
9 in the enforcement of laws regulating controlled substances
10 and cannabis. The proceeds of fines awarded to the State
11 treasury shall be deposited into a special fund known as the
12 Drug Traffic Prevention Fund, except that amounts distributed
13 to the Secretary of State shall be deposited into the
14 Secretary of State Evidence Fund to be used as provided in
15 Section 2-115 of the Illinois Vehicle Code. Moneys from this
16 Fund may be used by the Illinois State Police for use in the
17 enforcement of laws regulating controlled substances and
18 cannabis; to satisfy funding provisions of the
19 Intergovernmental Drug Laws Enforcement Act; to defray costs
20 and expenses associated with returning violators of the
21 Cannabis Control Act and this Act only, as provided in those
22 Acts, when punishment of the crime shall be confinement of the
23 criminal in the penitentiary; and all other moneys shall be
24 paid into the General Revenue Fund in the State treasury.

25 (Source: P.A. 104-2, eff. 6-16-25.)

1 (Text of Section after amendment by P.A. 104-131)

2 Sec. 95. Drug Treatment Fund.

3 (a) Twelve and one-half percent of all amounts collected
4 as fines pursuant to the provisions of this Article shall be
5 paid into the Drug Treatment Fund, to be used by the Department
6 for the funding of programs and services for drug-abuse
7 treatment, and prevention and education services, for
8 juveniles.

9 (b) Eighty-seven and one-half percent of the proceeds of
10 all fines received under the provisions of this Act shall be
11 transmitted to and deposited into the State treasury and
12 distributed as follows:

13 (1) If such seizure was made by a combination of law
14 enforcement personnel representing differing units of
15 local government, the court levying the fine shall
16 equitably allocate 50% of the fine among these units of
17 local government and shall allocate 37.5% to the county
18 general corporate fund. If the seizure was made by law
19 enforcement personnel representing a unit of local
20 government from a municipality where the number of
21 inhabitants exceeds 2 million in population, the court
22 levying the fine shall allocate 87.5% of the fine to that
23 unit of local government. If the seizure was made by a
24 combination of law enforcement personnel representing
25 differing units of local government and if at least one of
26 those units represents a municipality where the number of

1 inhabitants exceeds 2 million in population, the court
2 shall equitably allocate 87.5% of the proceeds of the
3 fines received among the differing units of local
4 government.

5 (2) If such seizure was made by State law enforcement
6 personnel, then the court shall allocate 37.5% to the
7 State treasury and 50% to the county general corporate
8 fund.

9 (3) If a State law enforcement agency in combination
10 with any law enforcement agency or agencies of a unit or
11 units of local government conducted the seizure, the court
12 shall equitably allocate 37.5% of the fines to or among
13 the law enforcement agency or agencies of the unit or
14 units of local government that conducted the seizure and
15 shall allocate 50% to the county general corporate fund.

16 (c) The proceeds of all fines allocated to the law
17 enforcement agency or agencies of the unit or units of local
18 government pursuant to subsection (b) shall be made available
19 to that law enforcement agency as expendable receipts for use
20 in the enforcement of laws regulating controlled substances
21 and cannabis. The proceeds of fines awarded to the State
22 treasury shall be deposited into a special fund known as the
23 State Police Operations Assistance Fund, except that amounts
24 distributed to the Secretary of State shall be deposited into
25 the Secretary of State Evidence Fund to be used as provided in
26 Section 2-115 of the Illinois Vehicle Code. Moneys from this

1 Fund may be used by the Illinois State Police for use in the
2 enforcement of laws regulating controlled substances and
3 cannabis; to satisfy funding provisions of the
4 Intergovernmental Drug Laws Enforcement Act; to defray costs
5 and expenses associated with returning violators of the
6 Cannabis Control Act and this Act only, as provided in those
7 Acts, when punishment of the crime shall be confinement of the
8 criminal in the penitentiary; and all other moneys shall be
9 paid into the General Revenue Fund in the State treasury.

10 (Source: P.A. 104-2, eff. 6-16-25; 104-131, eff. 9-1-26;
11 revised 8-20-25.)

12 Section 1000. The Code of Criminal Procedure of 1963 is
13 amended by changing Sections 104-32, 112A-21, 124B-10, and
14 124B-100 as follows:

15 (725 ILCS 5/104-32)

16 Sec. 104-32. Fitness to Stand Trial Task Force.

17 (a) There is created the Fitness to Stand Trial Task
18 Force, hereinafter referred to as the Task Force. The Task
19 Force shall conduct a thorough review of the statutory and
20 regulatory provisions governing the procedures by which
21 individuals facing criminal charges may be unfit to stand
22 trial. This review includes, but is not limited to, the
23 determination of fitness, the housing and custodial status of
24 persons undergoing fitness restoration, the rights of

1 individuals found unfit, and the obligations of the Department
2 of Human Services.

3 (b) The Task Force shall consist of 15 members, appointed
4 as follows:

5 (1) a member of the House of Representatives,
6 appointed by the Speaker of the House, who shall serve as
7 co-chair of the Task Force;

8 (2) a member of the House of Representatives,
9 appointed by the Minority Leader of the House;

10 (3) a member of the Senate appointed by the President
11 of the Senate, who shall serve as co-chair of the Task
12 Force;

13 (4) a member of the Senate, appointed by the Minority
14 Leader of the Senate;

15 (5) 2 members appointed by the Illinois Supreme Court;

16 (6) the Secretary of Human Services or the Secretary's
17 designee;

18 (7) a member nominated by a statewide organization
19 that represents State's Attorneys and appointed by the
20 Governor;

21 (8) a member nominated by a statewide organization
22 that represents public defenders and appointed by the
23 Governor;

24 (9) a member nominated by a statewide organization
25 that represents sheriffs and appointed by the Governor;

26 (10) a member representing the federally mandated

1 Protection and Advocacy System for people with mental
2 illness in the State of Illinois, appointed by the
3 Governor;

4 (11) a member representing an organization or agency
5 providing community-based mental health services,
6 appointed by the Governor;

7 (12) a member representing a nonprofit organization
8 dedicated to the promotion of mental health, well-being,
9 and illness prevention, appointed by the Governor;

10 (13) a member who is a licensed clinical psychologist
11 with specialized forensic training and experience
12 conducting court-ordered fitness evaluations in Illinois,
13 appointed by the Governor; and

14 (14) a member who is a licensed clinical psychologist
15 with specialized forensic training and experience
16 providing fitness restoration services in Illinois,
17 appointed by the Governor.

18 (c) The Department shall provide administrative and
19 technical support for the Task Force and is responsible for
20 ensuring that the requirements of the Task Force are met.

21 (d) The Task Force shall hold its first meeting no later
22 than October 1, 2025.

23 (e) The Task Force shall submit a report containing its
24 findings and any recommendations to the Supreme Court and the
25 General Assembly on or before November 1, 2026.

26 (f) The Task Force may at any time identify legislative

1 proposals in support of its mission prior to the issuance of
2 its final report.

3 (g) The Task Force shall be dissolved following the
4 submission of its report to the Supreme Court and the General
5 Assembly.

6 (Source: P.A. 104-318, eff. 8-15-25; revised 12-12-25.)

7 (725 ILCS 5/112A-21) (from Ch. 38, par. 112A-21)

8 Sec. 112A-21. Contents of orders.

9 (a) Any domestic violence order of protection shall
10 describe, in reasonable detail and not by reference to any
11 other document, the following:

12 (1) Each remedy granted by the court, in reasonable
13 detail and not by reference to any other document, so that
14 respondent may clearly understand what he or she must do
15 or refrain from doing. Pre-printed form orders of
16 protection shall include the definitions of the types of
17 abuse, as provided in Section 112A-3 of this Code.
18 Remedies set forth in pre-printed form for domestic
19 violence orders shall be numbered consistently with and
20 corresponding to the numerical sequence of remedies listed
21 in Section 112A-14 of this Code (at least as of the date
22 the form orders are printed).

23 (2) The reason for denial of petitioner's request for
24 any remedy listed in Section 112A-14 of this Code.

25 (b) A domestic violence order of protection shall further

1 state the following:

2 (1) The name of each petitioner that the court finds
3 is a victim of a charged offense, and that respondent is a
4 member of the family or household of each such petitioner,
5 and the name of each other person protected by the order
6 and that such person is protected by this Code.

7 (2) For any remedy requested by petitioner on which
8 the court has declined to rule, that that remedy is
9 reserved.

10 (3) The date and time the domestic violence order of
11 protection was issued.

12 (4) (Blank).

13 (5) (Blank).

14 (6) (Blank).

15 (c) Any domestic violence order of protection shall
16 include the following notice, printed in conspicuous type:

17 "Any knowing violation of a domestic violence order of
18 protection forbidding physical abuse, harassment,
19 intimidation, interference with personal liberty, willful
20 deprivation, or entering or remaining present at specified
21 places when the protected person is present, or granting
22 exclusive possession of the residence or household, or
23 granting a stay away order is a Class A misdemeanor for a
24 first offense, and a Class 4 felony for persons with a
25 prior conviction for certain offenses under subsection (d)
26 of Section 12-3.4 of the Criminal Code of 2012. Grant of

1 exclusive possession of the residence or household shall
2 constitute notice forbidding trespass to land. Any knowing
3 violation of an order awarding legal custody or physical
4 care of a child or prohibiting removal or concealment of a
5 child may be a Class 4 felony. Any willful violation of any
6 order is contempt of court. Any violation may result in
7 fine or imprisonment." 1

8 (d) (Blank) .

9 (e) A domestic violence order of protection shall state: 7
10 "This Order of Protection is enforceable, even without
11 registration, in all 50 states, the District of Columbia,
12 tribal lands, and the U.S. territories pursuant to the
13 Violence Against Women Act (18 U.S.C. 2265). Violating this
14 Order of Protection may subject the respondent to federal
15 charges and punishment (18 U.S.C. 2261-2262). The respondent
16 may be subject to federal criminal penalties for possessing,
17 transporting, shipping, or receiving any firearm or ammunition
18 under the Gun Control Act (18 U.S.C. 922(g)(8) and (9)) ."1

19 (Source: P.A. 100-199, eff. 1-1-18; 100-597, eff. 6-29-18;
20 revised 6-23-25.)

21 (725 ILCS 5/124B-10)

22 Sec. 124B-10. Applicability; offenses. This Article
23 applies to forfeiture of property in connection with the
24 following:

25 (1) A violation of Section 10-9 or 10A-10 of the

1 Criminal Code of 1961 or the Criminal Code of 2012
2 (involuntary servitude; involuntary servitude of a minor;
3 or trafficking in persons).

4 (2) A violation of subdivision (a)(1) of Section
5 11-14.4 of the Criminal Code of 1961 or the Criminal Code
6 of 2012 (promoting commercial sexual exploitation of a
7 child) or a violation of Section 11-17.1 of the Criminal
8 Code of 1961 (keeping a place of commercial sexual
9 exploitation of a child).

10 (3) A violation of subdivision (a)(4) of Section
11 11-14.4 of the Criminal Code of 1961 or the Criminal Code
12 of 2012 (promoting commercial sexual exploitation of a
13 child) or a violation of Section 11-19.2 of the Criminal
14 Code of 1961 (exploitation of a child).

15 (4) A second or subsequent violation of Section 11-20
16 of the Criminal Code of 1961 or the Criminal Code of 2012
17 (obscenity).

18 (5) A violation of Section 11-20.1 of the Criminal
19 Code of 1961 or the Criminal Code of 2012 (child sexual
20 abuse material).

21 (6) A violation of Section 11-20.1B or 11-20.3 of the
22 Criminal Code of 1961 (aggravated child pornography).

23 (6.5) A violation of Section 11-23.5 of the Criminal
24 Code of 2012.

25 (7) A violation of Section 12C-65 of the Criminal Code
26 of 2012 or Article 44 of the Criminal Code of 1961

1 (unlawful transfer of a telecommunications device to a
2 minor).

3 (8) A violation of Section 17-50 or Section 16D-5 of
4 the Criminal Code of 2012 or the Criminal Code of 1961
5 (computer fraud).

6 (9) A felony violation of Section 17-6.3 or Article
7 17B of the Criminal Code of 2012 or the Criminal Code of
8 1961 (WIC fraud).

9 (10) A felony violation of Section 48-1 of the
10 Criminal Code of 2012 or Section 26-5 of the Criminal Code
11 of 1961 (dog fighting).

12 (11) A violation of Article 29D of the Criminal Code
13 of 1961 or the Criminal Code of 2012 (terrorism).

14 (12) A felony violation of Section 4.01 of the Humane
15 Care for Animals Act (animals in entertainment).

16 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
17 revised 11-21-25.)

18 (725 ILCS 5/124B-100)

19 Sec. 124B-100. Definition; "offense". For purposes of this
20 Article, "offense" is defined as follows:

21 (1) In the case of forfeiture authorized under Section
22 10A-15 of the Criminal Code of 1961 or Section 10-9 of the
23 Criminal Code of 2012, "offense" means the offense of
24 involuntary servitude, involuntary servitude of a minor,
25 or trafficking in persons in violation of Section 10-9 or

1 10A-10 of those Codes.

2 (2) In the case of forfeiture authorized under
3 subdivision (a)(1) of Section 11-14.4, or Section 11-17.1,
4 of the Criminal Code of 1961 or the Criminal Code of 2012,
5 "offense" means the offense of promoting commercial sexual
6 exploitation of a child or keeping a place of commercial
7 sexual exploitation of a child in violation of subdivision
8 (a)(1) of Section 11-14.4, or Section 11-17.1, of those
9 Codes.

10 (3) In the case of forfeiture authorized under
11 subdivision (a)(4) of Section 11-14.4, or Section 11-19.2,
12 of the Criminal Code of 1961 or the Criminal Code of 2012,
13 "offense" means the offense of promoting commercial sexual
14 exploitation of a child or exploitation of a child in
15 violation of subdivision (a)(4) of Section 11-14.4, or
16 Section 11-19.2, of those Codes.

17 (4) In the case of forfeiture authorized under Section
18 11-20 of the Criminal Code of 1961 or the Criminal Code of
19 2012, "offense" means the offense of obscenity in
20 violation of that Section.

21 (5) In the case of forfeiture authorized under Section
22 11-20.1 of the Criminal Code of 1961 or the Criminal Code
23 of 2012, "offense" means the offense of child sexual abuse
24 material in violation of Section 11-20.1 of that Code.

25 (6) In the case of forfeiture authorized under Section
26 11-20.1B or 11-20.3 of the Criminal Code of 1961,

1 "offense" means the offense of aggravated child
2 pornography in violation of Section 11-20.1B or 11-20.3 of
3 that Code.

4 (7) In the case of forfeiture authorized under Section
5 12C-65 of the Criminal Code of 2012 or Article 44 of the
6 Criminal Code of 1961, "offense" means the offense of
7 unlawful transfer of a telecommunications device to a
8 minor in violation of Section 12C-65 or Article 44 of
9 those Codes.

10 (8) In the case of forfeiture authorized under Section
11 17-50 or 16D-5 of the Criminal Code of 1961 or the Criminal
12 Code of 2012, "offense" means the offense of computer
13 fraud in violation of Section 17-50 or 16D-5 of those
14 Codes.

15 (9) In the case of forfeiture authorized under Section
16 17-6.3 or Article 17B of the Criminal Code of 1961 or the
17 Criminal Code of 2012, "offense" means any felony
18 violation of Section 17-6.3 or Article 17B of those Codes.

19 (10) In the case of forfeiture authorized under
20 Section 29D-65 of the Criminal Code of 1961 or the
21 Criminal Code of 2012, "offense" means any offense under
22 Article 29D of that Code.

23 (11) In the case of forfeiture authorized under
24 Section 4.01 of the Humane Care for Animals Act, Section
25 26-5 of the Criminal Code of 1961, or Section 48-1 of the
26 Criminal Code of 2012, "offense" means any felony offense

1 under either of those Sections.

2 (12) In the case of forfeiture authorized under
3 Section 124B-1000(b) of the Code of Criminal Procedure of
4 1963, "offense" means an offense in violation of the
5 Criminal Code of 1961, the Criminal Code of 2012, the
6 Illinois Controlled Substances Act, the Cannabis Control
7 Act, or the Methamphetamine Control and Community
8 Protection Act, or an offense involving a
9 telecommunications device possessed by a person on the
10 real property of any elementary or secondary school
11 without authority of the school principal.

12 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
13 revised 11-21-25.)

14 Section 1005. The Rights of Crime Victims and Witnesses
15 Act is amended by changing Sections 4 and 4.5 as follows:

16 (725 ILCS 120/4)

17 Sec. 4. Rights of crime victims.

18 (a) Crime victims shall have the following rights:

19 (1) The right to be treated with fairness and respect
20 for their dignity and privacy and to be free from
21 harassment, intimidation, and abuse throughout the
22 criminal justice process.

23 (1.1) When a person reports being a crime victim as
24 defined in Section 3, the right to be treated with

1 fairness and respect during the investigatory process,
2 including the right to be free from deception, which is
3 the knowing communication of false facts about evidence.

4 (1.5) The right to notice and to a hearing before a
5 court ruling on a request for access to any of the victim's
6 records, information, or communications which are
7 privileged or confidential by law.

8 (1.6) Except as otherwise provided in Section 9.5 of
9 the Criminal Identification Act or Section 3-3013 of the
10 Counties Code, whenever a person's DNA profile is
11 collected due to the person being a victim of a crime, as
12 identified by law enforcement, that specific profile
13 collected in conjunction with that criminal investigation
14 shall not be entered into any DNA database. Nothing in
15 this paragraph (1.6) shall be interpreted to contradict
16 rules and regulations developed by the Federal Bureau of
17 Investigation relating to the National DNA Index System or
18 Combined DNA Index System.

19 (2) The right to timely notification of all court
20 proceedings. Timely notification shall include 7 days'
21 notice of all court proceedings.

22 (3) The right to communicate with the prosecution.

23 (4) The right to be heard at any post-arraignment
24 court proceeding in which a right of the victim is at issue
25 and any court proceeding involving a post-arraignment
26 release decision, plea, or sentencing.

1 (5) The right to be notified of the conviction, the
2 sentence, the imprisonment, and the release of the
3 accused.

4 (6) The right to the timely disposition of the case
5 following the arrest of the accused.

6 (7) The right to be reasonably protected from the
7 accused through the criminal justice process.

8 (7.5) The right to have the safety of the victim and
9 the victim's family considered in determining whether to
10 release the defendant and setting conditions of release
11 after arrest and conviction.

12 (8) The right to be present at the trial and all other
13 court proceedings on the same basis as the accused, unless
14 the victim is to testify and the court determines that the
15 victim's testimony would be materially affected if the
16 victim hears other testimony at the trial.

17 (9) The right to have present at all court
18 proceedings, including proceedings under the Juvenile
19 Court Act of 1987, subject to the rules of evidence, an
20 advocate and other support person of the victim's choice.

21 (10) The right to restitution.

22 (b) Any law enforcement agency that investigates an
23 offense committed in this State shall provide a crime victim
24 with a written statement and explanation of the rights of
25 crime victims under Public Act 99-413 ~~this amendatory Act of~~
26 ~~the 99th General Assembly~~ within 48 hours of law enforcement's

1 initial contact with a victim. The statement shall include
2 information about crime victim compensation, including how to
3 contact the Office of the Illinois Attorney General to file a
4 claim, and appropriate referrals to local and State programs
5 that provide victim services. The content of the statement
6 shall be provided to law enforcement by the Attorney General.
7 Law enforcement shall also provide a crime victim with a
8 sign-off sheet that the victim shall sign and date as an
9 acknowledgement that he or she has been furnished with
10 information and an explanation of the rights of crime victims
11 and compensation set forth in this Act.

12 (b-5) Upon the request of the victim, the law enforcement
13 agency having jurisdiction shall provide a free copy of the
14 police report concerning the victim's incident, as soon as
15 practicable, but in no event later than 5 business days from
16 the request.

17 (c) The Clerk of the Circuit Court shall post the rights of
18 crime victims set forth in Article I, Section 8.1(a) of the
19 Illinois Constitution and subsection (a) of this Section
20 within 3 feet of the door to any courtroom where criminal
21 proceedings are conducted. The clerk may also post the rights
22 in other locations in the courthouse.

23 (d) At any point, the victim has the right to retain a
24 victim's attorney who may be present during all stages of any
25 interview, investigation, or other interaction with
26 representatives of the criminal justice system. Treatment of

1 the victim should not be affected or altered in any way as a
2 result of the victim's decision to exercise this right.

3 (Source: P.A. 103-792, eff. 1-1-25; 104-173, eff. 1-1-26;
4 104-326, eff. 1-1-26; revised 11-21-25.)

5 (725 ILCS 120/4.5)

6 Sec. 4.5. Procedures to implement the rights of crime
7 victims. To afford crime victims their rights, law
8 enforcement, prosecutors, judges, and corrections will provide
9 information, as appropriate, of the following procedures:

10 (a) At the request of the crime victim, law enforcement
11 authorities investigating the case shall provide notice of the
12 status of the investigation, except where the State's Attorney
13 determines that disclosure of such information would
14 unreasonably interfere with the investigation, until such time
15 as the alleged assailant is apprehended or the investigation
16 is closed.

17 (a-5) When law enforcement authorities reopen a closed
18 case to resume investigating, they shall provide notice of the
19 reopening of the case, except where the State's Attorney
20 determines that disclosure of such information would
21 unreasonably interfere with the investigation.

22 (a-6) The Prisoner Review Board shall publish on its
23 official public website and provide to registered victims
24 information regarding how to submit a victim impact statement.
25 The Prisoner Review Board shall consider victim impact

1 statements from any registered victims. Any registered victim,
2 including a person who has had a final, plenary,
3 non-emergency, or emergency protective order granted against
4 the petitioner or parole candidate under Article 112A of the
5 Code of Criminal Procedure of 1963, the Illinois Domestic
6 Violence Act of 1986, the Stalking No Contact Order Act, or the
7 Civil No Contact Order Act, may present victim statements that
8 the Prisoner Review Board shall consider in its deliberations.

9 (b) The office of the State's Attorney:

10 (1) shall provide notice of the filing of an
11 information, the return of an indictment, or the filing of
12 a petition to adjudicate a minor as a delinquent for a
13 violent crime;

14 (2) shall provide 7 days' notice of the date, time,
15 and place of court proceedings; of any change in the date,
16 time, and place of court proceedings; and of any
17 cancellation of court proceedings. For preliminary
18 hearings and hearings regarding pretrial release or that
19 alter the conditions of pretrial release only, if giving
20 the victim 7 days' notice is impossible, fewer days may be
21 timely, so long as the notice is provided as soon as
22 practicable and in advance of the proceeding. Notice shall
23 be provided in sufficient time, wherever possible, for the
24 victim to make arrangements to attend or to prevent an
25 unnecessary appearance at court proceedings;

26 (3) or victim advocate personnel shall provide

1 information of social services and financial assistance
2 available for victims of crime, including information of
3 how to apply for these services and assistance;

4 (3.5) or victim advocate personnel shall provide
5 information about available victim services, including
6 referrals to programs, counselors, and agencies that
7 assist a victim to deal with trauma, loss, and grief;

8 (4) shall assist in having any stolen or other
9 personal property held by law enforcement authorities for
10 evidentiary or other purposes returned as expeditiously as
11 possible, pursuant to the procedures set out in Section
12 115-9 of the Code of Criminal Procedure of 1963;

13 (5) or victim advocate personnel shall provide
14 appropriate employer intercession services to ensure that
15 employers of victims will cooperate with the criminal
16 justice system in order to minimize an employee's loss of
17 pay and other benefits resulting from court appearances;

18 (6) shall provide, whenever possible, a secure waiting
19 area during court proceedings that does not require
20 victims to be in close proximity to defendants or
21 juveniles accused of a violent crime, and their families
22 and friends;

23 (7) shall provide notice to the crime victim of the
24 right to have a translator present at all court
25 proceedings and, in compliance with the federal Americans
26 with Disabilities Act of 1990, the right to communications

1 access through a sign language interpreter or by other
2 means;

3 (8) (blank);

4 (8.5) shall inform the victim of the right to be
5 present at all court proceedings, unless the victim is to
6 testify and the court determines that the victim's
7 testimony would be materially affected if the victim hears
8 other testimony at trial;

9 (9) shall inform the victim of the right to have
10 present at all court proceedings, subject to the rules of
11 evidence and confidentiality, an advocate and other
12 support person of the victim's choice;

13 (9.3) shall inform the victim of the right to retain
14 an attorney, at the victim's own expense, who, upon
15 written notice filed with the clerk of the court and
16 State's Attorney, is to receive copies of all notices,
17 motions, and court orders filed thereafter in the case, in
18 the same manner as if the victim were a named party in the
19 case;

20 (9.5) shall inform the victim of (A) the victim's
21 right under Section 6 of this Act to make a statement at
22 the sentencing hearing; (B) the right of the victim's
23 spouse, guardian, parent, grandparent, and other immediate
24 family and household members under Section 6 of this Act
25 to present a statement at sentencing; and (C) if a
26 presentence report is to be prepared, the right of the

1 victim's spouse, guardian, parent, grandparent, and other
2 immediate family and household members to submit
3 information to the preparer of the presentence report
4 about the effect the offense has had on the victim and the
5 person;

6 (10) at the sentencing shall make a good faith attempt
7 to explain the minimum amount of time during which the
8 defendant may actually be physically imprisoned. The
9 Office of the State's Attorney shall further notify the
10 crime victim of the right to request from the Prisoner
11 Review Board or Department of Juvenile Justice information
12 concerning the release of the defendant;

13 (11) shall request restitution at sentencing and as
14 part of a plea agreement if the victim requests
15 restitution;

16 (12) shall, upon the court entering a verdict of not
17 guilty by reason of insanity, inform the victim of the
18 notification services available from the Department of
19 Human Services, including the statewide telephone number,
20 under subparagraph (d) (2) of this Section;

21 (13) shall provide notice within a reasonable time
22 after receipt of notice from the custodian, of the release
23 of the defendant on pretrial release or personal
24 recognizance or the release from detention of a minor who
25 has been detained;

26 (14) shall explain in nontechnical language the

1 details of any plea or verdict of a defendant, or any
2 adjudication of a juvenile as a delinquent;

3 (15) shall make all reasonable efforts to consult with
4 the crime victim before the Office of the State's Attorney
5 makes an offer of a plea bargain to the defendant or enters
6 into negotiations with the defendant concerning a possible
7 plea agreement, and shall consider the written statement,
8 if prepared prior to entering into a plea agreement. The
9 right to consult with the prosecutor does not include the
10 right to veto a plea agreement or to insist the case go to
11 trial. If the State's Attorney has not consulted with the
12 victim prior to making an offer or entering into plea
13 negotiations with the defendant, the Office of the State's
14 Attorney shall notify the victim of the offer or the
15 negotiations within 2 business days and confer with the
16 victim;

17 (16) shall provide notice of the ultimate disposition
18 of the cases arising from an indictment or an information,
19 or a petition to have a juvenile adjudicated as a
20 delinquent for a violent crime;

21 (17) shall provide notice of any appeal taken by the
22 defendant and information on how to contact the
23 appropriate agency handling the appeal, and how to request
24 notice of any hearing, oral argument, or decision of an
25 appellate court;

26 (18) shall provide timely notice of any request for

1 post-conviction review filed by the defendant under
2 Article 122 of the Code of Criminal Procedure of 1963, and
3 of the date, time and place of any hearing concerning the
4 petition. Whenever possible, notice of the hearing shall
5 be given within 48 hours of the court's scheduling of the
6 hearing;

7 (19) shall forward a copy of any statement presented
8 under Section 6 to the Prisoner Review Board or Department
9 of Juvenile Justice to be considered in making a
10 determination under Section 3-2.5-85 or subsection (b) of
11 Section 3-3-8 of the Unified Code of Corrections;

12 (20) shall, within a reasonable time, offer to meet
13 with the crime victim regarding the decision of the
14 State's Attorney not to charge an offense, and shall meet
15 with the victim, if the victim agrees. The victim has a
16 right to have an attorney, advocate, and other support
17 person of the victim's choice attend this meeting with the
18 victim; and

19 (21) shall give the crime victim timely notice of any
20 decision not to pursue charges and consider the safety of
21 the victim when deciding how to give such notice.

22 (c) The court shall ensure that the rights of the victim
23 are afforded.

24 (c-5) The following procedures shall be followed to afford
25 victims the rights guaranteed by Article I, Section 8.1 of the
26 Illinois Constitution:

1 (1) Written notice. A victim may complete a written
2 notice of intent to assert rights on a form prepared by the
3 Office of the Attorney General and provided to the victim
4 by the State's Attorney. The victim may at any time
5 provide a revised written notice to the State's Attorney.
6 The State's Attorney shall file the written notice with
7 the court. At the beginning of any court proceeding in
8 which the right of a victim may be at issue, the court and
9 prosecutor shall review the written notice to determine
10 whether the victim has asserted the right that may be at
11 issue.

12 (2) Victim's retained attorney. A victim's attorney
13 shall file an entry of appearance limited to assertion of
14 the victim's rights. Upon the filing of the entry of
15 appearance and service on the State's Attorney and the
16 defendant, the attorney is to receive copies of all
17 notices, motions and court orders filed thereafter in the
18 case.

19 (3) Standing. The victim has standing to assert the
20 rights enumerated in subsection (a) of Article I, Section
21 8.1 of the Illinois Constitution and the statutory rights
22 under Section 4 of this Act in any court exercising
23 jurisdiction over the criminal case. The prosecuting
24 attorney, a victim, or the victim's retained attorney may
25 assert the victim's rights. The defendant in the criminal
26 case has no standing to assert a right of the victim in any

1 court proceeding, including on appeal.

2 (4) Assertion of and enforcement of rights.

3 (A) The prosecuting attorney shall assert a
4 victim's right or request enforcement of a right by
5 filing a motion or by orally asserting the right or
6 requesting enforcement in open court in the criminal
7 case outside the presence of the jury. The prosecuting
8 attorney shall consult with the victim and the
9 victim's attorney regarding the assertion or
10 enforcement of a right. If the prosecuting attorney
11 decides not to assert or enforce a victim's right, the
12 prosecuting attorney shall notify the victim or the
13 victim's attorney in sufficient time to allow the
14 victim or the victim's attorney to assert the right or
15 to seek enforcement of a right.

16 (B) If the prosecuting attorney elects not to
17 assert a victim's right or to seek enforcement of a
18 right, the victim or the victim's attorney may assert
19 the victim's right or request enforcement of a right
20 by filing a motion or by orally asserting the right or
21 requesting enforcement in open court in the criminal
22 case outside the presence of the jury.

23 (C) If the prosecuting attorney asserts a victim's
24 right or seeks enforcement of a right, unless the
25 prosecuting attorney objects or the trial court does
26 not allow it, the victim or the victim's attorney may

1 be heard regarding the prosecuting attorney's motion
2 or may file a simultaneous motion to assert or request
3 enforcement of the victim's right. If the victim or
4 the victim's attorney was not allowed to be heard at
5 the hearing regarding the prosecuting attorney's
6 motion, and the court denies the prosecuting
7 attorney's assertion of the right or denies the
8 request for enforcement of a right, the victim or
9 victim's attorney may file a motion to assert the
10 victim's right or to request enforcement of the right
11 within 10 days of the court's ruling. The motion need
12 not demonstrate the grounds for a motion for
13 reconsideration. The court shall rule on the merits of
14 the motion.

15 (D) The court shall take up and decide any motion
16 or request asserting or seeking enforcement of a
17 victim's right without delay, unless a specific time
18 period is specified by law or court rule. The reasons
19 for any decision denying the motion or request shall
20 be clearly stated on the record.

21 (E) No later than January 1, 2023, the Office of
22 the Attorney General shall:

23 (i) designate an administrative authority
24 within the Office of the Attorney General to
25 receive and investigate complaints relating to the
26 provision or violation of the rights of a crime

1 victim as described in Article I, Section 8.1 of
2 the Illinois Constitution and in this Act;

3 (ii) create and administer a course of
4 training for employees and offices of the State of
5 Illinois that fail to comply with provisions of
6 Illinois law pertaining to the treatment of crime
7 victims as described in Article I, Section 8.1 of
8 the Illinois Constitution and in this Act as
9 required by the court under Section 5 of this Act;
10 and

11 (iii) have the authority to make
12 recommendations to employees and offices of the
13 State of Illinois to respond more effectively to
14 the needs of crime victims, including regarding
15 the violation of the rights of a crime victim.

16 (F) Crime victims' rights may also be asserted by
17 filing a complaint for mandamus, injunctive, or
18 declaratory relief in the jurisdiction in which the
19 victim's right is being violated or where the crime is
20 being prosecuted. For complaints or motions filed by
21 or on behalf of the victim, the clerk of court shall
22 waive filing fees that would otherwise be owed by the
23 victim for any court filing with the purpose of
24 enforcing crime victims' rights. If the court denies
25 the relief sought by the victim, the reasons for the
26 denial shall be clearly stated on the record in the

1 transcript of the proceedings, in a written opinion,
2 or in the docket entry, and the victim may appeal the
3 circuit court's decision to the appellate court. The
4 court shall issue prompt rulings regarding victims'
5 rights. Proceedings seeking to enforce victims' rights
6 shall not be stayed or subject to unreasonable delay
7 via continuances.

8 (5) Violation of rights and remedies.

9 (A) If the court determines that a victim's right
10 has been violated, the court shall determine the
11 appropriate remedy for the violation of the victim's
12 right by hearing from the victim and the parties,
13 considering all factors relevant to the issue, and
14 then awarding appropriate relief to the victim.

15 (A-5) Consideration of an issue of a substantive
16 nature or an issue that implicates the constitutional
17 or statutory right of a victim at a court proceeding
18 labeled as a status hearing shall constitute a per se
19 violation of a victim's right.

20 (B) The appropriate remedy shall include only
21 actions necessary to provide the victim the right to
22 which the victim was entitled. Remedies may include,
23 but are not limited to: injunctive relief requiring
24 the victim's right to be afforded; declaratory
25 judgment recognizing or clarifying the victim's
26 rights; a writ of mandamus; and may include reopening

1 previously held proceedings; however, in no event
2 shall the court vacate a conviction. Any remedy shall
3 be tailored to provide the victim an appropriate
4 remedy without violating any constitutional right of
5 the defendant. In no event shall the appropriate
6 remedy to the victim be a new trial or damages.

7 The court shall impose a mandatory training course
8 provided by the Attorney General for the employee under
9 item (ii) of subparagraph (E) of paragraph (4), which must
10 be successfully completed within 6 months of the entry of
11 the court order.

12 This paragraph (5) takes effect January 2, 2023.

13 (6) Right to be heard. Whenever a victim has the right
14 to be heard, the court shall allow the victim to exercise
15 the right in any reasonable manner the victim chooses.

16 (7) Right to attend trial. A party must file a written
17 motion to exclude a victim from trial at least 60 days
18 prior to the date set for trial. The motion must state with
19 specificity the reason exclusion is necessary to protect a
20 constitutional right of the party, and must contain an
21 offer of proof. The court shall rule on the motion within
22 30 days. If the motion is granted, the court shall set
23 forth on the record the facts that support its finding
24 that the victim's testimony will be materially affected if
25 the victim hears other testimony at trial.

26 (8) Right to have advocate and support person present

1 at court proceedings.

2 (A) A party who intends to call an advocate as a
3 witness at trial must seek permission of the court
4 before the subpoena is issued. The party must file a
5 written motion at least 90 days before trial that sets
6 forth specifically the issues on which the advocate's
7 testimony is sought and an offer of proof regarding
8 (i) the content of the anticipated testimony of the
9 advocate; and (ii) the relevance, admissibility, and
10 materiality of the anticipated testimony. The court
11 shall consider the motion and make findings within 30
12 days of the filing of the motion. If the court finds by
13 a preponderance of the evidence that: (i) the
14 anticipated testimony is not protected by an absolute
15 privilege; and (ii) the anticipated testimony contains
16 relevant, admissible, and material evidence that is
17 not available through other witnesses or evidence, the
18 court shall issue a subpoena requiring the advocate to
19 appear to testify at an in camera hearing. The
20 prosecuting attorney and the victim shall have 15 days
21 to seek appellate review before the advocate is
22 required to testify at an ex parte in camera
23 proceeding.

24 The prosecuting attorney, the victim, and the
25 advocate's attorney shall be allowed to be present at
26 the ex parte in camera proceeding. If, after

1 conducting the ex parte in camera hearing, the court
2 determines that due process requires any testimony
3 regarding confidential or privileged information or
4 communications, the court shall provide to the
5 prosecuting attorney, the victim, and the advocate's
6 attorney a written memorandum on the substance of the
7 advocate's testimony. The prosecuting attorney, the
8 victim, and the advocate's attorney shall have 15 days
9 to seek appellate review before a subpoena may be
10 issued for the advocate to testify at trial. The
11 presence of the prosecuting attorney at the ex parte
12 in camera proceeding does not make the substance of
13 the advocate's testimony that the court has ruled
14 inadmissible subject to discovery.

15 (B) If a victim has asserted the right to have a
16 support person present at the court proceedings, the
17 victim shall provide the name of the person the victim
18 has chosen to be the victim's support person to the
19 prosecuting attorney, within 60 days of trial. The
20 prosecuting attorney shall provide the name to the
21 defendant. If the defendant intends to call the
22 support person as a witness at trial, the defendant
23 must seek permission of the court before a subpoena is
24 issued. The defendant must file a written motion at
25 least 45 days prior to trial that sets forth
26 specifically the issues on which the support person

1 will testify and an offer of proof regarding: (i) the
2 content of the anticipated testimony of the support
3 person; and (ii) the relevance, admissibility, and
4 materiality of the anticipated testimony.

5 If the prosecuting attorney intends to call the
6 support person as a witness during the State's
7 case-in-chief, the prosecuting attorney shall inform
8 the court of this intent in the response to the
9 defendant's written motion. The victim may choose a
10 different person to be the victim's support person.
11 The court may allow the defendant to inquire about
12 matters outside the scope of the direct examination
13 during cross-examination. If the court allows the
14 defendant to do so, the support person shall be
15 allowed to remain in the courtroom after the support
16 person has testified. A defendant who fails to
17 question the support person about matters outside the
18 scope of direct examination during the State's
19 case-in-chief waives the right to challenge the
20 presence of the support person on appeal. The court
21 shall allow the support person to testify if called as
22 a witness in the defendant's case-in-chief or the
23 State's rebuttal.

24 If the court does not allow the defendant to
25 inquire about matters outside the scope of the direct
26 examination, the support person shall be allowed to

1 remain in the courtroom after the support person has
2 been called by the defendant or the defendant has
3 rested. The court shall allow the support person to
4 testify in the State's rebuttal.

5 If the prosecuting attorney does not intend to
6 call the support person in the State's case-in-chief,
7 the court shall verify with the support person whether
8 the support person, if called as a witness, would
9 testify as set forth in the offer of proof. If the
10 court finds that the support person would testify as
11 set forth in the offer of proof, the court shall rule
12 on the relevance, materiality, and admissibility of
13 the anticipated testimony. If the court rules the
14 anticipated testimony is admissible, the court shall
15 issue the subpoena. The support person may remain in
16 the courtroom after the support person testifies and
17 shall be allowed to testify in rebuttal.

18 If the court excludes the victim's support person
19 during the State's case-in-chief, the victim shall be
20 allowed to choose another support person to be present
21 in court.

22 If the victim fails to designate a support person
23 within 60 days of trial and the defendant has
24 subpoenaed the support person to testify at trial, the
25 court may exclude the support person from the trial
26 until the support person testifies. If the court

1 excludes the support person the victim may choose
2 another person as a support person.

3 (9) Right to notice and hearing before disclosure of
4 confidential or privileged information or records.

5 (A) A defendant who seeks to subpoena testimony or
6 records of or concerning the victim that are
7 confidential or privileged by law must seek permission
8 of the court before the subpoena is issued. The
9 defendant must file a written motion and an offer of
10 proof regarding the relevance, admissibility and
11 materiality of the testimony or records. If the court
12 finds by a preponderance of the evidence that:

13 (i) the testimony or records are not protected
14 by an absolute privilege and

15 (ii) the testimony or records contain
16 relevant, admissible, and material evidence that
17 is not available through other witnesses or
18 evidence, the court shall issue a subpoena
19 requiring the witness to appear in camera or a
20 sealed copy of the records be delivered to the
21 court to be reviewed in camera. If, after
22 conducting an in camera review of the witness
23 statement or records, the court determines that
24 due process requires disclosure of any potential
25 testimony or any portion of the records, the court
26 shall provide copies of the records that it

1 intends to disclose to the prosecuting attorney
2 and the victim. The prosecuting attorney and the
3 victim shall have 30 days to seek appellate review
4 before the records are disclosed to the defendant,
5 used in any court proceeding, or disclosed to
6 anyone or in any way that would subject the
7 testimony or records to public review. The
8 disclosure of copies of any portion of the
9 testimony or records to the prosecuting attorney
10 under this Section does not make the records
11 subject to discovery or required to be provided to
12 the defendant.

13 (B) A prosecuting attorney who seeks to subpoena
14 information or records concerning the victim that are
15 confidential or privileged by law must first request
16 the written consent of the crime victim. If the victim
17 does not provide such written consent, including where
18 necessary the appropriate signed document required for
19 waiving privilege, the prosecuting attorney must serve
20 the subpoena at least 21 days prior to the date a
21 response or appearance is required to allow the
22 subject of the subpoena time to file a motion to quash
23 or request a hearing. The prosecuting attorney must
24 also send a written notice to the victim at least 21
25 days prior to the response date to allow the victim to
26 file a motion or request a hearing. The notice to the

1 victim shall inform the victim (i) that a subpoena has
2 been issued for confidential information or records
3 concerning the victim, (ii) that the victim has the
4 right to request a hearing prior to the response date
5 of the subpoena, and (iii) how to request the hearing.
6 The notice to the victim shall also include a copy of
7 the subpoena. If requested, a hearing regarding the
8 subpoena shall occur before information or records are
9 provided to the prosecuting attorney.

10 (10) Right to notice of court proceedings. If the
11 victim is not present at a court proceeding in which a
12 right of the victim is at issue, the court shall ask the
13 prosecuting attorney whether the victim was notified of
14 the time, place, and purpose of the court proceeding and
15 that the victim had a right to be heard at the court
16 proceeding. If the court determines that timely notice was
17 not given or that the victim was not adequately informed
18 of the nature of the court proceeding, the court shall not
19 rule on any substantive issues, accept a plea, or impose a
20 sentence and shall continue the hearing for the time
21 necessary to notify the victim of the time, place and
22 nature of the court proceeding. The time between court
23 proceedings shall not be attributable to the State under
24 Section 103-5 of the Code of Criminal Procedure of 1963.

25 (11) Right to timely disposition of the case. A victim
26 has the right to timely disposition of the case so as to

1 minimize the stress, cost, and inconvenience resulting
2 from the victim's involvement in the case. Before ruling
3 on a motion to continue trial or other court proceeding,
4 the court shall inquire into the circumstances for the
5 request for the delay and, if the victim has provided
6 written notice of the assertion of the right to a timely
7 disposition, and whether the victim objects to the delay.
8 If the victim objects, the prosecutor shall inform the
9 court of the victim's objections. If the prosecutor has
10 not conferred with the victim about the continuance, the
11 prosecutor shall inform the court of the attempts to
12 confer. If the court finds the attempts of the prosecutor
13 to confer with the victim were inadequate to protect the
14 victim's right to be heard, the court shall give the
15 prosecutor at least 3 but not more than 5 business days to
16 confer with the victim. In ruling on a motion to continue,
17 the court shall consider the reasons for the requested
18 continuance, the number and length of continuances that
19 have been granted, the victim's objections and procedures
20 to avoid further delays. If a continuance is granted over
21 the victim's objection, the court shall specify on the
22 record the reasons for the continuance and the procedures
23 that have been or will be taken to avoid further delays.

24 (12) Right to Restitution.

25 (A) If the victim has asserted the right to
26 restitution and the amount of restitution is known at

1 the time of sentencing, the court shall enter the
2 judgment of restitution at the time of sentencing.

3 (B) If the victim has asserted the right to
4 restitution and the amount of restitution is not known
5 at the time of sentencing, the prosecutor shall,
6 within 5 days after sentencing, notify the victim what
7 information and documentation related to restitution
8 is needed and that the information and documentation
9 must be provided to the prosecutor within 45 days
10 after sentencing. Failure to timely provide
11 information and documentation related to restitution
12 shall be deemed a waiver of the right to restitution.
13 The prosecutor shall file and serve within 60 days
14 after sentencing a proposed judgment for restitution
15 and a notice that includes information concerning the
16 identity of any victims or other persons seeking
17 restitution, whether any victim or other person
18 expressly declines restitution, the nature and amount
19 of any damages together with any supporting
20 documentation, a restitution amount recommendation,
21 and the names of any co-defendants and their case
22 numbers. Within 30 days after receipt of the proposed
23 judgment for restitution, the defendant shall file any
24 objection to the proposed judgment, a statement of
25 grounds for the objection, and a financial statement.
26 If the defendant does not file an objection, the court

1 may enter the judgment for restitution without further
2 proceedings. If the defendant files an objection and
3 either party requests a hearing, the court shall
4 schedule a hearing.

5 (13) Access to presentence reports.

6 (A) The victim may request a copy of the
7 presentence report prepared under the Unified Code of
8 Corrections from the State's Attorney. The State's
9 Attorney shall redact the following information before
10 providing a copy of the report:

11 (i) the defendant's mental history and
12 condition;

13 (ii) any evaluation prepared under subsection
14 (b) or (b-5) of Section 5-3-2; and

15 (iii) the name, address, phone number, and
16 other personal information about any other victim.

17 (B) The State's Attorney or the defendant may
18 request the court redact other information in the
19 report that may endanger the safety of any person.

20 (C) The State's Attorney may orally disclose to
21 the victim any of the information that has been
22 redacted if there is a reasonable likelihood that the
23 information will be stated in court at the sentencing.

24 (D) The State's Attorney must advise the victim
25 that the victim must maintain the confidentiality of
26 the report and other information. Any dissemination of

1 the report or information that was not stated at a
2 court proceeding constitutes indirect criminal
3 contempt of court.

4 (14) Appellate relief. If the trial court denies the
5 relief requested, the victim, the victim's attorney, or
6 the prosecuting attorney may file an appeal within 30 days
7 of the trial court's ruling. The trial or appellate court
8 may stay the court proceedings if the court finds that a
9 stay would not violate a constitutional right of the
10 defendant. If the appellate court denies the relief
11 sought, the reasons for the denial shall be clearly stated
12 in a written opinion. In any appeal in a criminal case, the
13 State may assert as error the court's denial of any crime
14 victim's right in the proceeding to which the appeal
15 relates.

16 (15) Limitation on appellate relief. In no case shall
17 an appellate court provide a new trial to remedy the
18 violation of a victim's right.

19 (16) The right to be reasonably protected from the
20 accused throughout the criminal justice process and the
21 right to have the safety of the victim and the victim's
22 family considered in determining whether to release the
23 defendant, and setting conditions of release after arrest
24 and conviction. A victim of domestic violence, a sexual
25 offense, or stalking may request the entry of a protective
26 order under Article 112A of the Code of Criminal Procedure

1 of 1963.

2 (d) Procedures after the imposition of sentence.

3 (1) The Prisoner Review Board shall inform a victim or
4 any other concerned citizen, upon written request, of the
5 prisoner's release on parole, mandatory supervised
6 release, electronic detention, work release, international
7 transfer or exchange, or by the custodian, other than the
8 Department of Juvenile Justice, of the discharge of any
9 individual who was adjudicated a delinquent for a crime
10 from State custody and by the sheriff of the appropriate
11 county of any such person's final discharge from county
12 custody. The Prisoner Review Board, upon written request,
13 shall provide to a victim or any other concerned citizen a
14 recent photograph of any person convicted of a felony,
15 upon his or her release from custody. The Prisoner Review
16 Board, upon written request, shall inform a victim or any
17 other concerned citizen when feasible at least 7 days
18 prior to the prisoner's release on furlough of the times
19 and dates of such furlough. Upon written request by the
20 victim or any other concerned citizen, the State's
21 Attorney shall notify the person once of the times and
22 dates of release of a prisoner sentenced to periodic
23 imprisonment. Notification shall be based on the most
24 recent information as to the victim's or other concerned
25 citizen's residence or other location available to the
26 notifying authority.

1 (1.5) The Prisoner Review Board shall notify a victim
2 of a prisoner's pardon, commutation of sentence, release
3 on furlough, or early release from State custody, if the
4 victim has previously requested that notification. The
5 notification shall be based upon the most recent
6 information available to the Board as to the victim's
7 residence or other location. The notification requirement
8 under this paragraph (1.5) is in addition to any
9 notification requirements under any other statewide victim
10 notification systems. The Board shall document its efforts
11 to provide the required notification if a victim alleges
12 lack of notification under this paragraph (1.5).

13 (2) When the defendant has been committed to the
14 Department of Human Services pursuant to Section 5-2-4 or
15 any other provision of the Unified Code of Corrections,
16 the victim may request to be notified by the releasing
17 authority of the approval by the court of an on-grounds
18 pass, a supervised off-grounds pass, an unsupervised
19 off-grounds pass, or conditional release; the release on
20 an off-grounds pass; the return from an off-grounds pass;
21 transfer to another facility; conditional release; escape;
22 death; or final discharge from State custody. The
23 Department of Human Services shall establish and maintain
24 a statewide telephone number to be used by victims to make
25 notification requests under these provisions and shall
26 publicize this telephone number on its website and to the

1 State's Attorney of each county.

2 (3) In the event of an escape from State custody, the
3 Department of Corrections or the Department of Juvenile
4 Justice immediately shall notify the Prisoner Review Board
5 of the escape and the Prisoner Review Board shall notify
6 the victim. The notification shall be based upon the most
7 recent information as to the victim's residence or other
8 location available to the Board. When no such information
9 is available, the Board shall make all reasonable efforts
10 to obtain the information and make the notification. When
11 the escapee is apprehended, the Department of Corrections
12 or the Department of Juvenile Justice immediately shall
13 notify the Prisoner Review Board and the Board shall
14 notify the victim. The notification requirement under this
15 paragraph (3) is in addition to any notification
16 requirements under any other statewide victim notification
17 systems. The Board shall document its efforts to provide
18 the required notification if a victim alleges lack of
19 notification under this paragraph (3).

20 (4) The victim of the crime for which the prisoner has
21 been sentenced has the right to register with the Prisoner
22 Review Board's victim registry. Victims registered with
23 the Board shall receive reasonable written notice not less
24 than 30 days prior to the parole hearing or target
25 aftercare release date. The victim has the right to submit
26 a victim statement for consideration by the Prisoner

1 Review Board or the Department of Juvenile Justice in
2 writing, on film, videotape, or other electronic means, or
3 in the form of a recording prior to the parole hearing or
4 target aftercare release date, or in person at the parole
5 hearing or aftercare release protest hearing, or by
6 calling the toll-free number established in subsection (f)
7 of this Section. The victim shall be notified within 7
8 days after the prisoner has been granted parole or
9 aftercare release and shall be informed of the right to
10 inspect the registry of parole decisions, established
11 under subsection (g) of Section 3-3-5 of the Unified Code
12 of Corrections. The provisions of this paragraph (4) are
13 subject to the Open Parole Hearings Act. Victim statements
14 provided to the Board shall be confidential and
15 privileged, including any statements received prior to
16 January 1, 2020 (the effective date of Public Act
17 101-288), except if the statement was an oral statement
18 made by the victim at a hearing open to the public.

19 (4-1) The crime victim, including any person who has
20 had a final, plenary, non-emergency, or emergency
21 protective order granted against the petitioner or parole
22 candidate under Article 112A of the Code of Criminal
23 Procedure of 1963, the Illinois Domestic Violence Act of
24 1986, the Stalking No Contact Order Act, or the Civil No
25 Contact Order Act, has the right to submit a victim
26 statement, in support or opposition, for consideration by

1 the Prisoner Review Board or the Department of Juvenile
2 Justice prior to or at a hearing to determine the
3 conditions of mandatory supervised release of a person
4 sentenced to a determinate sentence or at a hearing on
5 revocation of mandatory supervised release of a person
6 sentenced to a determinate sentence. A victim statement
7 may be submitted in writing, on film, videotape, or other
8 electronic means, or in the form of a recording, or orally
9 at a hearing, or by calling the toll-free number
10 established in subsection (f) of this Section. Victim
11 statements provided to the Board shall be confidential and
12 privileged, including any statements received prior to
13 January 1, 2020 (the effective date of Public Act
14 101-288), except if the statement was an oral statement
15 made by the victim at a hearing open to the public.

16 (4-2) The crime victim, including any person who has
17 had a final, plenary, non-emergency, or emergency
18 protective order granted against the petitioner or parole
19 candidate under Article 112A of the Code of Criminal
20 Procedure of 1963, the Illinois Domestic Violence Act of
21 1986, the Stalking No Contact Order Act, or the Civil No
22 Contact Order Act, has the right to submit a victim
23 statement, in support or opposition, to the Prisoner
24 Review Board for consideration at an executive clemency
25 hearing as provided in Section 3-3-13 of the Unified Code
26 of Corrections. A victim statement may be submitted in

1 writing, on film, videotape, or other electronic means, or
2 in the form of a recording prior to a hearing, or orally at
3 a hearing, or by calling the toll-free number established
4 in subsection (f) of this Section. Victim statements
5 provided to the Board shall be confidential and
6 privileged, including any statements received prior to
7 January 1, 2020 (the effective date of Public Act
8 101-288), except if the statement was an oral statement
9 made by the victim at a hearing open to the public.

10 (5) If a statement is presented under Section 6, the
11 Prisoner Review Board or Department of Juvenile Justice
12 shall inform the victim of any order of discharge pursuant
13 to Section 3-2.5-85 or 3-3-8 of the Unified Code of
14 Corrections.

15 (6) At the written or oral request of the victim of the
16 crime for which the prisoner was sentenced or the State's
17 Attorney of the county where the person seeking parole or
18 aftercare release was prosecuted, the Prisoner Review
19 Board or Department of Juvenile Justice shall notify the
20 victim and the State's Attorney of the county where the
21 person seeking parole or aftercare release was prosecuted
22 of the death of the prisoner if the prisoner died while on
23 parole or aftercare release or mandatory supervised
24 release.

25 (7) When a defendant who has been committed to the
26 Department of Corrections, the Department of Juvenile

1 Justice, or the Department of Human Services is released
2 or discharged and subsequently committed to the Department
3 of Human Services as a sexually violent person and the
4 victim had requested to be notified by the releasing
5 authority of the defendant's discharge, conditional
6 release, death, or escape from State custody, the
7 releasing authority shall provide to the Department of
8 Human Services such information that would allow the
9 Department of Human Services to contact the victim.

10 (8) When a defendant has been convicted of a sex
11 offense as defined in Section 2 of the Sex Offender
12 Registration Act and has been sentenced to the Department
13 of Corrections or the Department of Juvenile Justice, the
14 Prisoner Review Board or the Department of Juvenile
15 Justice shall notify the victim of the sex offense of the
16 prisoner's eligibility for release on parole, aftercare
17 release, mandatory supervised release, electronic
18 detention, work release, international transfer or
19 exchange, or by the custodian of the discharge of any
20 individual who was adjudicated a delinquent for a sex
21 offense from State custody and by the sheriff of the
22 appropriate county of any such person's final discharge
23 from county custody. The notification shall be made to the
24 victim at least 30 days, whenever possible, before release
25 of the sex offender.

26 (e) The officials named in this Section may satisfy some

1 or all of their obligations to provide notices and other
2 information through participation in a statewide victim and
3 witness notification system established by the Attorney
4 General under Section 8.5 of this Act.

5 (f) The Prisoner Review Board shall establish a toll-free
6 number that may be accessed by the crime victim to present a
7 victim statement to the Board in accordance with paragraphs
8 (4), (4-1), and (4-2) of subsection (d). The Prisoner Review
9 Board shall provide registered and identified victims with the
10 contact information for the State victim assistance hotline as
11 part of its process to obtain a victim witness statement and as
12 part of its notification.

13 (g) The Prisoner Review Board shall publish on its
14 official website, and provide to registered victims,
15 procedural information on how to submit victim statements.

16 (Source: P.A. 104-11, eff. 6-20-25; 104-173, eff. 1-1-26;
17 revised 11-21-25.)

18 Section 1010. The Narcotics Profit Forfeiture Act is
19 amended by changing Sections 3 and 5.2 as follows:

20 (725 ILCS 175/3) (from Ch. 56 1/2, par. 1653)

21 Sec. 3. Definitions. In this Act:

22 (a) "Narcotics activity" means:

23 1. Any conduct punishable as a felony under the
24 Cannabis Control Act or the Illinois Controlled Substances

1 Act, or

2 2. Any conduct punishable, by imprisonment for more
3 than one year, as an offense against the law of the United
4 States or any State, concerning narcotics, controlled
5 substances, dangerous drugs, or any substance or things
6 scheduled or listed under the Cannabis Control Act, the
7 Illinois Controlled Substances Act, or the Methamphetamine
8 Control and Community Protection Act.

9 (b) "Pattern of narcotics activity" means 2 or more acts
10 of narcotics activity of which at least 2 such acts were
11 committed within 5 years of each other. At least one of those
12 acts of narcotics activity must have been committed after the
13 effective date of this Act and at least one of such acts shall
14 be or shall have been punishable as a Class X, Class 1, or
15 Class 2 felony.

16 (c) "Person" includes any individual or entity capable of
17 holding a legal or beneficial interest in property.

18 (d) "Enterprise" includes any individual, partnership,
19 corporation, association, or other entity, or group of
20 individuals associated in fact, although not a legal entity.

21 (Source: P.A. 94-556, eff. 9-11-05; revised 6-23-25.)

22 (725 ILCS 175/5.2)

23 (Text of Section before amendment by P.A. 104-131)

24 Sec. 5.2. (a) Twelve and one-half percent of all amounts
25 collected as fines pursuant to the provisions of this Act

1 shall be paid into the Drug Treatment Fund, to be used by the
2 Department of Human Services for the funding of programs and
3 services for drug-abuse treatment, and prevention and
4 education services, for juveniles.

5 (b) Eighty-seven and one-half percent of the proceeds of
6 all fines received under the provisions of this Act shall be
7 transmitted to and deposited in the treasurer's office at the
8 level of government as follows:

9 (1) If such seizure was made by a combination of law
10 enforcement personnel representing differing units of
11 local government, the court levying the fine shall
12 equitably allocate 50% of the fine among these units of
13 local government and shall allocate 37 1/2% to the county
14 general corporate fund. In the event that the seizure was
15 made by law enforcement personnel representing a unit of
16 local government from a municipality where the number of
17 inhabitants exceeds 2 million in population, the court
18 levying the fine shall allocate 87 1/2% of the fine to that
19 unit of local government. If the seizure was made by a
20 combination of law enforcement personnel representing
21 differing units of local government, and at least one of
22 those units represents a municipality where the number of
23 inhabitants exceeds 2 million in population, the court
24 shall equitably allocate 87 1/2% of the proceeds of the
25 fines received among the differing units of local
26 government.

1 (2) If such seizure was made by State law enforcement
2 personnel, then the court shall allocate 37 1/2% to the
3 State treasury and 50% to the county general corporate
4 fund.

5 (3) If a State law enforcement agency in combination
6 with a law enforcement agency or agencies of a unit or
7 units of local government conducted the seizure, the court
8 shall equitably allocate 37 1/2% of the fines to or among
9 the law enforcement agency or agencies of the unit or
10 units of local government which conducted the seizure and
11 shall allocate 50% to the county general corporate fund.

12 (c) The proceeds of all fines allocated to the law
13 enforcement agency or agencies of the unit or units of local
14 government pursuant to subsection (b) shall be made available
15 to that law enforcement agency as expendable receipts for use
16 in the enforcement of laws regulating controlled substances
17 and cannabis. The proceeds of fines awarded to the State
18 treasury shall be deposited into a special fund known as the
19 Drug Traffic Prevention Fund. Monies from this fund may be
20 used by the Illinois State Police for use in the enforcement of
21 laws regulating controlled substances and cannabis; to satisfy
22 funding provisions of the Intergovernmental Drug Laws
23 Enforcement Act; to defray costs and expenses associated with
24 returning violators of the Cannabis Control Act and the
25 Illinois Controlled Substances Act only, as provided in those
26 Acts, when punishment of the crime shall be confinement of the

1 criminal in the penitentiary; and all other monies shall be
2 paid into the General Revenue Fund in the State treasury.

3 (Source: P.A. 104-2, eff. 6-16-25.)

4 (Text of Section after amendment by P.A. 104-131)

5 Sec. 5.2. (a) Twelve and one-half percent of all amounts
6 collected as fines pursuant to the provisions of this Act
7 shall be paid into the Drug Treatment Fund, to be used by the
8 Department of Human Services for the funding of programs and
9 services for drug-abuse treatment, and prevention and
10 education services, for juveniles.

11 (b) Eighty-seven and one-half percent of the proceeds of
12 all fines received under the provisions of this Act shall be
13 transmitted to and deposited in the treasurer's office at the
14 level of government as follows:

15 (1) If such seizure was made by a combination of law
16 enforcement personnel representing differing units of
17 local government, the court levying the fine shall
18 equitably allocate 50% of the fine among these units of
19 local government and shall allocate 37 1/2% to the county
20 general corporate fund. In the event that the seizure was
21 made by law enforcement personnel representing a unit of
22 local government from a municipality where the number of
23 inhabitants exceeds 2 million in population, the court
24 levying the fine shall allocate 87 1/2% of the fine to that
25 unit of local government. If the seizure was made by a

1 combination of law enforcement personnel representing
2 differing units of local government, and at least one of
3 those units represents a municipality where the number of
4 inhabitants exceeds 2 million in population, the court
5 shall equitably allocate 87 1/2% of the proceeds of the
6 fines received among the differing units of local
7 government.

8 (2) If such seizure was made by State law enforcement
9 personnel, then the court shall allocate 37 1/2% to the
10 State treasury and 50% to the county general corporate
11 fund.

12 (3) If a State law enforcement agency in combination
13 with a law enforcement agency or agencies of a unit or
14 units of local government conducted the seizure, the court
15 shall equitably allocate 37 1/2% of the fines to or among
16 the law enforcement agency or agencies of the unit or
17 units of local government which conducted the seizure and
18 shall allocate 50% to the county general corporate fund.

19 (c) The proceeds of all fines allocated to the law
20 enforcement agency or agencies of the unit or units of local
21 government pursuant to subsection (b) shall be made available
22 to that law enforcement agency as expendable receipts for use
23 in the enforcement of laws regulating controlled substances
24 and cannabis. The proceeds of fines awarded to the State
25 treasury shall be deposited into a special fund known as the
26 State Police Operations Assistance Fund. Monies from this fund

1 may be used by the Illinois State Police for use in the
2 enforcement of laws regulating controlled substances and
3 cannabis; to satisfy funding provisions of the
4 Intergovernmental Drug Laws Enforcement Act; to defray costs
5 and expenses associated with returning violators of the
6 Cannabis Control Act and the Illinois Controlled Substances
7 Act only, as provided in those Acts, when punishment of the
8 crime shall be confinement of the criminal in the
9 penitentiary; and all other monies shall be paid into the
10 General Revenue Fund in the State treasury.

11 (Source: P.A. 104-2, eff. 6-16-25; 104-131, eff. 9-1-26;
12 revised 8-20-25.)

13 Section 1015. The Sexually Violent Persons Commitment Act
14 is amended by changing Section 30 as follows:

15 (725 ILCS 207/30)

16 Sec. 30. Detention; probable cause hearing; transfer for
17 examination.

18 (a) Upon the filing of a petition under Section 15 of this
19 Act, the court shall review the petition to determine whether
20 to issue an order for detention of the person who is the
21 subject of the petition. The person shall be detained only if
22 there is cause to believe that the person is eligible for
23 commitment under subsection (f) of Section 35 of this Act. A
24 person detained under this Section shall be held in a facility

1 approved by the Department. The Department may elect to place
2 persons who have been ordered by the court to be detained in a
3 State-operated mental health facility or a portion of that
4 facility. Persons placed in a State-operated mental health
5 facility under this Act shall be separated and shall not
6 commingle ~~comingle~~ with the recipients of the mental health
7 facility. The portion of a State-operated mental health
8 facility that is used for the persons detained under this Act
9 shall not be a part of the mental health facility for the
10 enforcement and implementation of the Mental Health and
11 Developmental Disabilities Code nor shall their care and
12 treatment be subject to the provisions of the Mental Health
13 and Developmental Disabilities Code. The changes added to this
14 Section by Public Act 98-79 are inoperative on and after June
15 30, 2015. If the person is serving a sentence of imprisonment,
16 is in a Department of Corrections correctional facility or
17 juvenile correctional facility or is committed to
18 institutional care, and the court orders detention under this
19 Section, the court shall order that the person be transferred
20 to a detention facility approved by the Department. A
21 detention order under this Section remains in effect until the
22 person is discharged after a trial under Section 35 of this Act
23 or until the effective date of a commitment order under
24 Section 40 of this Act, whichever is applicable.

25 (b) Whenever a petition is filed under Section 15 of this
26 Act, the court shall hold a hearing to determine whether there

1 is probable cause to believe that the person named in the
2 petition is a sexually violent person. If the person named in
3 the petition is in custody, the court shall hold the probable
4 cause hearing within 72 hours after the petition is filed,
5 excluding Saturdays, Sundays, and legal holidays. The court
6 may grant a continuance of the probable cause hearing for no
7 more than 7 additional days upon the motion of the respondent,
8 for good cause. If the person named in the petition has been
9 released, is on parole, is on aftercare release, is on
10 mandatory supervised release, or otherwise is not in custody,
11 the court shall hold the probable cause hearing within a
12 reasonable time after the filing of the petition. At the
13 probable cause hearing, the court shall admit and consider all
14 relevant hearsay evidence.

15 (c) If the court determines after a hearing that there is
16 probable cause to believe that the person named in the
17 petition is a sexually violent person, the court shall order
18 that the person be taken into custody if he or she is not in
19 custody and shall order the person to be transferred within a
20 reasonable time to an appropriate facility for an evaluation
21 as to whether the person is a sexually violent person. If the
22 person who is named in the petition refuses to speak to,
23 communicate with, or otherwise fails to cooperate with the
24 examining evaluator from the Department of Human Services or
25 the Department of Corrections, that person may only introduce
26 evidence and testimony from any expert or professional person

1 who is retained or court-appointed to conduct an examination
2 of the person that results from a review of the records and may
3 not introduce evidence resulting from an examination of the
4 person. Notwithstanding the provisions of Section 10 of the
5 Mental Health and Developmental Disabilities Confidentiality
6 Act, all evaluations conducted pursuant to this Act and all
7 Illinois Department of Corrections treatment records shall be
8 admissible at all proceedings held pursuant to this Act,
9 including the probable cause hearing and the trial.

10 If the court determines that probable cause does not exist
11 to believe that the person is a sexually violent person, the
12 court shall dismiss the petition.

13 (d) The Department shall promulgate rules that provide the
14 qualifications for persons conducting evaluations under
15 subsection (c) of this Section.

16 (e) If the person named in the petition claims or appears
17 to be indigent, the court shall, prior to the probable cause
18 hearing under subsection (b) of this Section, appoint counsel.

19 (Source: P.A. 98-79, eff. 7-15-13; 98-558, eff. 1-1-14;
20 98-756, eff. 7-16-14; revised 6-23-25.)

21 Section 1020. The Statewide Grand Jury Act is amended by
22 changing Sections 2, 3, and 7 as follows:

23 (725 ILCS 215/2)

24 Sec. 2. (a) County grand juries and State's Attorneys have

1 always had and shall continue to have primary responsibility
2 for investigating, indicting, and prosecuting persons who
3 violate the criminal laws of the State of Illinois. However,
4 in recent years organized terrorist activity directed against
5 innocent civilians and certain criminal enterprises have
6 developed that require investigation, indictment, and
7 prosecution on a statewide or multicounty level. The criminal
8 enterprises exist as a result of the allure of profitability
9 present in narcotic activity, the unlawful sale and transfer
10 of firearms, and streetgang related felonies and organized
11 terrorist activity is supported by the contribution of money
12 and expert assistance from geographically diverse sources. In
13 order to shut off the life blood of terrorism and weaken or
14 eliminate the criminal enterprises, assets, and property used
15 to further these offenses must be frozen, and any profit must
16 be removed. State statutes exist that can accomplish that
17 goal. Among them are the offense of money laundering,
18 violations of Article 29D of the Criminal Code of 1961 or the
19 Criminal Code of 2012, the Narcotics Profit Forfeiture Act,
20 and gunrunning. Local prosecutors need investigative personnel
21 and specialized training to attack and eliminate these
22 profits. In light of the transitory and complex nature of
23 conduct that constitutes these criminal activities, the many
24 diverse property interests that may be used, acquired directly
25 or indirectly as a result of these criminal activities, and
26 the many places that illegally obtained property may be

1 located, it is the purpose of this Act to create a limited,
2 multicounty Statewide Grand Jury with authority to
3 investigate, indict, and prosecute: narcotic activity,
4 including cannabis and controlled substance trafficking,
5 narcotics racketeering, money laundering, violations of the
6 Cannabis and Controlled Substances Tax Act, and violations of
7 Article 29D of the Criminal Code of 1961 or the Criminal Code
8 of 2012; the unlawful sale and transfer of firearms;
9 gunrunning; and streetgang related felonies.

10 (b) A Statewide Grand Jury may also investigate, indict,
11 and prosecute violations facilitated by the use of a computer
12 of any of the following offenses: indecent solicitation of a
13 child, sexual exploitation of a child, soliciting for a
14 sexually exploited child, keeping a place of commercial sexual
15 exploitation of a child, juvenile pimping, child sexual abuse
16 material, aggravated child pornography, or promoting
17 commercial sexual exploitation of a child except as described
18 in subdivision (a)(4) of Section 11-14.4 of the Criminal Code
19 of 1961 or the Criminal Code of 2012.

20 (c) A Statewide Grand Jury may also investigate, indict,
21 and prosecute violations of organized retail crime.

22 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
23 revised 11-21-25.)

24 (725 ILCS 215/3)

25 Sec. 3. Written application for the appointment of a

1 Circuit Judge to convene and preside over a Statewide Grand
2 Jury, with jurisdiction extending throughout the State, shall
3 be made to the Chief Justice of the Supreme Court. Upon such
4 written application, the Chief Justice of the Supreme Court
5 shall appoint a Circuit Judge from the circuit where the
6 Statewide Grand Jury is being sought to be convened, who shall
7 make a determination that the convening of a Statewide Grand
8 Jury is necessary.

9 In such application, the Attorney General shall state that
10 the convening of a Statewide Grand Jury is necessary because
11 of an alleged offense or offenses set forth in this Section
12 involving more than one county of the State and identifying
13 any such offense alleged; and:

14 (a) that he or she believes that the grand jury
15 function for the investigation and indictment of the
16 offense or offenses cannot effectively be performed by a
17 county grand jury together with the reasons for such
18 belief, and

19 (b) (1) that each State's Attorney with jurisdiction
20 over an offense or offenses to be investigated has
21 consented to the impaneling of the Statewide Grand Jury,
22 or

23 (2) if one or more of the State's Attorneys having
24 jurisdiction over an offense or offenses to be
25 investigated fails to consent to the impaneling of the
26 Statewide Grand Jury, the Attorney General shall set forth

1 good cause for impaneling the Statewide Grand Jury.

2 If the Circuit Judge determines that the convening of a
3 Statewide Grand Jury is necessary, he or she shall convene and
4 impanel the Statewide Grand Jury with jurisdiction extending
5 throughout the State to investigate and return indictments:

6 (a) For violations of any of the following or for any
7 other criminal offense committed in the course of
8 violating any of the following: Article 29D of the
9 Criminal Code of 1961 or the Criminal Code of 2012, the
10 Illinois Controlled Substances Act, the Cannabis Control
11 Act, the Methamphetamine Control and Community Protection
12 Act, or the Narcotics Profit Forfeiture Act; a streetgang
13 related felony offense; Section 16-25.1, 24-2.1, 24-2.2,
14 24-3, 24-3A, 24-3.1, 24-3.3, 24-3.4, 24-4, or 24-5 or
15 subsection 24-1(a)(4), 24-1(a)(6), 24-1(a)(7),
16 24-1(a)(9), 24-1(a)(10), or 24-1(c) of the Criminal Code
17 of 1961 or the Criminal Code of 2012; or a money laundering
18 offense; provided that the violation or offense involves
19 acts occurring in more than one county of this State; and

20 (a-5) For violations facilitated by the use of a
21 computer, including the use of the Internet, the World
22 Wide Web, electronic mail, a message board, a newsgroup,
23 or any other commercial or noncommercial on-line service,
24 of any of the following offenses: indecent solicitation of
25 a child, sexual exploitation of a child, soliciting for a
26 sexually exploited child, keeping a place of commercial

1 sexual exploitation of a child, juvenile pimping, child
2 sexual abuse material, aggravated child pornography, or
3 promoting commercial sexual exploitation of a child except
4 as described in subdivision (a)(4) of Section 11-14.4 of
5 the Criminal Code of 1961 or the Criminal Code of 2012; and

6 (b) For the offenses of perjury, subornation of
7 perjury, communicating with jurors and witnesses, and
8 harassment of jurors and witnesses, as they relate to
9 matters before the Statewide Grand Jury.

10 "Streetgang related" has the meaning ascribed to it in
11 Section 10 of the Illinois Streetgang Terrorism Omnibus
12 Prevention Act.

13 Upon written application by the Attorney General for the
14 convening of an additional Statewide Grand Jury, the Chief
15 Justice of the Supreme Court shall appoint a Circuit Judge
16 from the circuit for which the additional Statewide Grand Jury
17 is sought. The Circuit Judge shall determine the necessity for
18 an additional Statewide Grand Jury in accordance with the
19 provisions of this Section. No more than 2 Statewide Grand
20 Juries may be empaneled at any time.

21 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
22 revised 11-21-25.)

23 (725 ILCS 215/7) (from Ch. 38, par. 1007)

24 Sec. 7. The Attorney General or his assistant shall attend
25 each Statewide Grand Jury, and shall prosecute any indictment

1 returned by it, unless the State's Attorney of the county
2 ~~country~~ of venue for the indictment consents to prosecute the
3 indictment. The Attorney General or his assistant shall have
4 the same powers and duties in relation to a Statewide Grand
5 Jury that a State's Attorney has in relation to a county grand
6 jury, except as otherwise provided in this Act.

7 (Source: P.A. 87-466; revised 6-23-25.)

8 Section 1025. The Violent Crime Victims Assistance Act is
9 amended by changing Section 7 as follows:

10 (725 ILCS 240/7) (from Ch. 70, par. 507)

11 Sec. 7. Administration of Fund. The Attorney General shall
12 administer the disbursement of monies collected by the Fund in
13 accordance with the following procedures.

14 (a) Any public or private nonprofit agency may apply to
15 the Attorney General for selection and funding as a victim and
16 witness assistance center pursuant to this Act.

17 (b) The Attorney General shall consider the following
18 factors together with any other circumstances he or she deems
19 appropriate in selecting applicants to receive funds and to be
20 designated as victim and witness assistance centers:

21 (1) Stated goals of applicants;

22 (2) Commitment and ability to provide the services
23 described in Section 8 of this Act;

24 (3) Number of people to be served and the needs of the

1 community;

2 (4) Evidence of community support;

3 (5) Organizational structure of the agency;

4 (6) Maximization of volunteers.

5 (c) After evaluation of all applicants, the Attorney
6 General shall select a number of applicants which the Attorney
7 General deems qualified under this Act for designation to
8 receive funding pursuant to this Act for the establishment and
9 operation of the centers. Funding contracts shall be entered
10 into by the Attorney General with each designated applicant on
11 an annual basis. The Attorney General may impose matching
12 funds requirements on grant recipients. The Attorney General
13 may evaluate each recipient prior to each fund disbursement
14 ~~disposal~~ and cancel the remaining term of any contract in
15 which the recipient has failed to meet the contract
16 requirements or for any good cause.

17 (Source: P.A. 90-139, eff. 1-1-98; revised 6-23-25.)

18 Section 1030. The Unified Code of Corrections is amended
19 by changing Sections 3-1-2, 3-2-2, 3-8-4.5, 5-4.5-115, 5-5-3,
20 5-5-3.1, 5-5-3.2, 5-8-4, 5-9-1.2, 5-9-1.7, 5-9-1.8, and
21 5-9-1.16 and by setting forth, renumbering, and changing
22 multiple versions of Section 3-2-15 as follows:

23 (730 ILCS 5/3-1-2)

24 Sec. 3-1-2. Definitions.

1 (a) "Chief Administrative Officer" means the person
2 designated by the Director to exercise the powers and duties
3 of the Department of Corrections in regard to committed
4 persons within a correctional institution or facility, and
5 includes the superintendent of any juvenile institution or
6 facility.

7 (a-3) "Aftercare release" means the conditional and
8 revocable release of a person committed to the Department of
9 Juvenile Justice under the Juvenile Court Act of 1987, under
10 the supervision of the Department of Juvenile Justice.

11 (a-5) "Sex offense" for the purposes of paragraph (16) of
12 subsection (a) of Section 3-3-7, paragraph (10) of subsection
13 (a) of Section 5-6-3, and paragraph (18) of subsection (c) of
14 Section 5-6-3.1 only means:

15 (i) A violation of any of the following Sections of
16 the Criminal Code of 1961 or the Criminal Code of 2012:
17 10-7 (aiding or abetting child abduction under Section
18 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent
19 solicitation of a child), 11-6.5 (indecent solicitation of
20 an adult), 11-14.4 (promoting commercial sexual
21 exploitation of a child), 11-15.1 (soliciting for a
22 sexually exploited child), 11-17.1 (keeping a place of
23 commercial sexual exploitation of a child), 11-18.1
24 (patronizing a sexually exploited child), 11-19.1
25 (juvenile pimping), 11-19.2 (exploitation of a child),
26 11-20.1 (child sexual abuse material), 11-20.1B or 11-20.3

1 (aggravated child pornography), 11-1.40 or 12-14.1
2 (predatory criminal sexual assault of a child), or 12-33
3 (ritualized abuse of a child). An attempt to commit any of
4 these offenses.

5 (ii) A violation of any of the following Sections of
6 the Criminal Code of 1961 or the Criminal Code of 2012:
7 11-1.20 or 12-13 (criminal sexual assault), 11-1.30 or
8 12-14 (aggravated criminal sexual assault), 11-1.60 or
9 12-16 (aggravated criminal sexual abuse), and subsection
10 (a) of Section 11-1.50 or subsection (a) of Section 12-15
11 (criminal sexual abuse). An attempt to commit any of these
12 offenses.

13 (iii) A violation of any of the following Sections of
14 the Criminal Code of 1961 or the Criminal Code of 2012 when
15 the defendant is not a parent of the victim:

16 10-1 (kidnapping),
17 10-2 (aggravated kidnapping),
18 10-3 (unlawful restraint),
19 10-3.1 (aggravated unlawful restraint).

20 An attempt to commit any of these offenses.

21 (iv) A violation of any former law of this State
22 substantially equivalent to any offense listed in this
23 subsection (a-5).

24 An offense violating federal law or the law of another
25 state that is substantially equivalent to any offense listed
26 in this subsection (a-5) shall constitute a sex offense for

1 the purpose of this subsection (a-5). A finding or
2 adjudication as a sexually dangerous person under any federal
3 law or law of another state that is substantially equivalent
4 to the Sexually Dangerous Persons Act shall constitute an
5 adjudication for a sex offense for the purposes of this
6 subsection (a-5).

7 (b) "Commitment" means a judicially determined placement
8 in the custody of the Department of Corrections on the basis of
9 delinquency or conviction.

10 (c) "Committed person" is a person committed to the
11 Department, however a committed person shall not be considered
12 to be an employee of the Department of Corrections for any
13 purpose, including eligibility for a pension, benefits, or any
14 other compensation or rights or privileges which may be
15 provided to employees of the Department.

16 (c-5) "Computer scrub software" means any third-party
17 added software, designed to delete information from the
18 computer unit, the hard drive, or other software, which would
19 eliminate and prevent discovery of browser activity,
20 including, but not limited to, Internet history, address bar
21 or bars, cache or caches, and/or cookies, and which would
22 over-write files in a way so as to make previous computer
23 activity, including, but not limited to, website access, more
24 difficult to discover.

25 (c-10) "Content-controlled tablet" means any device that
26 can only access visitation applications or content relating to

1 educational or personal development.

2 (d) "Correctional institution or facility" means any
3 building or part of a building where committed persons are
4 kept in a secured manner.

5 (d-5) "Correctional officer" means: an employee of the
6 Department of Corrections who has custody and control over
7 committed persons in an adult correctional facility; or, for
8 an employee of the Department of Juvenile Justice, direct care
9 staff of persons committed to a juvenile facility.

10 (e) "Department" means both the Department of Corrections
11 and the Department of Juvenile Justice of this State, unless
12 the context is specific to either the Department of
13 Corrections or the Department of Juvenile Justice.

14 (f) "Director" means both the Director of Corrections and
15 the Director of Juvenile Justice, unless the context is
16 specific to either the Director of Corrections or the Director
17 of Juvenile Justice.

18 (f-5) (Blank).

19 (g) "Discharge" means the final termination of a
20 commitment to the Department of Corrections.

21 (h) "Discipline" means the rules and regulations for the
22 maintenance of order and the protection of persons and
23 property within the institutions and facilities of the
24 Department and their enforcement.

25 (i) "Escape" means the intentional and unauthorized
26 absence of a committed person from the custody of the

1 Department.

2 (j) "Furlough" means an authorized leave of absence from
3 the Department of Corrections for a designated purpose and
4 period of time.

5 (k) "Parole" means the conditional and revocable release
6 of a person committed to the Department of Corrections under
7 the supervision of a parole officer.

8 (l) "Prisoner Review Board" means the Board established in
9 Section 3-3-1(a), independent of the Department, to review
10 rules and regulations with respect to good time credits, to
11 hear charges brought by the Department against certain
12 prisoners alleged to have violated Department rules with
13 respect to good time credits, to set release dates for certain
14 prisoners sentenced under the law in effect prior to February
15 1, 1978 (the effective date of Public Act 80-1099), to hear and
16 decide the time of aftercare release for persons committed to
17 the Department of Juvenile Justice under the Juvenile Court
18 Act of 1987 to hear requests and make recommendations to the
19 Governor with respect to pardon, reprieve or commutation, to
20 set conditions for parole, aftercare release, and mandatory
21 supervised release and determine whether violations of those
22 conditions justify revocation of parole or release, and to
23 assume all other functions previously exercised by the
24 Illinois Parole and Pardon Board.

25 (m) Whenever medical treatment, service, counseling, or
26 care is referred to in this Unified Code of Corrections, such

1 term may be construed by the Department or Court, within its
2 discretion, to include treatment, service, or counseling by a
3 Christian Science practitioner or nursing care appropriate
4 therewith whenever request therefor is made by a person
5 subject to the provisions of this Code.

6 (n) "Victim" shall have the meaning ascribed to it in
7 subsection (a) of Section 3 of the Rights of Crime Victims and
8 Witnesses Act.

9 (o) "Wrongfully imprisoned person" means a person who has
10 been discharged from a prison of this State and has received:

11 (1) a pardon from the Governor stating that such
12 pardon is issued on the ground of innocence of the crime
13 for which he or she was imprisoned; or

14 (2) a certificate of innocence from the Circuit Court
15 as provided in Section 2-702 of the Code of Civil
16 Procedure.

17 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
18 revised 11-21-25.)

19 (730 ILCS 5/3-2-2)

20 Sec. 3-2-2. Powers and duties of the Department.

21 (1) In addition to the powers, duties, and
22 responsibilities which are otherwise provided by law, the
23 Department shall have the following powers:

24 (a) To accept persons committed to it by the courts of
25 this State for care, custody, treatment, and

1 rehabilitation, and to accept federal prisoners and
2 noncitizens over whom the Office of the Federal Detention
3 Trustee is authorized to exercise the federal detention
4 function for limited purposes and periods of time.

5 (b) To develop and maintain reception and evaluation
6 units for purposes of analyzing the custody and
7 rehabilitation needs of persons committed to it and to
8 assign such persons to institutions and programs under its
9 control or transfer them to other appropriate agencies. In
10 consultation with the Department of Alcoholism and
11 Substance Abuse (now the Department of Human Services),
12 the Department of Corrections shall develop a master plan
13 for the screening and evaluation of persons committed to
14 its custody who have alcohol or drug abuse problems, and
15 for making appropriate treatment available to such
16 persons; the Department shall report to the General
17 Assembly on such plan not later than April 1, 1987. The
18 maintenance and implementation of such plan shall be
19 contingent upon the availability of funds.

20 (b-1) To create and implement, on January 1, 2002, a
21 pilot program to establish the effectiveness of
22 pupillometer technology (the measurement of the pupil's
23 reaction to light) as an alternative to a urine test for
24 purposes of screening and evaluating persons committed to
25 its custody who have alcohol or drug problems. The pilot
26 program shall require the pupillometer technology to be

1 used in at least one Department of Corrections facility.
2 The Director may expand the pilot program to include an
3 additional facility or facilities as he or she deems
4 appropriate. A minimum of 4,000 tests shall be included in
5 the pilot program. The Department must report to the
6 General Assembly on the effectiveness of the program by
7 January 1, 2003.

8 (b-5) To develop, in consultation with the Illinois
9 State Police, a program for tracking and evaluating each
10 inmate from commitment through release for recording his
11 or her gang affiliations, activities, or ranks.

12 (c) To maintain and administer all State correctional
13 institutions and facilities under its control and to
14 establish new ones as needed. Pursuant to its power to
15 establish new institutions and facilities, the Department
16 may, with the written approval of the Governor, authorize
17 the Department of Central Management Services to enter
18 into an agreement of the type described in subsection (d)
19 of Section 405-300 of the Department of Central Management
20 Services Law. The Department shall designate those
21 institutions which shall constitute the State Penitentiary
22 System. The Department of Juvenile Justice shall maintain
23 and administer all State youth centers pursuant to
24 subsection (d) of Section 3-2.5-20.

25 Pursuant to its power to establish new institutions
26 and facilities, the Department may authorize the

1 Department of Central Management Services to accept bids
2 from counties and municipalities for the construction,
3 remodeling, or conversion of a structure to be leased to
4 the Department of Corrections for the purposes of its
5 serving as a correctional institution or facility. Such
6 construction, remodeling, or conversion may be financed
7 with revenue bonds issued pursuant to the Industrial
8 Building Revenue Bond Act by the municipality or county.
9 The lease specified in a bid shall be for a term of not
10 less than the time needed to retire any revenue bonds used
11 to finance the project, but not to exceed 40 years. The
12 lease may grant to the State the option to purchase the
13 structure outright.

14 Upon receipt of the bids, the Department may certify
15 one or more of the bids and shall submit any such bids to
16 the General Assembly for approval. Upon approval of a bid
17 by a constitutional majority of both houses of the General
18 Assembly, pursuant to joint resolution, the Department of
19 Central Management Services may enter into an agreement
20 with the county or municipality pursuant to such bid.

21 (c-5) To build and maintain regional juvenile
22 detention centers and to charge a per diem to the counties
23 as established by the Department to defray the costs of
24 housing each minor in a center. In this subsection (c-5),
25 "juvenile detention center" means a facility to house
26 minors during pendency of trial who have been transferred

1 from proceedings under the Juvenile Court Act of 1987 to
2 prosecutions under the criminal laws of this State in
3 accordance with Section 5-805 of the Juvenile Court Act of
4 1987, whether the transfer was by operation of law or
5 permissive under that Section. The Department shall
6 designate the counties to be served by each regional
7 juvenile detention center.

8 (d) To develop and maintain programs of control,
9 rehabilitation, and employment of committed persons within
10 its institutions.

11 (d-5) To provide a pre-release job preparation program
12 for inmates at Illinois adult correctional centers.

13 (d-10) To provide educational and visitation
14 opportunities to committed persons within its institutions
15 through temporary access to content-controlled tablets
16 that may be provided as a privilege to committed persons
17 to induce or reward compliance.

18 (e) To establish a system of supervision and guidance
19 of committed persons in the community.

20 (f) To establish in cooperation with the Department of
21 Transportation to supply a sufficient number of prisoners
22 for use by the Department of Transportation to clean up
23 the trash and garbage along State, county, township, or
24 municipal highways as designated by the Department of
25 Transportation. The Department of Corrections, at the
26 request of the Department of Transportation, shall furnish

1 such prisoners at least annually for a period to be agreed
2 upon between the Director of Corrections and the Secretary
3 of Transportation. The prisoners used on this program
4 shall be selected by the Director of Corrections on
5 whatever basis he deems proper in consideration of their
6 term, behavior and earned eligibility to participate in
7 such program - where they will be outside of the prison
8 facility but still in the custody of the Department of
9 Corrections. Prisoners convicted of first degree murder,
10 or a Class X felony, or armed violence, or aggravated
11 kidnapping, or criminal sexual assault, aggravated
12 criminal sexual abuse or a subsequent conviction for
13 criminal sexual abuse, or forcible detention, or arson, or
14 a prisoner adjudged a Habitual Criminal shall not be
15 eligible for selection to participate in such program. The
16 prisoners shall remain as prisoners in the custody of the
17 Department of Corrections and such Department shall
18 furnish whatever security is necessary. The Department of
19 Transportation shall furnish trucks and equipment for the
20 highway cleanup program and personnel to supervise and
21 direct the program. Neither the Department of Corrections
22 nor the Department of Transportation shall replace any
23 regular employee with a prisoner.

24 (g) To maintain records of persons committed to it and
25 to establish programs of research, statistics, and
26 planning.

1 (h) To investigate the grievances of any person
2 committed to the Department and to inquire into any
3 alleged misconduct by employees or committed persons; and
4 for these purposes it may issue subpoenas and compel the
5 attendance of witnesses and the production of writings and
6 papers, and may examine under oath any witnesses who may
7 appear before it; to also investigate alleged violations
8 of a parolee's or releasee's conditions of parole or
9 release; and for this purpose it may issue subpoenas and
10 compel the attendance of witnesses and the production of
11 documents only if there is reason to believe that such
12 procedures would provide evidence that such violations
13 have occurred.

14 If any person fails to obey a subpoena issued under
15 this subsection, the Director may apply to any circuit
16 court to secure compliance with the subpoena. The failure
17 to comply with the order of the court issued in response
18 thereto shall be punishable as contempt of court.

19 (i) To appoint and remove the chief administrative
20 officers, and administer programs of training and
21 development of personnel of the Department. Personnel
22 assigned by the Department to be responsible for the
23 custody and control of committed persons or to investigate
24 the alleged misconduct of committed persons or employees
25 or alleged violations of a parolee's or releasee's
26 conditions of parole shall be conservators of the peace

1 for those purposes, and shall have the full power of peace
2 officers outside of the facilities of the Department in
3 the protection, arrest, retaking, and reconfining of
4 committed persons or where the exercise of such power is
5 necessary to the investigation of such misconduct or
6 violations. This subsection shall not apply to persons
7 committed to the Department of Juvenile Justice under the
8 Juvenile Court Act of 1987 on aftercare release.

9 (j) To cooperate with other departments and agencies
10 and with local communities for the development of
11 standards and programs for better correctional services in
12 this State.

13 (k) To administer all moneys and properties of the
14 Department.

15 (l) To report annually to the Governor on the
16 committed persons, institutions, and programs of the
17 Department.

18 (1-5) (Blank).

19 (m) To make all rules and regulations and exercise all
20 powers and duties vested by law in the Department.

21 (n) To establish rules and regulations for
22 administering a system of sentence credits, established in
23 accordance with Section 3-6-3, subject to review by the
24 Prisoner Review Board.

25 (o) To administer the distribution of funds from the
26 State Treasury to reimburse counties where State penal

1 institutions are located for the payment of assistant
2 state's attorneys' salaries under Section 4-2001 of the
3 Counties Code.

4 (p) To exchange information with the Department of
5 Human Services and the Department of Healthcare and Family
6 Services for the purpose of verifying living arrangements
7 and for other purposes directly connected with the
8 administration of this Code and the Illinois Public Aid
9 Code.

10 (q) To establish a diversion program.

11 The program shall provide a structured environment for
12 selected technical parole or mandatory supervised release
13 violators and committed persons who have violated the
14 rules governing their conduct while in work release. This
15 program shall not apply to those persons who have
16 committed a new offense while serving on parole or
17 mandatory supervised release or while committed to work
18 release.

19 Elements of the program shall include, but shall not
20 be limited to, the following:

21 (1) The staff of a diversion facility shall
22 provide supervision in accordance with required
23 objectives set by the facility.

24 (2) Participants shall be required to maintain
25 employment.

26 (3) Each participant shall pay for room and board

1 at the facility on a sliding-scale basis according to
2 the participant's income.

3 (4) Each participant shall:

4 (A) provide restitution to victims in
5 accordance with any court order;

6 (B) provide financial support to his
7 dependents; and

8 (C) make appropriate payments toward any other
9 court-ordered obligations.

10 (5) Each participant shall complete community
11 service in addition to employment.

12 (6) Participants shall take part in such
13 counseling, educational, and other programs as the
14 Department may deem appropriate.

15 (7) Participants shall submit to drug and alcohol
16 screening.

17 (8) The Department shall promulgate rules
18 governing the administration of the program.

19 (r) To enter into intergovernmental cooperation
20 agreements under which persons in the custody of the
21 Department may participate in a county impact
22 incarceration program established under Section 3-6038 or
23 3-15003.5 of the Counties Code.

24 (r-5) (Blank).

25 (r-10) To systematically and routinely identify with
26 respect to each streetgang active within the correctional

1 system: (1) each active gang; (2) every existing
2 inter-gang affiliation or alliance; and (3) the current
3 leaders in each gang. The Department shall promptly
4 segregate leaders from inmates who belong to their gangs
5 and allied gangs. "Segregate" means no physical contact
6 and, to the extent possible under the conditions and space
7 available at the correctional facility, prohibition of
8 visual and sound communication. For the purposes of this
9 paragraph (r-10), "leaders" means persons who:

10 (i) are members of a criminal streetgang;

11 (ii) with respect to other individuals within the
12 streetgang, occupy a position of organizer,
13 supervisor, or other position of management or
14 leadership; and

15 (iii) are actively and personally engaged in
16 directing, ordering, authorizing, or requesting
17 commission of criminal acts by others, which are
18 punishable as a felony, in furtherance of streetgang
19 related activity both within and outside of the
20 Department of Corrections.

21 "Streetgang", "gang", and "streetgang related" have the
22 meanings ascribed to them in Section 10 of the Illinois
23 Streetgang Terrorism Omnibus Prevention Act.

24 (s) To operate a super-maximum security institution,
25 in order to manage and supervise inmates who are
26 disruptive or dangerous and provide for the safety and

1 security of the staff and the other inmates.

2 (t) To monitor any unprivileged conversation or any
3 unprivileged communication, whether in person or by mail,
4 telephone, or other means, between an inmate who, before
5 commitment to the Department, was a member of an organized
6 gang and any other person without the need to show cause or
7 satisfy any other requirement of law before beginning the
8 monitoring, except as constitutionally required. The
9 monitoring may be by video, voice, or other method of
10 recording or by any other means. As used in this
11 subdivision (1)(t), "organized gang" has the meaning
12 ascribed to it in Section 10 of the Illinois Streetgang
13 Terrorism Omnibus Prevention Act.

14 As used in this subdivision (1)(t), "unprivileged
15 conversation" or "unprivileged communication" means a
16 conversation or communication that is not protected by any
17 privilege recognized by law or by decision, rule, or order
18 of the Illinois Supreme Court.

19 (u) To establish a Women's and Children's Pre-release
20 Community Supervision Program for the purpose of providing
21 housing and services to eligible female inmates, as
22 determined by the Department, and their newborn and young
23 children.

24 (u-5) To issue an order, whenever a person committed
25 to the Department absconds or absents himself or herself,
26 without authority to do so, from any facility or program

1 to which he or she is assigned. The order shall be
2 certified by the Director, the Supervisor of the
3 Apprehension Unit, or any person duly designated by the
4 Director, with the seal of the Department affixed. The
5 order shall be directed to all sheriffs, coroners, and
6 police officers, or to any particular person named in the
7 order. Any order issued pursuant to this subdivision
8 (1)(u-5) shall be sufficient warrant for the officer or
9 person named in the order to arrest and deliver the
10 committed person to the proper correctional officials and
11 shall be executed the same as criminal process.

12 (u-6) To appoint a point of contact person who shall
13 receive suggestions, complaints, or other requests to the
14 Department from visitors to Department institutions or
15 facilities and from other members of the public.

16 (u-7) To collaborate with the Department of Human
17 Services and other State agencies to develop and implement
18 screening and follow-up protocols for intake and reentry
19 personnel and contractors on identification and response
20 to Department-involved individuals who demonstrate
21 indications of past labor or sex trafficking
22 victimization, criminal sexual exploitation or a history
23 of involvement in the sex trade that may put them at risk
24 of human trafficking. Protocols should include assessment
25 and provision of pre-release and post-release housing,
26 legal, medical, mental health and substance-use disorder

1 treatment services and recognize the specialized needs of
2 victims of human trafficking.

3 (u-8) To provide statewide training for Department of
4 Corrections intake and reentry personnel and contractors
5 on identification and response to Department-involved
6 individuals who demonstrate indications of past
7 trafficking victimization or child sexual exploitation
8 that put them at risk of human trafficking.

9 (u-9) To offer access to specialized services for
10 Department-involved individuals within the care that
11 demonstrate indications of past trafficking victimization
12 or child sexual exploitation that put them at risk of
13 trafficking. As used in this subsection, "specialized
14 services" means substance use ~~substance-use~~ disorder,
15 mental health, medical, case-management, housing, and
16 other support services by Department employees or
17 contractors who have completed victim-centered,
18 trauma-informed training specifically designed to address
19 the complex psychological ~~and~~ or physical needs of victims
20 of human trafficking, sexual exploitation, or a history of
21 involvement with the sex trade.

22 (v) To do all other acts necessary to carry out the
23 provisions of this Chapter.

24 (2) The Department of Corrections shall by January 1,
25 1998, consider building and operating a correctional facility
26 within 100 miles of a county of over 2,000,000 inhabitants,

1 especially a facility designed to house juvenile participants
2 in the impact incarceration program.

3 (3) When the Department lets bids for contracts for
4 medical services to be provided to persons committed to
5 Department facilities by a health maintenance organization,
6 medical service corporation, or other health care provider,
7 the bid may only be let to a health care provider that has
8 obtained an irrevocable letter of credit or performance bond
9 issued by a company whose bonds have an investment grade or
10 higher rating by a bond rating organization.

11 (3.5) If the Department has a contract with a pharmacy
12 benefit manager or a contract with an insurance company,
13 health maintenance organization, limited health service
14 organization, administrative services organization, or any
15 other managed care entity or health insurance issuer where a
16 pharmacy benefit manager administers the provider's coverage
17 of, payment for, or formulary design for drugs necessary to
18 safeguard the minor's life or health, the contract with the
19 pharmacy benefit manager and the pharmacy benefit manager's
20 activities shall be subject to Article XXXIIB of the Illinois
21 Insurance Code and the authority of the Director of Insurance
22 to enforce those provisions. The provider shall have all the
23 rights of a plan sponsor under those provisions.

24 (4) When the Department lets bids for contracts for food
25 or commissary services to be provided to Department
26 facilities, the bid may only be let to a food or commissary

1 services provider that has obtained an irrevocable letter of
2 credit or performance bond issued by a company whose bonds
3 have an investment grade or higher rating by a bond rating
4 organization.

5 (5) On and after the date 6 months after August 16, 2013
6 (the effective date of Public Act 98-488), as provided in the
7 Executive Order 1 (2012) Implementation Act, all of the
8 powers, duties, rights, and responsibilities related to State
9 healthcare purchasing under this Code that were transferred
10 from the Department of Corrections to the Department of
11 Healthcare and Family Services by Executive Order 3 (2005) are
12 transferred back to the Department of Corrections; however,
13 powers, duties, rights, and responsibilities related to State
14 healthcare purchasing under this Code that were exercised by
15 the Department of Corrections before the effective date of
16 Executive Order 3 (2005) but that pertain to individuals
17 resident in facilities operated by the Department of Juvenile
18 Justice are transferred to the Department of Juvenile Justice.

19 (6) The Department of Corrections shall provide lactation
20 or nursing mothers rooms for personnel of the Department. The
21 rooms shall be provided in each facility of the Department
22 that employs nursing mothers. Each individual lactation room
23 must:

24 (i) contain doors that lock;

25 (ii) have an "Occupied" sign for each door;

26 (iii) contain electrical outlets for plugging in

1 breast pumps;

2 (iv) have sufficient lighting and ventilation;

3 (v) contain comfortable chairs;

4 (vi) contain a countertop or table for all necessary
5 supplies for lactation;

6 (vii) contain a wastebasket and chemical cleaners to
7 wash one's hands and to clean the surfaces of the
8 countertop or table;

9 (viii) have a functional sink;

10 (ix) have a minimum of one refrigerator for storage of
11 the breast milk; and

12 (x) receive routine daily maintenance.

13 (Source: P.A. 103-834, eff. 1-1-25; 104-27, eff. 1-1-26;
14 104-159, eff. 1-1-26; revised 11-21-25.)

15 (730 ILCS 5/3-2-15)

16 Sec. 3-2-15. Department of Corrections; report of hospice
17 and palliative care for committed persons.

18 (a) Purposes. The General Assembly finds that:

19 (1) The United States prison population is aging
20 rapidly.

21 (2) Illinois' prison population is similarly aging
22 rapidly, with over 1,000 prisoners aged 65 or older.

23 (3) As a result of the aging prison population more
24 committed persons are in need of end-of-life care and
25 support services.

1 (4) The Department of Corrections has a policy on
2 end-of-life care, which provides, in part, that the goals
3 are: "safe, dignified and comfortable dying,
4 self-determined life closure and effective grieving".

5 (5) The Department of Corrections does not have a
6 formal hospice program; rather, end-of-life care is
7 provided on a prison-by-prison basis which results in
8 inconsistent care for committed persons who have been
9 diagnosed with terminal illnesses or who are expected to
10 reach the end of their life.

11 (6) At some prisons, end-of-life care is at times
12 provided, in part, by other committed persons assigned as
13 aides.

14 (7) The Department of Corrections does not have
15 centralized or consistent data on the number of committed
16 persons receiving end-of-life care.

17 (8) The Department of Corrections does not have
18 centralized or consistent data on the number of prisoner
19 aides who are assigned to assist in providing end-of-life
20 care.

21 (9) The Department of Corrections does not currently
22 have a system for tracking patient outcomes or grievances
23 related to the quality of end-of-life care provided.

24 (10) Data on the end-of-life care provided in the
25 Department of Corrections is needed to give the General
26 Assembly and the public an understanding of the

1 Department's approach to end-of-life care for terminally
2 ill committed persons in its custody.

3 (11) Eddie Thomas was a committed person of the
4 Department of Corrections who died alone in the back of a
5 prison infirmary without any end-of-life care just 5
6 months after being diagnosed with late stage lung cancer.

7 (b) Definitions. In this Section:

8 "Advance directive for health care" means written
9 instructions of the patient's wishes as to how future care
10 should be delivered or declined, including decisions that must
11 be made when the patient is not capable of expressing those
12 wishes. Advance directives may also appoint an agent with
13 power of attorney for health care.

14 "Department" means the Department of Corrections.

15 "Hospice and palliative care" means physical, social,
16 emotional, and spiritual support care for committed persons
17 who have been diagnosed with a known terminal condition with a
18 life expectancy of 6 months or less. This includes, but is not
19 limited to, assistance with activities of daily living and
20 comfort care.

21 "Peer support" refers to assistance and companionship
22 provided by committed persons who have been trained to offer
23 emotional, social, and practical support to fellow committed
24 persons receiving hospice and palliative care.

25 "Terminal condition" means an incurable or irreversible
26 condition that, without the administration of life-sustaining

1 procedures, will, according to reasonable medical judgment,
2 result in death within a relatively short period of time; or a
3 state of permanent unconsciousness from which, to a reasonable
4 degree of medical certainty, there can be no recovery.

5 (c) Reporting requirement. No later than December 1 of
6 each year, the Department shall prepare a report to be
7 published on its website that contains, at a minimum, the
8 following information about hospice and palliative care in its
9 institutions and facilities during the prior fiscal year:

10 (1) demographic data of committed persons who received
11 hospice and palliative care, separated by the following
12 categories:

13 (A) race or ethnicity;

14 (B) gender;

15 (C) age;

16 (D) primary cause of terminal illness or
17 condition; and

18 (E) length of incarceration prior to receiving
19 end-of-life care;

20 (2) data on the number of committed persons in the
21 Department's hospice and palliative care programs,
22 including the following:

23 (A) the total number of committed persons enrolled
24 in the Department's hospice and palliative care
25 programs;

26 (B) the total number of admissions into and

1 discharges from the Department's hospice and
2 palliative care programs, including the number of
3 committed persons who died while in the program and
4 the number of committed persons who were removed from
5 the program for other reasons; and

6 (C) the number of committed persons denied entry
7 into the Department's hospice and palliative care
8 programs, including any reasons that they were denied;

9 (3) data on the timing of hospice and palliative care
10 programming, including the following:

11 (A) the average length of time that committed
12 persons receive hospice and palliative care; and

13 (B) the average length of time between the
14 diagnosis of a terminal condition and admission into a
15 hospice and palliative care program;

16 (4) the number of committed persons in the custody of
17 the Department who died, separated by the following
18 categories:

19 (A) committed persons who died while receiving
20 hospice and palliative care; and

21 (B) committed persons who died without receiving
22 hospice and palliative care, and the number of such
23 committed persons who died as a result of natural,
24 accidental, suicidal, or homicidal causes;

25 (5) policies and administrative directives of each
26 Department institution and facility regarding the

1 institution of hospice and palliative care. This data
2 shall include the following information:

3 (A) the name of each institution and facility that
4 offers hospice and palliative care services;

5 (B) criteria to be eligible for hospice and
6 palliative care services, both Department-wide and at
7 each institution and facility;

8 (C) a list of the types of hospice and palliative
9 care services that are offered in each institution and
10 facility. This list shall include, but is not limited
11 to, pain management, psychological counseling, peer
12 support, and chaplain services. If available, this
13 list shall also include supportive services offered to
14 family members of committed persons;

15 (D) the accreditation status of the Department's
16 hospice and palliative care programs, if available;

17 (E) the procedures for committed persons in the
18 Department's custody to request an advance directive
19 for health care in each institution and facility;

20 (F) the procedures for health care or legal staff
21 to assist committed persons in completing advance
22 directive instruments; and

23 (G) the procedures for health care providers to
24 implement advance directives for health care in each
25 institution and facility;

26 (6) the staff available for hospice and palliative

1 care. This data shall include the following:

2 (A) the number of specialized staff at each
3 institution and facility, including palliative care
4 physicians, nurses, and social workers;

5 (B) the number of volunteers dedicated to hospice
6 and palliative care, separated by the following
7 categories:

8 (i) volunteers who are committed persons of
9 the Department;

10 (ii) volunteers who are not committed persons
11 of the Department; and

12 (iii) the ratio between the number of staff
13 and the number of patients in the Department's
14 hospice and palliative care programs; and

15 (7) the cost of the Department's hospice and
16 palliative care programs, including the following:

17 (A) the annual costs associated with hospice and
18 palliative care across the Department;

19 (B) the sources of funding for hospice and
20 palliative care services; and

21 (C) the annual costs associated with hospice and
22 palliative care at each Department institution and
23 facility.

24 All such data shall be anonymized to protect the privacy
25 of the committed persons involved in the hospice and
26 palliative care programs.

(Source: P.A. 104-220, eff. 1-1-26.)

(730 ILCS 5/3-2-16)

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

Sec. 3-2-16 ~~3-2-15~~. Department of Corrections; report of contraband. The Department of Corrections shall annually collect and publish on its website the following data:

(1) contraband-related data:

(A) identified by facility;

(B) identified by the place in the facility where the contraband was found, including, but not limited to, cell, visiting room, common areas, or correctional employee dining facility;

(C) any method of entrance to the facility, including, but not limited to, correctional employee entrance, visitor entrance, vendor entrance, delivery person entrance, mail delivery, attorney visit, and other entrances to the facility;

(D) searches of persons and vehicles entering the facility;

(E) type of contraband:

(i) drugs: specified by type or kind:

(I) item tested;

(II) test used; and

(III) test results (positive, negative,

inconclusive, or unknown);

(ii) phones;

(iii) weapons; and

(iv) other contraband;

(F) number of instances or individuals caught possessing or attempting to procure or possess contraband:

(i) by facility; and

(ii) by designation of person within the facility such as staff or committed person; and

(G) number of referrals for prosecution for contraband brought into a correctional facility by staff and individuals in custody. Data shall be presented as a statewide aggregate and shall not identify any particular facility, county, or locality;

(2) substance use disorder treatment or educational programming data by facility:

(A) available treatment programs indicating level of treatment: substance use ~~used~~ education or intensive services;

(B) number of participants; and

(C) number of committed persons on waitlist;

(3) data regarding the use of naloxone by correctional employees and committed persons, excluding persons who administered the naloxone;

(4) data regarding emergency medical response and

1 hospitalizations of individuals in custody:

2 (A) by facility;

3 (B) for what reason, including, for example,
4 suspected drug overdose or exposure, injury inflicted
5 by another person, environmental or workplace injury,
6 or other; and

7 (C) by outcome:

8 (i) off-site emergency room visit;

9 (ii) off-site medical furlough;

10 (iii) total number of individuals in custody
11 housed in outside hospitals;

12 (iv) total number of days individuals are
13 housed in outside hospitals; and

14 (5) data regarding emergency medical response and
15 hospitalizations of staff:

16 (A) by facility; and

17 (B) for what reason, including, for example,
18 suspected drug overdose or exposure, injury inflicted
19 by another person, environmental or workplace injury,
20 or other.

21 The data described in paragraph (1) and subparagraph (A)
22 of paragraphs (4) and (5) shall be collected beginning July 1,
23 2026 and shall be published annually on or before August 1 of
24 each year. All other data described in paragraphs (2) through
25 (5) shall be collected beginning July 1, 2027 and shall be
26 published annually on or before August 1 of each year.

1 (Source: P.A. 104-412, eff. 7-1-26; revised 11-4-25.)

2 (730 ILCS 5/3-8-4.5)

3 Sec. 3-8-4.5. Department of Corrections; committed
4 persons; transfer to sheriff. If the county jail located in
5 the county where the committed person was residing immediately
6 before his or her conviction for the offense for which he or
7 she is serving a sentence in the Department of Corrections has
8 a reentry program for committed persons, the Department may
9 transfer the committed person to the sheriff of the county
10 where the reentry program is located for up to 12 months before
11 the committed person's release date for participation in the
12 reentry program. No transfer shall be made without the written
13 approval of the sheriff of that county.

14 (Source: P.A. 103-203, eff. 1-1-24; revised 6-23-25.)

15 (730 ILCS 5/5-4.5-115)

16 Sec. 5-4.5-115. Parole review of persons under the age of
17 21 at the time of the commission of an offense.

18 (a) For purposes of this Section, "victim" means a victim
19 of a violent crime as defined in subsection (a) of Section 3 of
20 the Rights of Crime Victims and Witnesses Act, including a
21 witness as defined in subsection (b) of Section 3 of the Rights
22 of Crime Victims and Witnesses Act; any person legally related
23 to the victim by blood, marriage, adoption, or guardianship;
24 any friend of the victim; or any concerned citizen.

1 (b) A person under 21 years of age at the time of the
2 commission of an offense or offenses, other than first degree
3 murder, and who is not serving a sentence for first degree
4 murder and who is sentenced on or after June 1, 2019 (the
5 effective date of Public Act 100-1182) shall be eligible for
6 parole review by the Prisoner Review Board after serving 10
7 years or more of his or her sentence or sentences, except for
8 those serving a sentence or sentences for: (1) aggravated
9 criminal sexual assault who shall be eligible for parole
10 review by the Prisoner Review Board after serving 20 years or
11 more of his or her sentence or sentences or (2) predatory
12 criminal sexual assault of a child who shall not be eligible
13 for parole review by the Prisoner Review Board under this
14 Section. A person under 21 years of age at the time of the
15 commission of first degree murder who is sentenced on or after
16 June 1, 2019 (the effective date of Public Act 100-1182) shall
17 be eligible for parole review by the Prisoner Review Board
18 after serving 20 years or more of his or her sentence or
19 sentences, except for those subject to a term of natural life
20 imprisonment under Section 5-8-1 of this Code or any person
21 subject to sentencing under subsection (f) of Section
22 5-4.5-105 of this Code, who shall be eligible for parole
23 review by the Prisoner Review Board after serving 40 years or
24 more of his or her sentence or sentences.

25 (c) Any date after serving the minimum term of years to
26 become eligible for parole review as set forth in subparagraph

1 (b), or up to 3 years prior to becoming eligible for parole
2 review, the eligible person may file his or her petition for
3 parole review with the Prisoner Review Board. The petition
4 shall include a copy of the order of commitment and sentence to
5 the Department of Corrections for the offense or offenses for
6 which review is sought. Within 30 days of receipt of this
7 petition, the Prisoner Review Board shall determine whether
8 the petition is appropriately filed, and if so, shall set a
9 date for parole review 3 years from receipt of the petition or
10 the date the person is eligible for parole review, whichever
11 date is sooner, and notify the Department of Corrections
12 within 10 business days. However, in no such circumstance
13 shall the hearing be scheduled sooner than one year from the
14 date of the determination that the petition is appropriately
15 filed. If the Prisoner Review Board determines that the
16 petition is not appropriately filed, it shall notify the
17 petitioner in writing, including a basis for its
18 determination.

19 (d) Within 6 months of the Prisoner Review Board's
20 determination that the petition was appropriately filed, a
21 representative from the Department of Corrections shall meet
22 with the eligible person and provide the inmate information
23 about the parole hearing process and personalized
24 recommendations for the inmate regarding his or her work
25 assignments, rehabilitative programs, and institutional
26 behavior. Following this meeting, the eligible person has 7

1 calendar days to file a written request to the representative
2 from the Department of Corrections who met with the eligible
3 person of any additional programs and services which the
4 eligible person believes should be made available to prepare
5 the eligible person for return to the community.

6 (e) One year prior to the person being eligible for
7 parole, counsel shall be appointed by the Prisoner Review
8 Board upon a finding of indigency. The eligible person may
9 waive appointed counsel or retain his or her own counsel at his
10 or her own expense.

11 (f) Nine months prior to the hearing, the Prisoner Review
12 Board shall provide the eligible person, and his or her
13 counsel, any written documents or materials it will be
14 considering in making its decision unless the written
15 documents or materials are specifically found to: (1) include
16 information which, if disclosed, would damage the therapeutic
17 relationship between the inmate and a mental health
18 professional; (2) subject any person to the actual risk of
19 physical harm; (3) threaten the safety or security of the
20 Department or an institution. In accordance with Section
21 4.5(d)(4) of the Rights of Crime Victims and Witnesses Act and
22 Section 10 of the Open Parole Hearings Act, victim statements
23 provided to the Board shall be confidential and privileged,
24 including any statements received prior to January 1, 2020
25 (the effective date of Public Act 101-288) ~~this amendatory Act~~
26 ~~of the 101st General Assembly~~, except if the statement was an

1 oral statement made by the victim at a hearing open to the
2 public. Victim statements shall not be considered public
3 documents under the provisions of the Freedom of Information
4 Act. The inmate or his or her attorney shall not be given a
5 copy of the statement, but shall be informed of the existence
6 of a victim statement and the position taken by the victim on
7 the inmate's request for parole. This shall not be construed
8 to permit disclosure to an inmate of any information which
9 might result in the risk of threats or physical harm to a
10 victim. The Prisoner Review Board shall have an ongoing duty
11 to provide the eligible person, and his or her counsel, with
12 any further documents or materials that come into its
13 possession prior to the hearing subject to the limitations
14 contained in this subsection.

15 (g) Not less than 12 months prior to the hearing, the
16 Prisoner Review Board shall provide notification to the
17 State's Attorney of the county from which the person was
18 committed and written notification to the victim or family of
19 the victim of the scheduled hearing place, date, and
20 approximate time. The written notification shall contain: (1)
21 information about their right to be present, to appear in
22 person at the parole hearing, and ~~their right~~ to make an oral
23 statement and submit information in writing, by videotape, by
24 tape recording, or by other electronic means; (2) a toll-free
25 number to call for further information about the parole review
26 process; and (3) information regarding available resources,

1 including trauma-informed therapy, they may access. If the
2 Board does not have knowledge of the current address of the
3 victim or family of the victim, it shall notify the State's
4 Attorney of the county of commitment and request assistance in
5 locating the victim or family of the victim. Those victims or
6 family of the victims who advise the Board in writing that they
7 no longer wish to be notified shall not receive future
8 notices. A victim shall have the right to submit information
9 by videotape, tape recording, or other electronic means. The
10 victim may submit this material prior to or at the parole
11 hearing. The victim also has the right to be heard at the
12 parole hearing.

13 (h) The hearing conducted by the Prisoner Review Board
14 shall be governed by Sections 15 and 20, subsection (f) of
15 Section 5, subsections (a), (a-5), (b), (b-5), and (c) of
16 Section 10, and subsection (d) of Section 25 of the Open Parole
17 Hearings Act and Part 1610 of Title 20 of the Illinois
18 Administrative Code. The eligible person has a right to be
19 present at the Prisoner Review Board hearing, unless the
20 Prisoner Review Board determines the eligible person's
21 presence is unduly burdensome when conducting a hearing under
22 paragraph (6.6) of subsection (a) of Section 3-3-2 of this
23 Code. If a psychological evaluation is submitted for the
24 Prisoner Review Board's consideration, it shall be prepared by
25 a person who has expertise in adolescent brain development and
26 behavior, and shall take into consideration the diminished

1 culpability of youthful offenders, the hallmark features of
2 youth, and any subsequent growth and increased maturity of the
3 person. At the hearing, the eligible person shall have the
4 right to make a statement on his or her own behalf.

5 (i) Only upon motion for good cause shall the date for the
6 Prisoner Review Board hearing, as set by subsection (b) of
7 this Section, be changed. No less than 15 days prior to the
8 hearing, the Prisoner Review Board shall notify the victim or
9 victim representative, the attorney, and the eligible person
10 of the exact date and time of the hearing. All hearings shall
11 be open to the public.

12 (j) (Blank).

13 (j-5) In deciding whether to grant or deny parole, the
14 Board shall consider the following factors:

15 (1) participation in rehabilitative programming
16 available to the petitioner, including, but not limited
17 to, educational courses, vocational courses, life skills
18 courses, individual or group counseling courses, civics
19 education courses, peer education courses, independent
20 studies courses, substance abuse counseling courses, and
21 behavior modification courses;

22 (2) participation in professional licensing courses or
23 on-the-job training courses;

24 (3) letters from correctional staff, educational
25 faculty, community members, friends, and other
26 incarcerated persons;

1 (4) the petitioner's potential for rehabilitation or
2 the evidence of rehabilitation in the petitioner;

3 (5) the applicant's age at the time of the offense;

4 (6) the circumstances of the offense and the
5 petitioner's role and degree of participation in the
6 offense;

7 (7) the presence of a cognitive or developmental
8 disability in the petitioner at the time of the offense;

9 (8) the petitioner's family, home environment, and
10 educational and social background at the time of the
11 offense;

12 (9) evidence that the petitioner has suffered from
13 post-traumatic stress disorder, adverse childhood
14 experiences, or other traumas that could have been a
15 contributing factor to a person's criminal behavior and
16 participation in the offense;

17 (10) the presence or expression by the petitioner of
18 remorse, compassion, or insight of harm and collateral
19 effects experienced by the victims;

20 (11) the commission of a serious disciplinary
21 infraction within the previous 5 years;

22 (12) a pattern of fewer serious institutional
23 disciplinary infractions within the previous 2 years;

24 (13) evidence that the petitioner has any serious
25 medical conditions;

26 (14) evidence that the Department is unable to meet

1 the petitioner's medical needs; and

2 (15) the petitioner's reentry plan, including, but not
3 limited to, residence plans, employment plans, continued
4 education plans, rehabilitation plans, and counseling
5 plans.

6 No one factor in this subsection (j-5) shall be
7 dispositive. In considering the factors affecting the release
8 determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner
9 Review Board panel shall consider the diminished culpability
10 of youthful offenders, the hallmark features of youth, and any
11 subsequent growth and maturity of the youthful offender during
12 incarceration.

13 (k) Unless denied parole under subsection (j) of this
14 Section and subject to the provisions of Section 3-3-9 of this
15 Code: (1) the eligible person serving a sentence for any
16 non-first degree murder offense or offenses~~7~~ shall be released
17 on parole~~7~~ which shall operate to discharge any remaining term
18 of years sentence imposed upon him or her, notwithstanding any
19 required mandatory supervised release period the eligible
20 person is required to serve; and (2) the eligible person
21 serving a sentence for any first degree murder offense~~7~~ shall
22 be released on mandatory supervised release for a period of 10
23 years subject to Section 3-3-8, which shall operate to
24 discharge any remaining term of years sentence imposed upon
25 him or her, however in no event shall the eligible person serve
26 a period of mandatory supervised release greater than the

1 aggregate of the discharged underlying sentence and the
2 mandatory supervised release period as sent forth in Section
3 5-4.5-20.

4 (l) If the Prisoner Review Board denies parole after
5 conducting the hearing under subsection (j) of this Section,
6 it shall issue a written decision which states the rationale
7 for denial, including the primary factors considered. This
8 decision shall be provided to the eligible person and his or
9 her counsel within 30 days.

10 (m) A person denied parole under subsection (j) of this
11 Section, who is not serving a sentence for either first degree
12 murder or aggravated criminal sexual assault, shall be
13 eligible for a second parole review by the Prisoner Review
14 Board 5 years after the written decision under subsection (l)
15 of this Section; a person denied parole under subsection (j)
16 of this Section, who is serving a sentence or sentences for
17 first degree murder or aggravated criminal sexual assault
18 shall be eligible for a second and final parole review by the
19 Prisoner Review Board 10 years after the written decision
20 under subsection (k) of this Section. The procedures for a
21 second parole review shall be governed by subsections (c)
22 through (k) of this Section.

23 (n) A person denied parole under subsection (m) of this
24 Section, who is not serving a sentence for either first degree
25 murder or aggravated criminal sexual assault, shall be
26 eligible for a third and final parole review by the Prisoner

1 Review Board 5 years after the written decision under
2 subsection (l) of this Section. The procedures for the third
3 and final parole review shall be governed by subsections (c)
4 through (k) of this Section.

5 (o) Notwithstanding anything else to the contrary in this
6 Section, nothing in this Section shall be construed to delay
7 parole or mandatory supervised release consideration for
8 petitioners who are or will be eligible for release earlier
9 than this Section provides. Nothing in this Section shall be
10 construed as a limit, substitution, or bar on a person's right
11 to sentencing relief, or any other manner of relief, obtained
12 by order of a court in proceedings other than as provided in
13 this Section.

14 (Source: P.A. 104-11, eff. 6-20-25; 104-233, eff. 1-1-26;
15 revised 11-21-25.)

16 (730 ILCS 5/5-5-3)

17 Sec. 5-5-3. Disposition.

18 (a) (Blank).

19 (b) (Blank).

20 (c) (1) (Blank).

21 (2) A period of probation, a term of periodic imprisonment
22 or conditional discharge shall not be imposed for the
23 following offenses. The court shall sentence the offender to
24 not less than the minimum term of imprisonment set forth in
25 this Code for the following offenses, and may order a fine or

1 restitution or both in conjunction with such term of
2 imprisonment:

3 (A) First degree murder.

4 (B) Attempted first degree murder.

5 (C) A Class X felony.

6 (D) A violation of Section 401.1 or 407 of the
7 Illinois Controlled Substances Act, or a violation of
8 subdivision (c)(1.5) of Section 401 of that Act which
9 relates to more than 5 grams of a substance containing
10 fentanyl or an analog thereof.

11 (D-5) A violation of subdivision (c)(1) of Section 401
12 of the Illinois Controlled Substances Act which relates to
13 3 or more grams of a substance containing heroin or an
14 analog thereof.

15 (E) (Blank).

16 (F) A Class 1 or greater felony if the offender had
17 been convicted of a Class 1 or greater felony, including
18 any state or federal conviction for an offense that
19 contained, at the time it was committed, the same elements
20 as an offense now (the date of the offense committed after
21 the prior Class 1 or greater felony) classified as a Class
22 1 or greater felony, within 10 years of the date on which
23 the offender committed the offense for which he or she is
24 being sentenced, except as otherwise provided in Section
25 40-10 of the Substance Use Disorder Act.

26 (F-3) A Class 2 or greater felony sex offense or

1 felony firearm offense if the offender had been convicted
2 of a Class 2 or greater felony, including any state or
3 federal conviction for an offense that contained, at the
4 time it was committed, the same elements as an offense now
5 (the date of the offense committed after the prior Class 2
6 or greater felony) classified as a Class 2 or greater
7 felony, within 10 years of the date on which the offender
8 committed the offense for which he or she is being
9 sentenced, except as otherwise provided in Section 40-10
10 of the Substance Use Disorder Act.

11 (F-5) A violation of Section 24-1, 24-1.1, or 24-1.6
12 of the Criminal Code of 1961 or the Criminal Code of 2012
13 for which imprisonment is prescribed in those Sections.

14 (G) Residential burglary, except as otherwise provided
15 in Section 40-10 of the Substance Use Disorder Act.

16 (H) Criminal sexual assault.

17 (I) Aggravated battery of a senior citizen as
18 described in Section 12-4.6 or subdivision (a)(4) of
19 Section 12-3.05 of the Criminal Code of 1961 or the
20 Criminal Code of 2012.

21 (J) A forcible felony if the offense was related to
22 the activities of an organized gang.

23 Before July 1, 1994, for the purposes of this
24 paragraph, "organized gang" means an association of 5 or
25 more persons, with an established hierarchy, that
26 encourages members of the association to perpetrate crimes

1 or provides support to the members of the association who
2 do commit crimes.

3 Beginning July 1, 1994, for the purposes of this
4 paragraph, "organized gang" has the meaning ascribed to it
5 in Section 10 of the Illinois Streetgang Terrorism Omnibus
6 Prevention Act.

7 (K) Vehicular hijacking.

8 (L) A second or subsequent conviction for the offense
9 of hate crime when the underlying offense upon which the
10 hate crime is based is felony aggravated assault or felony
11 mob action.

12 (M) A second or subsequent conviction for the offense
13 of institutional vandalism if the damage to the property
14 exceeds \$300.

15 (N) A Class 3 felony violation of paragraph (1) of
16 subsection (a) of Section 2 of the Firearm Owners
17 Identification Card Act.

18 (O) A violation of Section 12-6.1 or 12-6.5 of the
19 Criminal Code of 1961 or the Criminal Code of 2012.

20 (P) A violation of paragraph (1), (2), (3), (4), (5),
21 or (7) of subsection (a) of Section 11-20.1 of the
22 Criminal Code of 1961 or the Criminal Code of 2012.

23 (P-5) A violation of paragraph (6) of subsection (a)
24 of Section 11-20.1 of the Criminal Code of 1961 or the
25 Criminal Code of 2012 if the victim is a household or
26 family member of the defendant.

1 (P-6) A violation of paragraph (2) of subsection (b)
2 of Section 11-20.4 of the Criminal Code of 2012.

3 (Q) A violation of subsection (b) or (b-5) of Section
4 20-1, Section 20-1.2, or Section 20-1.3 of the Criminal
5 Code of 1961 or the Criminal Code of 2012.

6 (R) A violation of Section 24-3A of the Criminal Code
7 of 1961 or the Criminal Code of 2012.

8 (S) (Blank).

9 (T) (Blank).

10 (U) A second or subsequent violation of Section 6-303
11 of the Illinois Vehicle Code committed while his or her
12 driver's license, permit, or privilege was revoked because
13 of a violation of Section 9-3 of the Criminal Code of 1961
14 or the Criminal Code of 2012, relating to the offense of
15 reckless homicide, or a similar provision of a law of
16 another state.

17 (V) A violation of paragraph (4) of subsection (c) of
18 Section 11-20.1B or paragraph (4) of subsection (c) of
19 Section 11-20.3 of the Criminal Code of 1961, or paragraph
20 (6) of subsection (a) of Section 11-20.1 of the Criminal
21 Code of 2012 when the victim is under 13 years of age and
22 the defendant has previously been convicted under the laws
23 of this State or any other state of the offense of child
24 sexual abuse material or child pornography, aggravated
25 child pornography, aggravated criminal sexual abuse,
26 aggravated criminal sexual assault, predatory criminal

1 sexual assault of a child, or any of the offenses formerly
2 known as rape, deviate sexual assault, indecent liberties
3 with a child, or aggravated indecent liberties with a
4 child where the victim was under the age of 18 years or an
5 offense that is substantially equivalent to those
6 offenses.

7 (V-5) A violation of paragraph (1) of subsection (b)
8 of Section 11-20.4 of the Criminal Code of 2012 when the
9 purported child depicted is indistinguishable from an
10 actual child under 13 years of age and the defendant has
11 previously been convicted under the laws of this State or
12 any other state of the offense of child pornography,
13 aggravated child pornography, aggravated criminal sexual
14 abuse, aggravated criminal sexual assault, predatory
15 criminal sexual assault of a child, or any of the offenses
16 formerly known as rape, deviate sexual assault, indecent
17 liberties with a child, or aggravated indecent liberties
18 with a child if the victim was under the age of 18 years or
19 an offense that is substantially equivalent to those
20 offenses.

21 (W) A violation of Section 24-3.5 of the Criminal Code
22 of 1961 or the Criminal Code of 2012.

23 (X) A violation of subsection (a) of Section 31-1a of
24 the Criminal Code of 1961 or the Criminal Code of 2012.

25 (Y) A conviction for unlawful possession of a firearm
26 by a street gang member when the firearm was loaded or

1 contained firearm ammunition.

2 (Z) A Class 1 felony committed while he or she was
3 serving a term of probation or conditional discharge for a
4 felony.

5 (AA) Theft of property exceeding \$500,000 and not
6 exceeding \$1,000,000 in value.

7 (BB) Laundering of criminally derived property of a
8 value exceeding \$500,000.

9 (CC) Knowingly selling, offering for sale, holding for
10 sale, or using 2,000 or more counterfeit items or
11 counterfeit items having a retail value in the aggregate
12 of \$500,000 or more.

13 (DD) A conviction for aggravated assault under
14 paragraph (6) of subsection (c) of Section 12-2 of the
15 Criminal Code of 1961 or the Criminal Code of 2012 if the
16 firearm is aimed toward the person against whom the
17 firearm is being used.

18 (EE) A conviction for a violation of paragraph (2) of
19 subsection (a) of Section 24-3B of the Criminal Code of
20 2012.

21 (3) (Blank).

22 (4) A minimum term of imprisonment of not less than 10
23 consecutive days or 30 days of community service shall be
24 imposed for a violation of paragraph (c) of Section 6-303 of
25 the Illinois Vehicle Code.

26 (4.1) (Blank).

1 (4.2) Except as provided in paragraphs (4.3) and (4.8) of
2 this subsection (c), a minimum of 100 hours of community
3 service shall be imposed for a second violation of Section
4 6-303 of the Illinois Vehicle Code.

5 (4.3) A minimum term of imprisonment of 30 days or 300
6 hours of community service, as determined by the court, shall
7 be imposed for a second violation of subsection (c) of Section
8 6-303 of the Illinois Vehicle Code.

9 (4.4) Except as provided in paragraphs (4.5), (4.6), and
10 (4.9) of this subsection (c), a minimum term of imprisonment
11 of 30 days or 300 hours of community service, as determined by
12 the court, shall be imposed for a third or subsequent
13 violation of Section 6-303 of the Illinois Vehicle Code. The
14 court may give credit toward the fulfillment of community
15 service hours for participation in activities and treatment as
16 determined by court services.

17 (4.5) A minimum term of imprisonment of 30 days shall be
18 imposed for a third violation of subsection (c) of Section
19 6-303 of the Illinois Vehicle Code.

20 (4.6) Except as provided in paragraph (4.10) of this
21 subsection (c), a minimum term of imprisonment of 180 days
22 shall be imposed for a fourth or subsequent violation of
23 subsection (c) of Section 6-303 of the Illinois Vehicle Code.

24 (4.7) A minimum term of imprisonment of not less than 30
25 consecutive days, or 300 hours of community service, shall be
26 imposed for a violation of subsection (a-5) of Section 6-303

1 of the Illinois Vehicle Code, as provided in subsection (b-5)
2 of that Section.

3 (4.8) A mandatory prison sentence shall be imposed for a
4 second violation of subsection (a-5) of Section 6-303 of the
5 Illinois Vehicle Code, as provided in subsection (c-5) of that
6 Section. The person's driving privileges shall be revoked for
7 a period of not less than 5 years from the date of his or her
8 release from prison.

9 (4.9) A mandatory prison sentence of not less than 4 and
10 not more than 15 years shall be imposed for a third violation
11 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
12 Code, as provided in subsection (d-2.5) of that Section. The
13 person's driving privileges shall be revoked for the remainder
14 of his or her life.

15 (4.10) A mandatory prison sentence for a Class 1 felony
16 shall be imposed, and the person shall be eligible for an
17 extended term sentence, for a fourth or subsequent violation
18 of subsection (a-5) of Section 6-303 of the Illinois Vehicle
19 Code, as provided in subsection (d-3.5) of that Section. The
20 person's driving privileges shall be revoked for the remainder
21 of his or her life.

22 (5) The court may sentence a corporation or unincorporated
23 association convicted of any offense to:

24 (A) a period of conditional discharge;

25 (B) a fine;

26 (C) make restitution to the victim under Section 5-5-6

1 of this Code.

2 (5.1) In addition to any other penalties imposed, and
3 except as provided in paragraph (5.2) or (5.3), a person
4 convicted of violating subsection (c) of Section 11-907 of the
5 Illinois Vehicle Code shall have his or her driver's license,
6 permit, or privileges suspended for at least 90 days but not
7 more than one year, if the violation resulted in damage to the
8 property of another person.

9 (5.2) In addition to any other penalties imposed, and
10 except as provided in paragraph (5.3), a person convicted of
11 violating subsection (c) of Section 11-907 of the Illinois
12 Vehicle Code shall have his or her driver's license, permit,
13 or privileges suspended for at least 180 days but not more than
14 2 years, if the violation resulted in injury to another
15 person.

16 (5.3) In addition to any other penalties imposed, a person
17 convicted of violating subsection (c) of Section 11-907 of the
18 Illinois Vehicle Code shall have his or her driver's license,
19 permit, or privileges suspended for 2 years, if the violation
20 resulted in the death of another person.

21 (5.4) In addition to any other penalties imposed, a person
22 convicted of violating Section 3-707 of the Illinois Vehicle
23 Code shall have his or her driver's license, permit, or
24 privileges suspended for 3 months and until he or she has paid
25 a reinstatement fee of \$100.

26 (5.5) In addition to any other penalties imposed, a person

1 convicted of violating Section 3-707 of the Illinois Vehicle
2 Code during a period in which his or her driver's license,
3 permit, or privileges were suspended for a previous violation
4 of that Section shall have his or her driver's license,
5 permit, or privileges suspended for an additional 6 months
6 after the expiration of the original 3-month suspension and
7 until he or she has paid a reinstatement fee of \$100.

8 (6) (Blank).

9 (7) (Blank).

10 (8) (Blank).

11 (9) A defendant convicted of a second or subsequent
12 offense of ritualized abuse of a child may be sentenced to a
13 term of natural life imprisonment.

14 (10) (Blank).

15 (11) The court shall impose a minimum fine of \$1,000 for a
16 first offense and \$2,000 for a second or subsequent offense
17 upon a person convicted of or placed on supervision for
18 battery when the individual harmed was a sports official or
19 coach at any level of competition and the act causing harm to
20 the sports official or coach occurred within an athletic
21 facility or within the immediate vicinity of the athletic
22 facility at which the sports official or coach was an active
23 participant of the athletic contest held at the athletic
24 facility. For the purposes of this paragraph (11), "sports
25 official" means a person at an athletic contest who enforces
26 the rules of the contest, such as an umpire or referee;

1 "athletic facility" means an indoor or outdoor playing field
2 or recreational area where sports activities are conducted;
3 and "coach" means a person recognized as a coach by the
4 sanctioning authority that conducted the sporting event.

5 (12) A person may not receive a disposition of court
6 supervision for a violation of Section 5-16 of the Boat
7 Registration and Safety Act if that person has previously
8 received a disposition of court supervision for a violation of
9 that Section.

10 (13) A person convicted of or placed on court supervision
11 for an assault or aggravated assault when the victim and the
12 offender are family or household members as defined in Section
13 103 of the Illinois Domestic Violence Act of 1986 or convicted
14 of domestic battery or aggravated domestic battery may be
15 required to attend a Partner Abuse Intervention Program under
16 protocols set forth by the Illinois Department of Human
17 Services under such terms and conditions imposed by the court.
18 The costs of such classes shall be paid by the offender.

19 (d) In any case in which a sentence originally imposed is
20 vacated, the case shall be remanded to the trial court. The
21 trial court shall hold a hearing under Section 5-4-1 of this
22 Code which may include evidence of the defendant's life, moral
23 character and occupation during the time since the original
24 sentence was passed. The trial court shall then impose
25 sentence upon the defendant. The trial court may impose any
26 sentence which could have been imposed at the original trial

1 subject to Section 5-5-4 of this Code. If a sentence is vacated
2 on appeal or on collateral attack due to the failure of the
3 trier of fact at trial to determine beyond a reasonable doubt
4 the existence of a fact (other than a prior conviction)
5 necessary to increase the punishment for the offense beyond
6 the statutory maximum otherwise applicable, either the
7 defendant may be re-sentenced to a term within the range
8 otherwise provided or, if the State files notice of its
9 intention to again seek the extended sentence, the defendant
10 shall be afforded a new trial.

11 (e) In cases where prosecution for aggravated criminal
12 sexual abuse under Section 11-1.60 or 12-16 of the Criminal
13 Code of 1961 or the Criminal Code of 2012 results in conviction
14 of a defendant who was a family member of the victim at the
15 time of the commission of the offense, the court shall
16 consider the safety and welfare of the victim and may impose a
17 sentence of probation only where:

18 (1) the court finds (A) or (B) or both are
19 appropriate:

20 (A) the defendant is willing to undergo a court
21 approved counseling program for a minimum duration of
22 2 years; or

23 (B) the defendant is willing to participate in a
24 court approved plan, including, but not limited to,
25 the defendant's:

26 (i) removal from the household;

1 (ii) restricted contact with the victim;

2 (iii) continued financial support of the
3 family;

4 (iv) restitution for harm done to the victim;
5 and

6 (v) compliance with any other measures that
7 the court may deem appropriate; and

8 (2) the court orders the defendant to pay for the
9 victim's counseling services, to the extent that the court
10 finds, after considering the defendant's income and
11 assets, that the defendant is financially capable of
12 paying for such services, if the victim was under 18 years
13 of age at the time the offense was committed and requires
14 counseling as a result of the offense.

15 Probation may be revoked or modified pursuant to Section
16 5-6-4; except where the court determines at the hearing that
17 the defendant violated a condition of his or her probation
18 restricting contact with the victim or other family members or
19 commits another offense with the victim or other family
20 members, the court shall revoke the defendant's probation and
21 impose a term of imprisonment.

22 For the purposes of this Section, "family member" and
23 "victim" shall have the meanings ascribed to them in Section
24 11-0.1 of the Criminal Code of 2012.

25 (f) (Blank).

26 (g) Whenever a defendant is convicted of an offense under

1 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14,
2 11-14.3, 11-14.4 except for an offense that involves keeping a
3 place of commercial sexual exploitation of a child, 11-15,
4 11-15.1, 11-16, 11-17, 11-18, 11-18.1, 11-19, 11-19.1,
5 11-19.2, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the
6 Criminal Code of 1961 or the Criminal Code of 2012, the
7 defendant shall undergo medical testing to determine whether
8 the defendant has any sexually transmissible disease,
9 including a test for infection with human immunodeficiency
10 virus (HIV) or any other identified causative agent of
11 acquired immunodeficiency syndrome (AIDS). Any such medical
12 test shall be performed only by appropriately licensed medical
13 practitioners and may include an analysis of any bodily fluids
14 as well as an examination of the defendant's person. Except as
15 otherwise provided by law, the results of such test shall be
16 kept strictly confidential by all medical personnel involved
17 in the testing and must be personally delivered in a sealed
18 envelope to the judge of the court in which the conviction was
19 entered for the judge's inspection in camera. Acting in
20 accordance with the best interests of the victim and the
21 public, the judge shall have the discretion to determine to
22 whom, if anyone, the results of the testing may be revealed.
23 The court shall notify the defendant of the test results. The
24 court shall also notify the victim if requested by the victim,
25 and if the victim is under the age of 15 and if requested by
26 the victim's parents or legal guardian, the court shall notify

1 the victim's parents or legal guardian of the test results.
2 The court shall provide information on the availability of HIV
3 testing and counseling at Department of Public Health
4 facilities to all parties to whom the results of the testing
5 are revealed and shall direct the State's Attorney to provide
6 the information to the victim when possible. The court shall
7 order that the cost of any such test shall be paid by the
8 county and may be taxed as costs against the convicted
9 defendant.

10 (g-5) When an inmate is tested for an airborne
11 communicable disease, as determined by the Illinois Department
12 of Public Health, including, but not limited to, tuberculosis,
13 the results of the test shall be personally delivered by the
14 warden or his or her designee in a sealed envelope to the judge
15 of the court in which the inmate must appear for the judge's
16 inspection in camera if requested by the judge. Acting in
17 accordance with the best interests of those in the courtroom,
18 the judge shall have the discretion to determine what if any
19 precautions need to be taken to prevent transmission of the
20 disease in the courtroom.

21 (h) Whenever a defendant is convicted of an offense under
22 Section 1 or 2 of the Hypodermic Syringes and Needles Act, the
23 defendant shall undergo medical testing to determine whether
24 the defendant has been exposed to human immunodeficiency virus
25 (HIV) or any other identified causative agent of acquired
26 immunodeficiency syndrome (AIDS). Except as otherwise provided

1 by law, the results of such test shall be kept strictly
2 confidential by all medical personnel involved in the testing
3 and must be personally delivered in a sealed envelope to the
4 judge of the court in which the conviction was entered for the
5 judge's inspection in camera. Acting in accordance with the
6 best interests of the public, the judge shall have the
7 discretion to determine to whom, if anyone, the results of the
8 testing may be revealed. The court shall notify the defendant
9 of a positive test showing an infection with the human
10 immunodeficiency virus (HIV). The court shall provide
11 information on the availability of HIV testing and counseling
12 at Department of Public Health facilities to all parties to
13 whom the results of the testing are revealed and shall direct
14 the State's Attorney to provide the information to the victim
15 when possible. The court shall order that the cost of any such
16 test shall be paid by the county and may be taxed as costs
17 against the convicted defendant.

18 (i) All fines and penalties imposed under this Section for
19 any violation of Chapters 3, 4, 6, and 11 of the Illinois
20 Vehicle Code, or a similar provision of a local ordinance, and
21 any violation of the Child Passenger Protection Act, or a
22 similar provision of a local ordinance, shall be collected and
23 disbursed by the circuit clerk as provided under the Criminal
24 and Traffic Assessment Act.

25 (j) In cases when prosecution for any violation of Section
26 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-8, 11-9,

1 11-11, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17,
2 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20.1,
3 11-20.1B, 11-20.3, 11-20.4, 11-21, 11-30, 11-40, 12-13, 12-14,
4 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, any violation of the Illinois
6 Controlled Substances Act, any violation of the Cannabis
7 Control Act, or any violation of the Methamphetamine Control
8 and Community Protection Act results in conviction, a
9 disposition of court supervision, or an order of probation
10 granted under Section 10 of the Cannabis Control Act, Section
11 410 of the Illinois Controlled Substances Act, or Section 70
12 of the Methamphetamine Control and Community Protection Act of
13 a defendant, the court shall determine whether the defendant
14 is employed by a facility or center as defined under the Child
15 Care Act of 1969, a public or private elementary or secondary
16 school, or otherwise works with children under 18 years of age
17 on a daily basis. When a defendant is so employed, the court
18 shall order the Clerk of the Court to send a copy of the
19 judgment of conviction or order of supervision or probation to
20 the defendant's employer by certified mail. If the employer of
21 the defendant is a school, the Clerk of the Court shall direct
22 the mailing of a copy of the judgment of conviction or order of
23 supervision or probation to the appropriate regional
24 superintendent of schools. The regional superintendent of
25 schools shall notify the State Board of Education of any
26 notification under this subsection.

1 (j-5) A defendant at least 17 years of age who is convicted
2 of a felony and who has not been previously convicted of a
3 misdemeanor or felony and who is sentenced to a term of
4 imprisonment in the Illinois Department of Corrections shall
5 as a condition of his or her sentence be required by the court
6 to attend educational courses designed to prepare the
7 defendant for a high school diploma and to work toward a high
8 school diploma or to work toward passing high school
9 equivalency testing or to work toward completing a vocational
10 training program offered by the Department of Corrections. If
11 a defendant fails to complete the educational training
12 required by his or her sentence during the term of
13 incarceration, the Prisoner Review Board shall, as a condition
14 of mandatory supervised release, require the defendant, at his
15 or her own expense, to pursue a course of study toward a high
16 school diploma or passage of high school equivalency testing.
17 The Prisoner Review Board shall revoke the mandatory
18 supervised release of a defendant who wilfully fails to comply
19 with this subsection (j-5) upon his or her release from
20 confinement in a penal institution while serving a mandatory
21 supervised release term; however, the inability of the
22 defendant after making a good faith effort to obtain financial
23 aid or pay for the educational training shall not be deemed a
24 wilful failure to comply. The Prisoner Review Board shall
25 recommit the defendant whose mandatory supervised release term
26 has been revoked under this subsection (j-5) as provided in

1 Section 3-3-9. This subsection (j-5) does not apply to a
2 defendant who has a high school diploma or has successfully
3 passed high school equivalency testing. This subsection (j-5)
4 does not apply to a defendant who is determined by the court to
5 be a person with a developmental disability or otherwise
6 mentally incapable of completing the educational or vocational
7 program.

8 (k) (Blank).

9 (l) (A) Except as provided in paragraph (C) of subsection
10 (l), whenever a defendant, who is not a citizen or national of
11 the United States, is convicted of any felony or misdemeanor
12 offense, the court after sentencing the defendant may, upon
13 motion of the State's Attorney, hold sentence in abeyance and
14 remand the defendant to the custody of the Attorney General of
15 the United States or his or her designated agent to be deported
16 when:

17 (1) a final order of deportation has been issued
18 against the defendant pursuant to proceedings under the
19 Immigration and Nationality Act, and

20 (2) the deportation of the defendant would not
21 deprecate the seriousness of the defendant's conduct and
22 would not be inconsistent with the ends of justice.

23 Otherwise, the defendant shall be sentenced as provided in
24 this Chapter V.

25 (B) If the defendant has already been sentenced for a
26 felony or misdemeanor offense, or has been placed on probation

1 under Section 10 of the Cannabis Control Act, Section 410 of
2 the Illinois Controlled Substances Act, or Section 70 of the
3 Methamphetamine Control and Community Protection Act, the
4 court may, upon motion of the State's Attorney to suspend the
5 sentence imposed, commit the defendant to the custody of the
6 Attorney General of the United States or his or her designated
7 agent when:

8 (1) a final order of deportation has been issued
9 against the defendant pursuant to proceedings under the
10 Immigration and Nationality Act, and

11 (2) the deportation of the defendant would not
12 deprecate the seriousness of the defendant's conduct and
13 would not be inconsistent with the ends of justice.

14 (C) This subsection (1) does not apply to offenders who
15 are subject to the provisions of paragraph (2) of subsection
16 (a) of Section 3-6-3.

17 (D) Upon motion of the State's Attorney, if a defendant
18 sentenced under this Section returns to the jurisdiction of
19 the United States, the defendant shall be recommitted to the
20 custody of the county from which he or she was sentenced.
21 Thereafter, the defendant shall be brought before the
22 sentencing court, which may impose any sentence that was
23 available under Section 5-5-3 at the time of initial
24 sentencing. In addition, the defendant shall not be eligible
25 for additional earned sentence credit as provided under
26 Section 3-6-3.

1 (m) A person convicted of criminal defacement of property
2 under Section 21-1.3 of the Criminal Code of 1961 or the
3 Criminal Code of 2012, in which the property damage exceeds
4 \$300 and the property damaged is a school building, shall be
5 ordered to perform community service that may include cleanup,
6 removal, or painting over the defacement.

7 (n) The court may sentence a person convicted of a
8 violation of Section 12-19, 12-21, 16-1.3, or 17-56, or
9 subsection (a) or (b) of Section 12-4.4a, of the Criminal Code
10 of 1961 or the Criminal Code of 2012 (i) to an impact
11 incarceration program if the person is otherwise eligible for
12 that program under Section 5-8-1.1, (ii) to community service,
13 or (iii) if the person has a substance use disorder, as defined
14 in the Substance Use Disorder Act, to a treatment program
15 licensed under that Act.

16 (o) Whenever a person is convicted of a sex offense as
17 defined in Section 2 of the Sex Offender Registration Act, the
18 defendant's driver's license or permit shall be subject to
19 renewal on an annual basis in accordance with the provisions
20 of license renewal established by the Secretary of State.

21 (Source: P.A. 102-168, eff. 7-27-21; 102-531, eff. 1-1-22;
22 102-813, eff. 5-13-22; 102-1030, eff. 5-27-22; 103-51, eff.
23 1-1-24; 103-825, eff. 1-1-25; 103-1071, eff. 7-1-25; 103-1081,
24 eff. 3-21-25; 104-245, eff. 1-1-26; revised 11-21-25.)

25 (730 ILCS 5/5-5-3.1) (from Ch. 38, par. 1005-5-3.1)

1 Sec. 5-5-3.1. Factors in mitigation.

2 (a) The following grounds shall be accorded weight in
3 favor of withholding or minimizing a sentence of imprisonment:

4 (1) The defendant's criminal conduct neither caused
5 nor threatened serious physical harm to another.

6 (2) The defendant did not contemplate that his
7 criminal conduct would cause or threaten serious physical
8 harm to another.

9 (3) The defendant acted under a strong provocation.

10 (4) There were substantial grounds tending to excuse
11 or justify the defendant's criminal conduct, though
12 failing to establish a defense.

13 (5) The defendant's criminal conduct was induced or
14 facilitated by someone other than the defendant.

15 (6) The defendant has compensated or will compensate
16 the victim of his criminal conduct for the damage or
17 injury that he sustained.

18 (7) The defendant has no history of prior delinquency
19 or criminal activity or has led a law-abiding life for a
20 substantial period of time before the commission of the
21 present crime.

22 (8) The defendant's criminal conduct was the result of
23 circumstances unlikely to recur.

24 (9) The character and attitudes of the defendant
25 indicate that he is unlikely to commit another crime.

26 (10) The defendant is particularly likely to comply

1 with the terms of a period of probation.

2 (11) (Blank).

3 (12) The imprisonment of the defendant would endanger
4 his or her medical condition.

5 (13) The defendant was a person with an intellectual
6 disability as defined in Section 5-1-13 of this Code.

7 (14) The defendant sought or obtained emergency
8 medical assistance for an overdose and was convicted of a
9 Class 3 felony or higher possession, manufacture, or
10 delivery of a controlled, counterfeit, or look-alike
11 substance or a controlled substance analog under the
12 Illinois Controlled Substances Act or a Class 2 felony or
13 higher possession, manufacture, or delivery of
14 methamphetamine under the Methamphetamine Control and
15 Community Protection Act.

16 (15) At the time of the offense, the defendant is or
17 had been the victim of domestic violence and the effects
18 of the domestic violence tended to excuse or justify the
19 defendant's criminal conduct. As used in this paragraph
20 (15), "domestic violence" means abuse as defined in
21 Section 103 of the Illinois Domestic Violence Act of 1986.

22 (16) At the time of the offense, the defendant was
23 suffering from a serious mental illness which, though
24 insufficient to establish the defense of insanity,
25 substantially affected his or her ability to understand
26 the nature of his or her acts or to conform his or her

1 conduct to the requirements of the law.

2 (17) At the time of the offense, the defendant was
3 suffering from postpartum ~~post-partum~~ depression or
4 postpartum ~~post-partum~~ psychosis which was either
5 undiagnosed or untreated, or both, and this temporary
6 mental illness tended to excuse or justify the defendant's
7 criminal conduct and the defendant has been diagnosed as
8 suffering from postpartum ~~post-partum~~ depression or
9 postpartum ~~post-partum~~ psychosis, or both, by a qualified
10 medical person and the diagnoses or testimony, or both,
11 was not used at trial. In this paragraph (17):

12 "Postpartum ~~Post-partum~~ depression" means a mood
13 disorder which strikes many women during and after
14 pregnancy which usually occurs during pregnancy and up
15 to 12 months after delivery. This depression can
16 include anxiety disorders.

17 "Postpartum ~~Post-partum~~ psychosis" means an
18 extreme form of postpartum ~~post-partum~~ depression
19 which can occur during pregnancy and up to 12 months
20 after delivery. This can include losing touch with
21 reality, distorted thinking, delusions, auditory and
22 visual hallucinations, paranoia, hyperactivity and
23 rapid speech, or mania.

24 (18) The defendant is pregnant or is the parent of a
25 child or infant whose well-being will be negatively
26 affected by the parent's absence. Circumstances to be

1 considered in assessing this factor in mitigation include:

2 (A) that the parent is breastfeeding the child;

3 (B) the age of the child, with strong
4 consideration given to avoid disruption of the
5 caregiving of an infant or preschool-age ~~, pre-school~~
6 or school-age child by a parent;

7 (C) the role of the parent in the day-to-day
8 educational and medical needs of the child;

9 (D) the relationship of the parent and the child;

10 (E) any special medical, educational, or
11 psychological needs of the child;

12 (F) the role of the parent in the financial
13 support of the child;

14 (G) the likelihood that the child will be adjudged
15 a dependent minor under Section 2-4 and declared a
16 ward of the court under Section 2-22 of the Juvenile
17 Court Act of 1987;

18 (H) the best interest of the child.

19 Under this Section, the defendant shall have the right
20 to present a Family Impact Statement at sentencing, which
21 the court shall consider in favor of withholding or
22 minimizing a sentence of imprisonment prior to imposing
23 any sentence and may include testimony from family and
24 community members, written statements, video, and
25 documentation. Unless the court finds that the parent
26 poses a significant risk to the community that outweighs

1 the risk of harm from the parent's removal from the
2 family, the court shall impose a sentence in accordance
3 with subsection (b) that allows the parent to continue to
4 care for the child or children.

5 (19) The defendant serves as the caregiver for a
6 relative who is ill, disabled, or elderly.

7 (b) If the court, having due regard for the character of
8 the offender, the nature and circumstances of the offense, and
9 the public interest, finds that a sentence of imprisonment is
10 the most appropriate disposition of the offender, or where
11 other provisions of this Code mandate the imprisonment of the
12 offender, the grounds listed in subsection ~~paragraph~~ (a) of
13 this Section ~~subsection~~ shall be considered as factors in
14 mitigation of the term imposed.

15 (Source: P.A. 101-471, eff. 1-1-20; 102-211, eff. 1-1-22;
16 revised 6-23-25.)

17 (730 ILCS 5/5-5-3.2)

18 Sec. 5-5-3.2. Factors in aggravation and extended-term
19 sentencing.

20 (a) The following factors shall be accorded weight in
21 favor of imposing a term of imprisonment or may be considered
22 by the court as reasons to impose a more severe sentence under
23 Section 5-8-1 or Article 4.5 of Chapter V:

24 (1) the defendant's conduct caused or threatened
25 serious harm;

1 (2) the defendant received compensation for committing
2 the offense;

3 (3) the defendant has a history of prior delinquency
4 or criminal activity;

5 (4) the defendant, by the duties of his office or by
6 his position, was obliged to prevent the particular
7 offense committed or to bring the offenders committing it
8 to justice;

9 (5) the defendant held public office at the time of
10 the offense, and the offense related to the conduct of
11 that office;

12 (6) the defendant utilized his professional reputation
13 or position in the community to commit the offense, or to
14 afford him an easier means of committing it;

15 (7) the sentence is necessary to deter others from
16 committing the same crime;

17 (8) the defendant committed the offense against a
18 person 60 years of age or older or such person's property;

19 (9) the defendant committed the offense against a
20 person who has a physical disability or such person's
21 property;

22 (10) by reason of another individual's actual or
23 perceived race, color, creed, religion, ancestry, gender,
24 sexual orientation, physical or mental disability, or
25 national origin, the defendant committed the offense
26 against (i) the person or property of that individual;

1 (ii) the person or property of a person who has an
2 association with, is married to, or has a friendship with
3 the other individual; or (iii) the person or property of a
4 relative (by blood or marriage) of a person described in
5 clause (i) or (ii). For the purposes of this Section,
6 "sexual orientation" has the meaning ascribed to it in
7 paragraph (O-1) of Section 1-103 of the Illinois Human
8 Rights Act;

9 (11) the offense took place in a place of worship or on
10 the grounds of a place of worship, immediately prior to,
11 during or immediately following worship services. For
12 purposes of this subparagraph, "place of worship" shall
13 mean any church, synagogue or other building, structure or
14 place used primarily for religious worship;

15 (12) the defendant was convicted of a felony committed
16 while he was on pretrial release or his own recognizance
17 pending trial for a prior felony and was convicted of such
18 prior felony, or the defendant was convicted of a felony
19 committed while he was serving a period of probation,
20 conditional discharge, or mandatory supervised release
21 under subsection (d) of Section 5-8-1 for a prior felony;

22 (13) the defendant committed or attempted to commit a
23 felony while he was wearing a bulletproof vest. For the
24 purposes of this paragraph (13), a bulletproof vest is any
25 device which is designed for the purpose of protecting the
26 wearer from bullets, shot or other lethal projectiles;

1 (14) the defendant held a position of trust or
2 supervision such as, but not limited to, family member as
3 defined in Section 11-0.1 of the Criminal Code of 2012,
4 teacher, scout leader, baby sitter, or day care worker, in
5 relation to a victim under 18 years of age, and the
6 defendant committed an offense in violation of Section
7 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11,
8 11-14.4 except for an offense that involves keeping a
9 place of commercial sexual exploitation of a child,
10 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3,
11 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code
12 of 1961 or the Criminal Code of 2012 against that victim;

13 (15) the defendant committed an offense related to the
14 activities of an organized gang. For the purposes of this
15 factor, "organized gang" has the meaning ascribed to it in
16 Section 10 of the Streetgang Terrorism Omnibus Prevention
17 Act;

18 (16) the defendant committed an offense in violation
19 of one of the following Sections while in a school,
20 regardless of the time of day or time of year; on any
21 conveyance owned, leased, or contracted by a school to
22 transport students to or from school or a school related
23 activity; on the real property of a school; or on a public
24 way within 1,000 feet of the real property comprising any
25 school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30,
26 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1,

1 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2,
2 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1,
3 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except
4 for subdivision (a)(4) or (g)(1), of the Criminal Code of
5 1961 or the Criminal Code of 2012;

6 (16.5) the defendant committed an offense in violation
7 of one of the following Sections while in a day care
8 center, regardless of the time of day or time of year; on
9 the real property of a day care center, regardless of the
10 time of day or time of year; or on a public way within
11 1,000 feet of the real property comprising any day care
12 center, regardless of the time of day or time of year:
13 Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40,
14 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1,
15 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3,
16 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16,
17 18-2, or 33A-2, or Section 12-3.05 except for subdivision
18 (a)(4) or (g)(1), of the Criminal Code of 1961 or the
19 Criminal Code of 2012;

20 (17) the defendant committed the offense by reason of
21 any person's activity as a community policing volunteer or
22 to prevent any person from engaging in activity as a
23 community policing volunteer. For the purpose of this
24 Section, "community policing volunteer" has the meaning
25 ascribed to it in Section 2-3.5 of the Criminal Code of
26 2012;

1 (18) the defendant committed the offense in a nursing
2 home or on the real property comprising a nursing home.
3 For the purposes of this paragraph (18), "nursing home"
4 means a skilled nursing or intermediate long term care
5 facility that is subject to license by the Illinois
6 Department of Public Health under the Nursing Home Care
7 Act, the Specialized Mental Health Rehabilitation Act of
8 2013, the ID/DD Community Care Act, or the MC/DD Act;

9 (19) the defendant was a federally licensed firearm
10 dealer and was previously convicted of a violation of
11 subsection (a) of Section 3 of the Firearm Owners
12 Identification Card Act and has now committed either a
13 felony violation of the Firearm Owners Identification Card
14 Act or an act of armed violence while armed with a firearm;

15 (20) the defendant (i) committed the offense of
16 reckless homicide under Section 9-3 of the Criminal Code
17 of 1961 or the Criminal Code of 2012 or the offense of
18 driving under the influence of alcohol, other drug or
19 drugs, intoxicating compound or compounds or any
20 combination thereof under Section 11-501 of the Illinois
21 Vehicle Code or a similar provision of a local ordinance
22 and (ii) was operating a motor vehicle in excess of 20
23 miles per hour over the posted speed limit as provided in
24 Article VI of Chapter 11 of the Illinois Vehicle Code;

25 (21) the defendant (i) committed the offense of
26 reckless driving or aggravated reckless driving under

1 Section 11-503 of the Illinois Vehicle Code and (ii) was
2 operating a motor vehicle in excess of 20 miles per hour
3 over the posted speed limit as provided in Article VI of
4 Chapter 11 of the Illinois Vehicle Code;

5 (22) the defendant committed the offense against a
6 person that the defendant knew, or reasonably should have
7 known, was a member of the Armed Forces of the United
8 States serving on active duty. For purposes of this clause
9 (22), the term "Armed Forces" means any of the Armed
10 Forces of the United States, including a member of any
11 reserve component thereof or National Guard unit called to
12 active duty;

13 (23) the defendant committed the offense against a
14 person who was elderly or infirm or who was a person with a
15 disability by taking advantage of a family or fiduciary
16 relationship with the elderly or infirm person or person
17 with a disability;

18 (24) the defendant committed any offense under Section
19 11-20.1 of the Criminal Code of 1961 or the Criminal Code
20 of 2012 and possessed 100 or more images;

21 (25) the defendant committed the offense while the
22 defendant or the victim was in a train, bus, or other
23 vehicle used for public transportation;

24 (26) the defendant committed the offense of child
25 sexual abuse material or aggravated child pornography,
26 specifically including paragraph (1), (2), (3), (4), (5),

1 or (7) of subsection (a) of Section 11-20.1 of the
2 Criminal Code of 1961 or the Criminal Code of 2012 where a
3 child engaged in, solicited for, depicted in, or posed in
4 any act of sexual penetration or bound, fettered, or
5 subject to sadistic, masochistic, or sadomasochistic abuse
6 in a sexual context and specifically including paragraph
7 (1), (2), (3), (4), (5), or (7) of subsection (a) of
8 Section 11-20.1B or Section 11-20.3 of the Criminal Code
9 of 1961 where a child engaged in, solicited for, depicted
10 in, or posed in any act of sexual penetration or bound,
11 fettered, or subject to sadistic, masochistic, or
12 sadomasochistic abuse in a sexual context;

13 (26.5) the defendant committed the offense of obscene
14 depiction of a purported child, specifically including
15 paragraph (2) of subsection (b) of Section 11-20.4 of the
16 Criminal Code of 2012 if a child engaged in, solicited
17 for, depicted in, or posed in any act of sexual
18 penetration or bound, fettered, or subject to sadistic,
19 masochistic, or sadomasochistic abuse in a sexual context;

20 (27) the defendant committed the offense of first
21 degree murder, assault, aggravated assault, battery,
22 aggravated battery, robbery, armed robbery, or aggravated
23 robbery against a person who was a veteran and the
24 defendant knew, or reasonably should have known, that the
25 person was a veteran performing duties as a representative
26 of a veterans' organization. For the purposes of this

1 paragraph (27), "veteran" means an Illinois resident who
2 has served as a member of the United States Armed Forces, a
3 member of the Illinois National Guard, or a member of the
4 United States Reserve Forces; and "veterans' organization"
5 means an organization comprised of members of which
6 substantially all are individuals who are veterans or
7 spouses, widows, or widowers of veterans, the primary
8 purpose of which is to promote the welfare of its members
9 and to provide assistance to the general public in such a
10 way as to confer a public benefit;

11 (28) the defendant committed the offense of assault,
12 aggravated assault, battery, aggravated battery, robbery,
13 armed robbery, or aggravated robbery against a person that
14 the defendant knew or reasonably should have known was a
15 letter carrier or postal worker while that person was
16 performing his or her duties delivering mail for the
17 United States Postal Service;

18 (29) the defendant committed the offense of criminal
19 sexual assault, aggravated criminal sexual assault,
20 criminal sexual abuse, or aggravated criminal sexual abuse
21 against a victim with an intellectual disability, and the
22 defendant holds a position of trust, authority, or
23 supervision in relation to the victim;

24 (30) the defendant committed the offense of promoting
25 commercial sexual exploitation of a child, patronizing a
26 person engaged in the sex trade, or patronizing a sexually

1 exploited child and at the time of the commission of the
2 offense knew that the person engaged in the sex trade or
3 sexually exploited child was in the custody or
4 guardianship of the Department of Children and Family
5 Services;

6 (31) the defendant (i) committed the offense of
7 driving while under the influence of alcohol, other drug
8 or drugs, intoxicating compound or compounds or any
9 combination thereof in violation of Section 11-501 of the
10 Illinois Vehicle Code or a similar provision of a local
11 ordinance and (ii) the defendant during the commission of
12 the offense was driving his or her vehicle upon a roadway
13 designated for one-way traffic in the opposite direction
14 of the direction indicated by official traffic control
15 devices;

16 (32) the defendant committed the offense of reckless
17 homicide while committing a violation of Section 11-907 of
18 the Illinois Vehicle Code;

19 (33) the defendant was found guilty of an
20 administrative infraction related to an act or acts of
21 public indecency or sexual misconduct in the penal
22 institution. In this paragraph (33), "penal institution"
23 has the same meaning as in Section 2-14 of the Criminal
24 Code of 2012; or

25 (34) the defendant committed the offense of leaving
26 the scene of a crash in violation of subsection (b) of

1 Section 11-401 of the Illinois Vehicle Code and the crash
2 resulted in the death of a person and at the time of the
3 offense, the defendant was: (i) driving under the
4 influence of alcohol, other drug or drugs, intoxicating
5 compound or compounds or any combination thereof as
6 defined by Section 11-501 of the Illinois Vehicle Code; or
7 (ii) operating the motor vehicle while using an electronic
8 communication device as defined in Section 12-610.2 of the
9 Illinois Vehicle Code.

10 For the purposes of this Section:

11 "School" is defined as a public or private elementary or
12 secondary school, community college, college, or university.

13 "Day care center" means a public or private State
14 certified and licensed day care center as defined in Section
15 2.09 of the Child Care Act of 1969 that displays a sign in
16 plain view stating that the property is a day care center.

17 "Intellectual disability" means significantly subaverage
18 intellectual functioning which exists concurrently with
19 impairment in adaptive behavior.

20 "Public transportation" means the transportation or
21 conveyance of persons by means available to the general
22 public, and includes paratransit services.

23 "Traffic control devices" means all signs, signals,
24 markings, and devices that conform to the Illinois Manual on
25 Uniform Traffic Control Devices, placed or erected by
26 authority of a public body or official having jurisdiction,

1 for the purpose of regulating, warning, or guiding traffic.

2 (b) The following factors, related to all felonies, may be
3 considered by the court as reasons to impose an extended term
4 sentence under Section 5-8-2 upon any offender:

5 (1) When a defendant is convicted of any felony, after
6 having been previously convicted in Illinois or any other
7 jurisdiction of the same or similar class felony or
8 greater class felony, when such conviction has occurred
9 within 10 years after the previous conviction, excluding
10 time spent in custody, and such charges are separately
11 brought and tried and arise out of different series of
12 acts; or

13 (2) When a defendant is convicted of any felony and
14 the court finds that the offense was accompanied by
15 exceptionally brutal or heinous behavior indicative of
16 wanton cruelty; or

17 (3) When a defendant is convicted of any felony
18 committed against:

19 (i) a person under 12 years of age at the time of
20 the offense or such person's property;

21 (ii) a person 60 years of age or older at the time
22 of the offense or such person's property; or

23 (iii) a person who had a physical disability at
24 the time of the offense or such person's property; or

25 (4) When a defendant is convicted of any felony and
26 the offense involved any of the following types of

1 specific misconduct committed as part of a ceremony, rite,
2 initiation, observance, performance, practice or activity
3 of any actual or ostensible religious, fraternal, or
4 social group:

5 (i) the brutalizing or torturing of humans or
6 animals;

7 (ii) the theft of human corpses;

8 (iii) the kidnapping of humans;

9 (iv) the desecration of any cemetery, religious,
10 fraternal, business, governmental, educational, or
11 other building or property; or

12 (v) ritualized abuse of a child; or

13 (5) When a defendant is convicted of a felony other
14 than conspiracy and the court finds that the felony was
15 committed under an agreement with 2 or more other persons
16 to commit that offense and the defendant, with respect to
17 the other individuals, occupied a position of organizer,
18 supervisor, financier, or any other position of management
19 or leadership, and the court further finds that the felony
20 committed was related to or in furtherance of the criminal
21 activities of an organized gang or was motivated by the
22 defendant's leadership in an organized gang; or

23 (6) When a defendant is convicted of an offense
24 committed while using a firearm with a laser sight
25 attached to it. For purposes of this paragraph, "laser
26 sight" has the meaning ascribed to it in Section 26-7 of

1 the Criminal Code of 2012; or

2 (7) When a defendant who was at least 17 years of age
3 at the time of the commission of the offense is convicted
4 of a felony and has been previously adjudicated a
5 delinquent minor under the Juvenile Court Act of 1987 for
6 an act that if committed by an adult would be a Class X or
7 Class 1 felony when the conviction has occurred within 10
8 years after the previous adjudication, excluding time
9 spent in custody; or

10 (8) When a defendant commits any felony and the
11 defendant used, possessed, exercised control over, or
12 otherwise directed an animal to assault a law enforcement
13 officer engaged in the execution of his or her official
14 duties or in furtherance of the criminal activities of an
15 organized gang in which the defendant is engaged; or

16 (9) When a defendant commits any felony and the
17 defendant knowingly video or audio records the offense
18 with the intent to disseminate the recording.

19 (c) The following factors may be considered by the court
20 as reasons to impose an extended term sentence under Section
21 5-8-2 upon any offender for the listed offenses:

22 (1) When a defendant is convicted of first degree
23 murder, after having been previously convicted in Illinois
24 of any offense listed under paragraph (c)(2) of Section
25 5-5-3, when that conviction has occurred within 10 years
26 after the previous conviction, excluding time spent in

1 custody, and the charges are separately brought and tried
2 and arise out of different series of acts.

3 (1.5) When a defendant is convicted of first degree
4 murder, after having been previously convicted of domestic
5 battery or aggravated domestic battery committed on the
6 same victim or after having been previously convicted of
7 violation of an order of protection in which the same
8 victim was the protected person.

9 (2) When a defendant is convicted of voluntary
10 manslaughter, second degree murder, involuntary
11 manslaughter, or reckless homicide in which the defendant
12 has been convicted of causing the death of more than one
13 individual.

14 (3) When a defendant is convicted of aggravated
15 criminal sexual assault or criminal sexual assault, when
16 there is a finding that aggravated criminal sexual assault
17 or criminal sexual assault was also committed on the same
18 victim by one or more other individuals, and the defendant
19 voluntarily participated in the crime with the knowledge
20 of the participation of the others in the crime, and the
21 commission of the crime was part of a single course of
22 conduct during which there was no substantial change in
23 the nature of the criminal objective.

24 (4) If the victim was under 18 years of age at the time
25 of the commission of the offense, when a defendant is
26 convicted of aggravated criminal sexual assault or

1 predatory criminal sexual assault of a child under
2 subsection (a)(1) of Section 11-1.40 or subsection (a)(1)
3 of Section 12-14.1 of the Criminal Code of 1961 or the
4 Criminal Code of 2012.

5 (5) When a defendant is convicted of a felony
6 violation of Section 24-1 of the Criminal Code of 1961 or
7 the Criminal Code of 2012 and there is a finding that the
8 defendant is a member of an organized gang.

9 (6) When a defendant was convicted of unlawful
10 possession of weapons under Section 24-1 of the Criminal
11 Code of 1961 or the Criminal Code of 2012 for possessing a
12 weapon that is not readily distinguishable as one of the
13 weapons enumerated in Section 24-1 of the Criminal Code of
14 1961 or the Criminal Code of 2012.

15 (7) When a defendant is convicted of an offense
16 involving the illegal manufacture of a controlled
17 substance under Section 401 of the Illinois Controlled
18 Substances Act, the illegal manufacture of methamphetamine
19 under Section 25 of the Methamphetamine Control and
20 Community Protection Act, or the illegal possession of
21 explosives and an emergency response officer in the
22 performance of his or her duties is killed or injured at
23 the scene of the offense while responding to the emergency
24 caused by the commission of the offense. In this
25 paragraph, "emergency" means a situation in which a
26 person's life, health, or safety is in jeopardy; and

1 "emergency response officer" means a peace officer,
2 community policing volunteer, fireman, emergency medical
3 technician-ambulance, emergency medical
4 technician-intermediate, emergency medical
5 technician-paramedic, ambulance driver, other medical
6 assistance or first aid personnel, or hospital emergency
7 room personnel.

8 (8) When the defendant is convicted of attempted mob
9 action, solicitation to commit mob action, or conspiracy
10 to commit mob action under Section 8-1, 8-2, or 8-4 of the
11 Criminal Code of 2012, where the criminal object is a
12 violation of Section 25-1 of the Criminal Code of 2012,
13 and an electronic communication is used in the commission
14 of the offense. For the purposes of this paragraph (8),
15 "electronic communication" shall have the meaning provided
16 in Section 26.5-0.1 of the Criminal Code of 2012.

17 (d) For the purposes of this Section, "organized gang" has
18 the meaning ascribed to it in Section 10 of the Illinois
19 Streetgang Terrorism Omnibus Prevention Act.

20 (e) The court may impose an extended term sentence under
21 Article 4.5 of Chapter V upon an offender who has been
22 convicted of a felony violation of Section 11-1.20, 11-1.30,
23 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or
24 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012
25 when the victim of the offense is under 18 years of age at the
26 time of the commission of the offense and, during the

1 commission of the offense, the victim was under the influence
2 of alcohol, regardless of whether or not the alcohol was
3 supplied by the offender; and the offender, at the time of the
4 commission of the offense, knew or should have known that the
5 victim had consumed alcohol.

6 (Source: P.A. 103-822, eff. 1-1-25; 103-825, eff. 1-1-25;
7 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26; 104-417, eff.
8 8-15-25; revised 9-17-25.)

9 (730 ILCS 5/5-8-4) (from Ch. 38, par. 1005-8-4)

10 Sec. 5-8-4. Concurrent and consecutive terms of
11 imprisonment.

12 (a) Concurrent terms; multiple or additional sentences.
13 When an Illinois court (i) imposes multiple sentences of
14 imprisonment on a defendant at the same time or (ii) imposes a
15 sentence of imprisonment on a defendant who is already subject
16 to a sentence of imprisonment imposed by an Illinois court, a
17 court of another state, or a federal court, then the sentences
18 shall run concurrently unless otherwise determined by the
19 Illinois court under this Section.

20 (b) Concurrent terms; misdemeanor and felony. A defendant
21 serving a sentence for a misdemeanor who is convicted of a
22 felony and sentenced to imprisonment shall be transferred to
23 the Department of Corrections, and the misdemeanor sentence
24 shall be merged in and run concurrently with the felony
25 sentence.

1 (c) Consecutive terms; permissive. The court may impose
2 consecutive sentences in any of the following circumstances:

3 (1) If, having regard to the nature and circumstances
4 of the offense and the history and character of the
5 defendant, it is the opinion of the court that consecutive
6 sentences are required to protect the public from further
7 criminal conduct by the defendant, the basis for which the
8 court shall set forth in the record.

9 (2) If one of the offenses for which a defendant was
10 convicted was a violation of Section 32-5.2 (aggravated
11 false personation of a peace officer) of the Criminal Code
12 of 1961 (720 ILCS 5/32-5.2) or a violation of subdivision
13 (b)(5) or (b)(6) of Section 17-2 of the Criminal Code of
14 1961 or the Criminal Code of 2012 (720 ILCS 5/17-2) and the
15 offense was committed in attempting or committing a
16 forcible felony.

17 (3) If a person charged with a felony commits a
18 separate felony while on pretrial release or in pretrial
19 detention in a county jail facility or county detention
20 facility, then the sentences imposed upon conviction of
21 these felonies may be served consecutively regardless of
22 the order in which the judgments of conviction are
23 entered.

24 (4) If a person commits a battery against a county
25 correctional officer or sheriff's employee while serving a
26 sentence or in pretrial detention in a county jail

1 facility, then the sentence imposed upon conviction of the
2 battery may be served consecutively with the sentence
3 imposed upon conviction of the earlier misdemeanor or
4 felony, regardless of the order in which the judgments of
5 conviction are entered.

6 (5) If a person admitted to pretrial release following
7 conviction of a felony commits a separate felony while
8 released pretrial or if a person detained in a county jail
9 facility or county detention facility following conviction
10 of a felony commits a separate felony while in detention,
11 then any sentence following conviction of the separate
12 felony may be consecutive to that of the original sentence
13 for which the defendant was released pretrial or detained.

14 (6) If a person is found to be in possession of an item
15 of contraband, as defined in Section 31A-0.1 of the
16 Criminal Code of 2012, while serving a sentence in a
17 county jail or while in pretrial detention in a county
18 jail, the sentence imposed upon conviction for the offense
19 of possessing contraband in a penal institution may be
20 served consecutively to the sentence imposed for the
21 offense for which the person is serving a sentence in the
22 county jail or while in pretrial detention, regardless of
23 the order in which the judgments of conviction are
24 entered.

25 (7) If a person is sentenced for a violation of a
26 condition of pretrial release under Section 32-10 of the

1 Criminal Code of 1961 or the Criminal Code of 2012, any
2 sentence imposed for that violation may be served
3 consecutive to the sentence imposed for the charge for
4 which pretrial release had been granted and with respect
5 to which the defendant has been convicted.

6 (d) Consecutive terms; mandatory. The court shall impose
7 consecutive sentences in each of the following circumstances:

8 (1) One of the offenses for which the defendant was
9 convicted was first degree murder or a Class X or Class 1
10 felony and the defendant inflicted severe bodily injury.

11 (2) The defendant was convicted of a violation of
12 Section 11-1.20 or 12-13 (criminal sexual assault),
13 11-1.30 or 12-14 (aggravated criminal sexual assault), or
14 11-1.40 or 12-14.1 (predatory criminal sexual assault of a
15 child) of the Criminal Code of 1961 or the Criminal Code of
16 2012 (720 ILCS 5/11-20.1, 5/11-20.1B, 5/11-20.3,
17 5/11-1.20, 5/12-13, 5/11-1.30, 5/12-14, 5/11-1.40, or
18 5/12-14.1).

19 (2.5) The defendant was convicted of a violation of
20 paragraph (1), (2), (3), (4), (5), or (7) of subsection
21 (a) of Section 11-20.1 (child sexual abuse material or
22 child pornography) or of paragraph (1), (2), (3), (4),
23 (5), or (7) of subsection (a) of Section 11-20.1B or
24 11-20.3 (aggravated child pornography) of the Criminal
25 Code of 1961 or the Criminal Code of 2012; or the defendant
26 was convicted of a violation of paragraph (6) of

1 subsection (a) of Section 11-20.1 (child sexual abuse
2 material or child pornography) or of paragraph (6) of
3 subsection (a) of Section 11-20.1B or 11-20.3 (aggravated
4 child pornography) of the Criminal Code of 1961 or the
5 Criminal Code of 2012, when the child depicted is under
6 the age of 13.

7 (2.6) The defendant was convicted of:

8 (A) a violation of paragraph (2) of subsection (b)
9 of Section 11-20.4 of the Criminal Code of 2012; or

10 (B) a violation of paragraph (1) of Section
11 11-20.4 of the Criminal Code of 2012 when the
12 purported child depicted is indistinguishable from an
13 actual child under the age of 13.

14 (3) The defendant was convicted of armed violence
15 based upon the predicate offense of any of the following:
16 solicitation of murder, solicitation of murder for hire,
17 heinous battery as described in Section 12-4.1 or
18 subdivision (a)(2) of Section 12-3.05, aggravated battery
19 of a senior citizen as described in Section 12-4.6 or
20 subdivision (a)(4) of Section 12-3.05, criminal sexual
21 assault, a violation of subsection (g) of Section 5 of the
22 Cannabis Control Act (720 ILCS 550/5), cannabis
23 trafficking, a violation of subsection (a) of Section 401
24 of the Illinois Controlled Substances Act (720 ILCS
25 570/401), controlled substance trafficking involving a
26 Class X felony amount of controlled substance under

1 Section 401 of the Illinois Controlled Substances Act (720
2 ILCS 570/401), a violation of the Methamphetamine Control
3 and Community Protection Act (720 ILCS 646/), calculated
4 criminal drug conspiracy, or streetgang criminal drug
5 conspiracy.

6 (4) The defendant was convicted of the offense of
7 leaving the scene of a motor vehicle crash involving death
8 or personal injuries under Section 11-401 of the Illinois
9 Vehicle Code (625 ILCS 5/11-401) and either: (A)
10 aggravated driving under the influence of alcohol, other
11 drug or drugs, or intoxicating compound or compounds, or
12 any combination thereof under Section 11-501 of the
13 Illinois Vehicle Code (625 ILCS 5/11-501), (B) reckless
14 homicide under Section 9-3 of the Criminal Code of 1961 or
15 the Criminal Code of 2012 (720 ILCS 5/9-3), or (C) both an
16 offense described in item (A) and an offense described in
17 item (B).

18 (5) The defendant was convicted of a violation of
19 Section 9-3.1 or Section 9-3.4 (concealment of homicidal
20 death) or Section 12-20.5 (dismembering a human body) of
21 the Criminal Code of 1961 or the Criminal Code of 2012 (720
22 ILCS 5/9-3.1 or 5/12-20.5).

23 (5.5) The defendant was convicted of a violation of
24 Section 24-3.7 (use of a stolen firearm in the commission
25 of an offense) of the Criminal Code of 1961 or the Criminal
26 Code of 2012.

1 (6) If the defendant was in the custody of the
2 Department of Corrections at the time of the commission of
3 the offense, the sentence shall be served consecutive to
4 the sentence under which the defendant is held by the
5 Department of Corrections.

6 (7) A sentence under Section 3-6-4 (730 ILCS 5/3-6-4)
7 for escape or attempted escape shall be served consecutive
8 to the terms under which the offender is held by the
9 Department of Corrections.

10 (8) (Blank).

11 (8.5) (Blank).

12 (9) (Blank).

13 (10) (Blank).

14 (11) (Blank).

15 (e) Consecutive terms; subsequent non-Illinois term. If an
16 Illinois court has imposed a sentence of imprisonment on a
17 defendant and the defendant is subsequently sentenced to a
18 term of imprisonment by a court of another state or a federal
19 court, then the Illinois sentence shall run consecutively to
20 the sentence imposed by the court of the other state or the
21 federal court. That same Illinois court, however, may order
22 that the Illinois sentence run concurrently with the sentence
23 imposed by the court of the other state or the federal court,
24 but only if the defendant applies to that same Illinois court
25 within 30 days after the sentence imposed by the court of the
26 other state or the federal court is finalized.

1 (f) Consecutive terms; aggregate maximums and minimums.
2 The aggregate maximum and aggregate minimum of consecutive
3 sentences shall be determined as follows:

4 (1) For sentences imposed under law in effect prior to
5 February 1, 1978, the aggregate maximum of consecutive
6 sentences shall not exceed the maximum term authorized
7 under Section 5-8-1 (730 ILCS 5/5-8-1) or Article 4.5 of
8 Chapter V for the 2 most serious felonies involved. The
9 aggregate minimum period of consecutive sentences shall
10 not exceed the highest minimum term authorized under
11 Section 5-8-1 (730 ILCS 5/5-8-1) or Article 4.5 of Chapter
12 V for the 2 most serious felonies involved. When sentenced
13 only for misdemeanors, a defendant shall not be
14 consecutively sentenced to more than the maximum for one
15 Class A misdemeanor.

16 (2) For sentences imposed under the law in effect on
17 or after February 1, 1978, the aggregate of consecutive
18 sentences for offenses that were committed as part of a
19 single course of conduct during which there was no
20 substantial change in the nature of the criminal objective
21 shall not exceed the sum of the maximum terms authorized
22 under Article 4.5 of Chapter V for the 2 most serious
23 felonies involved, but no such limitation shall apply for
24 offenses that were not committed as part of a single
25 course of conduct during which there was no substantial
26 change in the nature of the criminal objective. When

1 sentenced only for misdemeanors, a defendant shall not be
2 consecutively sentenced to more than the maximum for one
3 Class A misdemeanor.

4 (g) Consecutive terms; manner served. In determining the
5 manner in which consecutive sentences of imprisonment, one or
6 more of which is for a felony, will be served, the Department
7 of Corrections shall treat the defendant as though he or she
8 had been committed for a single term subject to each of the
9 following:

10 (1) The maximum period of a term of imprisonment shall
11 consist of the aggregate of the maximums of the imposed
12 indeterminate terms, if any, plus the aggregate of the
13 imposed determinate sentences for felonies, plus the
14 aggregate of the imposed determinate sentences for
15 misdemeanors, subject to subsection (f) of this Section.

16 (2) The parole or mandatory supervised release term
17 shall be as provided in paragraph (e) of Section 5-4.5-50
18 (730 ILCS 5/5-4.5-50) for the most serious of the offenses
19 involved.

20 (3) The minimum period of imprisonment shall be the
21 aggregate of the minimum and determinate periods of
22 imprisonment imposed by the court, subject to subsection
23 (f) of this Section.

24 (4) The defendant shall be awarded credit against the
25 aggregate maximum term and the aggregate minimum term of
26 imprisonment for all time served in an institution since

1 the commission of the offense or offenses and as a
2 consequence thereof at the rate specified in Section 3-6-3
3 (730 ILCS 5/3-6-3).

4 (h) Notwithstanding any other provisions of this Section,
5 all sentences imposed by an Illinois court under this Code
6 shall run concurrent to any and all sentences imposed under
7 the Juvenile Court Act of 1987.

8 (Source: P.A. 103-825, eff. 1-1-25; 103-1081, eff. 3-21-25;
9 104-245, eff. 1-1-26; revised 10-27-25.)

10 (730 ILCS 5/5-9-1.2)

11 (Text of Section before amendment by P.A. 104-131)

12 Sec. 5-9-1.2. (a) Twelve and one-half percent of all
13 amounts collected as fines pursuant to Section 5-9-1.1 shall
14 be paid into the Drug Treatment Fund, to be used by the
15 Department of Human Services for the funding of programs and
16 services for drug-abuse treatment, and prevention and
17 education services, for juveniles.

18 (b) Eighty-seven and one-half percent of the proceeds of
19 all fines received pursuant to Section 5-9-1.1 shall be
20 transmitted to and deposited in the treasurer's office at the
21 level of government as follows:

22 (1) If such seizure was made by a combination of law
23 enforcement personnel representing differing units of
24 local government, the court levying the fine shall
25 equitably allocate 50% of the fine among these units of

1 local government and shall allocate 37 1/2% to the county
2 general corporate fund. In the event that the seizure was
3 made by law enforcement personnel representing a unit of
4 local government from a municipality where the number of
5 inhabitants exceeds 2 million in population, the court
6 levying the fine shall allocate 87 1/2% of the fine to that
7 unit of local government. If the seizure was made by a
8 combination of law enforcement personnel representing
9 differing units of local government, and at least one of
10 those units represents a municipality where the number of
11 inhabitants exceeds 2 million in population, the court
12 shall equitably allocate 87 1/2% of the proceeds of the
13 fines received among the differing units of local
14 government.

15 (2) If such seizure was made by State law enforcement
16 personnel, then the court shall allocate 37 1/2% to the
17 State treasury and 50% to the county general corporate
18 fund.

19 (3) If a State law enforcement agency in combination
20 with a law enforcement agency or agencies of a unit or
21 units of local government conducted the seizure, the court
22 shall equitably allocate 37 1/2% of the fines to or among
23 the law enforcement agency or agencies of the unit or
24 units of local government which conducted the seizure and
25 shall allocate 50% to the county general corporate fund.

26 (c) The proceeds of all fines allocated to the law

1 enforcement agency or agencies of the unit or units of local
2 government pursuant to subsection (b) shall be made available
3 to that law enforcement agency as expendable receipts for use
4 in the enforcement of laws regulating controlled substances
5 and cannabis. The proceeds of fines awarded to the State
6 treasury shall be deposited into a special fund known as the
7 Drug Traffic Prevention Fund. Monies from this fund may be
8 used by the Illinois State Police for use in the enforcement of
9 laws regulating controlled substances and cannabis; to satisfy
10 funding provisions of the Intergovernmental Drug Laws
11 Enforcement Act; and to defray costs and expenses associated
12 with returning violators of the Cannabis Control Act, the
13 Illinois Controlled Substances Act, and the Methamphetamine
14 Control and Community Protection Act only, as provided in
15 those Acts, when punishment of the crime shall be confinement
16 of the criminal in the penitentiary. Moneys in the Drug
17 Traffic Prevention Fund deposited from fines awarded as a
18 direct result of enforcement efforts of the Illinois
19 Conservation Police may be used by the Department of Natural
20 Resources Office of Law Enforcement for use in enforcing laws
21 regulating controlled substances and cannabis on Department of
22 Natural Resources regulated lands and waterways. All other
23 monies shall be paid into the General Revenue Fund in the State
24 treasury.

25 (d) There is created in the State treasury the
26 Methamphetamine Law Enforcement Fund. Moneys in the Fund shall

1 be equitably allocated to local law enforcement agencies to:
2 (1) reimburse those agencies for the costs of securing and
3 cleaning up sites and facilities used for the illegal
4 manufacture of methamphetamine; (2) defray the costs of
5 employing full-time or part-time peace officers from a
6 Metropolitan Enforcement Group or other local drug task force,
7 including overtime costs for those officers; and (3) defray
8 the costs associated with medical or dental expenses incurred
9 by the county resulting from the incarceration of
10 methamphetamine addicts in the county jail or County
11 Department of Corrections.

12 (Source: P.A. 104-2, eff. 6-16-25.)

13 (Text of Section after amendment by P.A. 104-131)

14 Sec. 5-9-1.2. (a) Twelve and one-half percent of all
15 amounts collected as fines pursuant to Section 5-9-1.1 shall
16 be paid into the Drug Treatment Fund, to be used by the
17 Department of Human Services for the funding of programs and
18 services for drug-abuse treatment, and prevention and
19 education services, for juveniles.

20 (b) Eighty-seven and one-half percent of the proceeds of
21 all fines received pursuant to Section 5-9-1.1 shall be
22 transmitted to and deposited in the treasurer's office at the
23 level of government as follows:

24 (1) If such seizure was made by a combination of law
25 enforcement personnel representing differing units of

1 local government, the court levying the fine shall
2 equitably allocate 50% of the fine among these units of
3 local government and shall allocate 37 1/2% to the county
4 general corporate fund. In the event that the seizure was
5 made by law enforcement personnel representing a unit of
6 local government from a municipality where the number of
7 inhabitants exceeds 2 million in population, the court
8 levying the fine shall allocate 87 1/2% of the fine to that
9 unit of local government. If the seizure was made by a
10 combination of law enforcement personnel representing
11 differing units of local government, and at least one of
12 those units represents a municipality where the number of
13 inhabitants exceeds 2 million in population, the court
14 shall equitably allocate 87 1/2% of the proceeds of the
15 fines received among the differing units of local
16 government.

17 (2) If such seizure was made by State law enforcement
18 personnel, then the court shall allocate 37 1/2% to the
19 State treasury and 50% to the county general corporate
20 fund.

21 (3) If a State law enforcement agency in combination
22 with a law enforcement agency or agencies of a unit or
23 units of local government conducted the seizure, the court
24 shall equitably allocate 37 1/2% of the fines to or among
25 the law enforcement agency or agencies of the unit or
26 units of local government which conducted the seizure and

1 shall allocate 50% to the county general corporate fund.

2 (c) The proceeds of all fines allocated to the law
3 enforcement agency or agencies of the unit or units of local
4 government pursuant to subsection (b) shall be made available
5 to that law enforcement agency as expendable receipts for use
6 in the enforcement of laws regulating controlled substances
7 and cannabis. The proceeds of fines awarded to the State
8 treasury shall be deposited into a special fund known as the
9 State Police Operations Assistance Fund. Monies from this fund
10 may be used by the Illinois State Police for use in the
11 enforcement of laws regulating controlled substances and
12 cannabis; to satisfy funding provisions of the
13 Intergovernmental Drug Laws Enforcement Act; and to defray
14 costs and expenses associated with returning violators of the
15 Cannabis Control Act, the Illinois Controlled Substances Act,
16 and the Methamphetamine Control and Community Protection Act
17 only, as provided in those Acts, when punishment of the crime
18 shall be confinement of the criminal in the penitentiary.
19 Moneys in the State Police Operations Assistance Fund
20 deposited from fines awarded as a direct result of enforcement
21 efforts of the Illinois Conservation Police may be used by the
22 Department of Natural Resources Office of Law Enforcement for
23 use in enforcing laws regulating controlled substances and
24 cannabis on Department of Natural Resources regulated lands
25 and waterways. All other monies shall be paid into the General
26 Revenue Fund in the State treasury.

1 (d) There is created in the State treasury the
2 Methamphetamine Law Enforcement Fund. Moneys in the Fund shall
3 be equitably allocated to local law enforcement agencies to:

4 (1) reimburse those agencies for the costs of securing and
5 cleaning up sites and facilities used for the illegal
6 manufacture of methamphetamine; (2) defray the costs of
7 employing full-time or part-time peace officers from a
8 Metropolitan Enforcement Group or other local drug task force,
9 including overtime costs for those officers; and (3) defray
10 the costs associated with medical or dental expenses incurred
11 by the county resulting from the incarceration of
12 methamphetamine addicts in the county jail or County
13 Department of Corrections.

14 (Source: P.A. 104-2, eff. 6-16-25; 104-131, eff. 9-1-26;
15 revised 8-20-25.)

16 (730 ILCS 5/5-9-1.7)

17 Sec. 5-9-1.7. Sexual assault fines.

18 (a) Definitions. The terms used in this Section shall have
19 the following meanings ascribed to them:

20 (1) "Sexual assault" means the commission or attempted
21 commission of the following: sexual exploitation of a
22 child, criminal sexual assault, predatory criminal sexual
23 assault of a child, aggravated criminal sexual assault,
24 criminal sexual abuse, aggravated criminal sexual abuse,
25 indecent solicitation of a child, public indecency, sexual

1 relations within families, promoting commercial sexual
2 exploitation of a child, soliciting for a sexually
3 exploited child, keeping a place of commercial sexual
4 exploitation of a child, patronizing a sexually exploited
5 child, juvenile pimping, exploitation of a child,
6 obscenity, child sexual abuse material, aggravated child
7 pornography, harmful material, or ritualized abuse of a
8 child, as those offenses are defined in the Criminal Code
9 of 1961 or the Criminal Code of 2012.

10 (2) (Blank).

11 (3) "Sexual assault organization" means any
12 not-for-profit organization providing comprehensive,
13 community-based services to victims of sexual assault.
14 "Community-based services" include, but are not limited
15 to, direct crisis intervention through a 24-hour response,
16 medical and legal advocacy, counseling, information and
17 referral services, training, and community education.

18 (b) (Blank).

19 (c) Sexual Assault Services Fund; administration. There is
20 created in the State treasury a special fund known as the
21 Sexual Assault Services Fund. Moneys deposited into the Fund
22 under Sections 15-20, 15-40, and 15-70 of the Criminal and
23 Traffic Assessment Act and Section 6b-4 of the State Finance
24 Act shall be expended as provided in Section 10-5 of the
25 Criminal and Traffic Assessment Act.

26 (Source: P.A. 103-1071, eff. 7-1-25; 104-2, eff. 6-16-25;

104-245, eff. 1-1-26; revised 11-21-25.)

(730 ILCS 5/5-9-1.8)

Sec. 5-9-1.8. Child sexual abuse material fines. Beginning July 1, 2025, 100% of the fines in excess of \$10,000 collected for violations of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 shall be deposited into the DCFS Children's Services Fund. Moneys in the Fund resulting from the fines shall be for the use of the Department of Children and Family Services for grants to private entities giving treatment and counseling to victims of child sexual abuse.

Notwithstanding any other provision of law to the contrary and in addition to any other transfers that may be provided by law, on July 1, 2025, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the Child Abuse Prevention Fund into the DCFS Children's Services Fund. Upon completion of the transfer, the Child Abuse Prevention Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of that Fund pass to the DCFS Children's Services Fund.

(Source: P.A. 104-2, eff. 6-16-25; 104-245, eff. 1-1-26; revised 11-21-25.)

(730 ILCS 5/5-9-1.16)

Sec. 5-9-1.16. Protective order violation service provider

1 fees.

2 (a) (Blank).

3 (b) (Blank).

4 (c) The supervising authority of a domestic violence
5 surveillance program under Section 5-8A-7 of this Code Act
6 shall assess a person either convicted of, or charged with,
7 the violation of an order of protection an additional service
8 provider fee to cover the costs of providing the equipment
9 used and the additional supervision needed for such domestic
10 violence surveillance program. If the court finds that the fee
11 would impose an undue burden on the victim, the court may
12 reduce or waive the fee. The court shall order that the
13 defendant may not use funds belonging solely to the victim of
14 the offense for payment of the fee.

15 When the supervising authority is the court or the
16 probation and court services department, the fee shall be
17 collected by the circuit court clerk. The clerk of the circuit
18 court shall pay all monies collected from this fee and all
19 other required probation fees that are assessed to the county
20 treasurer for deposit in the probation and court services fund
21 under Section 15.1 of the Probation and Probation ~~Probations~~
22 Officers Act. In counties with a population of 2 million or
23 more, when the supervising authority is the court or the
24 probation and court services department, the fee shall be
25 collected by the supervising authority. In these counties, the
26 supervising authority shall pay all monies collected from this

1 fee and all other required probation fees that are assessed,
2 to the county treasurer for deposit in the probation and court
3 services fund under Section 15.1 of the Probation and
4 Probation Officers Act.

5 When the supervising authority is the Department of
6 Corrections, the Department shall collect the fee for deposit
7 into the Department of Corrections Reimbursement and Education
8 Fund.

9 (d) (Blank).

10 (e) (Blank).

11 (Source: P.A. 99-933, eff. 1-27-17; 100-987, eff. 7-1-19;
12 revised 6-23-25.)

13 Section 1035. The County Jail Good Behavior Allowance Act
14 is amended by changing Section 3 as follows:

15 (730 ILCS 130/3) (from Ch. 75, par. 32)

16 Sec. 3. The good behavior of any person who commences a
17 sentence of confinement in a county jail for a fixed term of
18 imprisonment after January 1, 1987 shall entitle such person
19 to a good behavior allowance, except that: (1) a person who
20 inflicted physical harm upon another person in committing the
21 offense for which he is confined shall receive no good
22 behavior allowance; and (2) a person sentenced for an offense
23 for which the law provides a mandatory minimum sentence shall
24 not receive any portion of a good behavior allowance that

1 would reduce the sentence below the mandatory minimum; and (3)
2 a person sentenced to a county impact incarceration program;
3 and (4) a person who is convicted of criminal sexual assault
4 under subdivision (a)(3) of Section 11-1.20 or paragraph
5 (a)(3) of Section 12-13 of the Criminal Code of 1961 or the
6 Criminal Code of 2012, criminal sexual abuse, or aggravated
7 criminal sexual abuse shall receive no good behavior
8 allowance. The good behavior allowance provided for in this
9 Section shall not apply to individuals sentenced for a felony
10 to probation or conditional discharge where a condition of
11 such probation or conditional discharge is that the individual
12 serve a sentence of periodic imprisonment or to individuals
13 sentenced under an order of court for civil contempt.

14 Such good behavior allowance shall be cumulative and
15 awarded as provided in this Section.

16 The good behavior allowance rate shall be cumulative and
17 awarded on the following basis:

18 The prisoner shall receive one day of good behavior
19 allowance for each day of service of sentence in the county
20 jail, and one day of good behavior allowance for each day of
21 incarceration in the county jail before sentencing for the
22 offense that he or she is currently serving a sentence but was
23 unable to comply with the conditions of pretrial release
24 before sentencing, except that a prisoner serving a sentence
25 of periodic imprisonment under Section 5-7-1 of the Unified
26 Code of Corrections shall only be eligible to receive good

1 behavior allowance if authorized by the sentencing judge. Each
2 day of good behavior allowance shall reduce by one day the
3 prisoner's period of incarceration set by the court. For the
4 purpose of calculating a prisoner's good behavior allowance, a
5 fractional part of a day shall not be calculated as a day of
6 service of sentence in the county jail unless the fractional
7 part of the day is over 12 hours in which case a whole day
8 shall be credited on the good behavior allowance.

9 If consecutive sentences are served and the time served
10 amounts to a total of one year or more, the good behavior
11 allowance shall be calculated on a continuous basis throughout
12 the entire time served beginning on the first date of sentence
13 or incarceration, as the case may be.

14 (Source: P.A. 101-652, eff. 1-1-23; revised 6-23-25.)

15 Section 1040. The Sex Offender Registration Act is amended
16 by changing Section 2 as follows:

17 (730 ILCS 150/2)

18 Sec. 2. Definitions.

19 (A) As used in this Article, "sex offender" means any
20 person who is:

21 (1) charged pursuant to Illinois law, or any
22 substantially similar federal, Uniform Code of Military
23 Justice, sister state, or foreign country law, with a sex
24 offense set forth in subsection (B) of this Section or the

1 attempt to commit an included sex offense, and:

2 (a) is convicted of such offense or an attempt to
3 commit such offense; or

4 (b) is found not guilty by reason of insanity of
5 such offense or an attempt to commit such offense; or

6 (c) is found not guilty by reason of insanity
7 pursuant to Section 104-25(c) of the Code of Criminal
8 Procedure of 1963 of such offense or an attempt to
9 commit such offense; or

10 (d) is the subject of a finding not resulting in an
11 acquittal at a hearing conducted pursuant to Section
12 104-25(a) of the Code of Criminal Procedure of 1963
13 for the alleged commission or attempted commission of
14 such offense; or

15 (e) is found not guilty by reason of insanity
16 following a hearing conducted pursuant to a federal,
17 Uniform Code of Military Justice, sister state, or
18 foreign country law substantially similar to Section
19 104-25(c) of the Code of Criminal Procedure of 1963 of
20 such offense or of the attempted commission of such
21 offense; or

22 (f) is the subject of a finding not resulting in an
23 acquittal at a hearing conducted pursuant to a
24 federal, Uniform Code of Military Justice, sister
25 state, or foreign country law substantially similar to
26 Section 104-25(a) of the Code of Criminal Procedure of

1 1963 for the alleged violation or attempted commission
2 of such offense; or

3 (2) declared as a sexually dangerous person pursuant
4 to the Illinois Sexually Dangerous Persons Act, or any
5 substantially similar federal, Uniform Code of Military
6 Justice, sister state, or foreign country law; or

7 (3) subject to the provisions of Section 2 of the
8 Interstate Agreements on Sexually Dangerous Persons Act;
9 or

10 (4) found to be a sexually violent person pursuant to
11 the Sexually Violent Persons Commitment Act or any
12 substantially similar federal, Uniform Code of Military
13 Justice, sister state, or foreign country law; or

14 (5) adjudicated a juvenile delinquent as the result of
15 committing or attempting to commit an act which, if
16 committed by an adult, would constitute any of the
17 offenses specified in item (B), (C), or (C-5) of this
18 Section or a violation of any substantially similar
19 federal, Uniform Code of Military Justice, sister state,
20 or foreign country law, or found guilty under Article V of
21 the Juvenile Court Act of 1987 of committing or attempting
22 to commit an act which, if committed by an adult, would
23 constitute any of the offenses specified in item (B), (C),
24 or (C-5) of this Section or a violation of any
25 substantially similar federal, Uniform Code of Military
26 Justice, sister state, or foreign country law.

1 Convictions that result from or are connected with the
2 same act, or result from offenses committed at the same time,
3 shall be counted for the purpose of this Article as one
4 conviction. Any conviction set aside pursuant to law is not a
5 conviction for purposes of this Article.

6 For purposes of this Section, "convicted" shall have the
7 same meaning as "adjudicated".

8 (B) As used in this Article, "sex offense" means:

9 (1) A violation of any of the following Sections of
10 the Criminal Code of 1961 or the Criminal Code of 2012:

11 11-20.1 (child sexual abuse material or child
12 pornography),

13 11-20.1B or 11-20.3 (aggravated child
14 pornography),

15 11-6 (indecent solicitation of a child),

16 11-9.1 (sexual exploitation of a child),

17 11-9.2 (custodial sexual misconduct),

18 11-9.5 (sexual misconduct with a person with a
19 disability),

20 11-14.4 (promoting commercial sexual exploitation
21 of a child),

22 11-15.1 (soliciting for a sexually exploited
23 child),

24 11-18.1 (patronizing a sexually exploited child),

25 11-17.1 (keeping a place of commercial sexual
26 exploitation of a child),

11-19.1 (juvenile pimping),
11-19.2 (exploitation of a child),
11-25 (grooming),
11-26 (traveling to meet a minor or traveling to
meet a child),
11-1.20 or 12-13 (criminal sexual assault),
11-1.30 or 12-14 (aggravated criminal sexual
assault),
11-1.40 or 12-14.1 (predatory criminal sexual
assault of a child),
11-1.50 or 12-15 (criminal sexual abuse),
11-1.60 or 12-16 (aggravated criminal sexual
abuse),
12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(1.5) A violation of any of the following Sections of
the Criminal Code of 1961 or the Criminal Code of 2012,
when the victim is a person under 18 years of age, the
defendant is not a parent of the victim, the offense was
sexually motivated as defined in Section 10 of the Sex
Offender Evaluation and Treatment Act, and the offense was
committed on or after January 1, 1996:

10-1 (kidnapping),
10-2 (aggravated kidnapping),
10-3 (unlawful restraint),
10-3.1 (aggravated unlawful restraint).

1 If the offense was committed before January 1, 1996,
2 it is a sex offense requiring registration only when the
3 person is convicted of any felony after July 1, 2011, and
4 paragraph (2.1) of subsection (c) of Section 3 of this Act
5 applies.

6 (1.6) First degree murder under Section 9-1 of the
7 Criminal Code of 1961 or the Criminal Code of 2012,
8 provided the offense was sexually motivated as defined in
9 Section 10 of the Sex Offender Management Board Act.

10 (1.7) (Blank).

11 (1.8) A violation or attempted violation of Section
12 11-11 (sexual relations within families) of the Criminal
13 Code of 1961 or the Criminal Code of 2012, and the offense
14 was committed on or after June 1, 1997. If the offense was
15 committed before June 1, 1997, it is a sex offense
16 requiring registration only when the person is convicted
17 of any felony after July 1, 2011, and paragraph (2.1) of
18 subsection (c) of Section 3 of this Act applies.

19 (1.9) Child abduction under paragraph (10) of
20 subsection (b) of Section 10-5 of the Criminal Code of
21 1961 or the Criminal Code of 2012 committed by luring or
22 attempting to lure a child under the age of 16 into a motor
23 vehicle, building, house trailer, or dwelling place
24 without the consent of the parent or lawful custodian of
25 the child for other than a lawful purpose and the offense
26 was committed on or after January 1, 1998, provided the

1 offense was sexually motivated as defined in Section 10 of
2 the Sex Offender Management Board Act. If the offense was
3 committed before January 1, 1998, it is a sex offense
4 requiring registration only when the person is convicted
5 of any felony after July 1, 2011, and paragraph (2.1) of
6 subsection (c) of Section 3 of this Act applies.

7 (1.10) A violation or attempted violation of any of
8 the following Sections of the Criminal Code of 1961 or the
9 Criminal Code of 2012 when the offense was committed on or
10 after July 1, 1999:

11 10-4 (forcible detention, if the victim is under
12 18 years of age), provided the offense was sexually
13 motivated as defined in Section 10 of the Sex Offender
14 Management Board Act,

15 11-6.5 (indecent solicitation of an adult),

16 11-14.3 that involves soliciting for a person
17 engaged in the sex trade, or 11-15 (soliciting for a
18 person engaged in the sex trade, if the victim is under
19 18 years of age),

20 subdivision (a)(2)(A) or (a)(2)(B) of Section
21 11-14.3, or Section 11-16 (pandering, if the victim is
22 under 18 years of age),

23 11-18 (patronizing a person engaged in the sex
24 trade, if the victim is under 18 years of age),

25 subdivision (a)(2)(C) of Section 11-14.3, or
26 Section 11-19 (pimping, if the victim is under 18

1 years of age).

2 If the offense was committed before July 1, 1999, it
3 is a sex offense requiring registration only when the
4 person is convicted of any felony after July 1, 2011, and
5 paragraph (2.1) of subsection (c) of Section 3 of this Act
6 applies.

7 (1.11) A violation or attempted violation of any of
8 the following Sections of the Criminal Code of 1961 or the
9 Criminal Code of 2012 when the offense was committed on or
10 after August 22, 2002:

11 11-9 or 11-30 (public indecency for a third or
12 subsequent conviction).

13 If the third or subsequent conviction was imposed
14 before August 22, 2002, it is a sex offense requiring
15 registration only when the person is convicted of any
16 felony after July 1, 2011, and paragraph (2.1) of
17 subsection (c) of Section 3 of this Act applies.

18 (1.12) A violation or attempted violation of Section
19 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
20 Criminal Code of 1961 or the Criminal Code of 2012
21 (permitting sexual abuse) when the offense was committed
22 on or after August 22, 2002. If the offense was committed
23 before August 22, 2002, it is a sex offense requiring
24 registration only when the person is convicted of any
25 felony after July 1, 2011, and paragraph (2.1) of
26 subsection (c) of Section 3 of this Act applies.

1 (2) A violation of any former law of this State
2 substantially equivalent to any offense listed in
3 subsection (B) of this Section.

4 (C) A conviction for an offense of federal law, Uniform
5 Code of Military Justice, or the law of another state or a
6 foreign country that is substantially equivalent to any
7 offense listed in subsections (B), (C), (E), and (E-5) of this
8 Section shall constitute a conviction for the purpose of this
9 Article. A finding or adjudication as a sexually dangerous
10 person or a sexually violent person under any federal law,
11 Uniform Code of Military Justice, or the law of another state
12 or foreign country that is substantially equivalent to the
13 Sexually Dangerous Persons Act or the Sexually Violent Persons
14 Commitment Act shall constitute an adjudication for the
15 purposes of this Article.

16 (C-5) A person at least 17 years of age at the time of the
17 commission of the offense who is convicted of first degree
18 murder under Section 9-1 of the Criminal Code of 1961 or the
19 Criminal Code of 2012, against a person under 18 years of age,
20 shall be required to register for natural life. A conviction
21 for an offense of federal, Uniform Code of Military Justice,
22 sister state, or foreign country law that is substantially
23 equivalent to any offense listed in subsection (C-5) of this
24 Section shall constitute a conviction for the purpose of this
25 Article. This subsection (C-5) applies to a person who
26 committed the offense before June 1, 1996 if: (i) the person is

1 incarcerated in an Illinois Department of Corrections facility
2 on August 20, 2004 (the effective date of Public Act 93-977),
3 or (ii) subparagraph (i) does not apply and the person is
4 convicted of any felony after July 1, 2011, and paragraph
5 (2.1) of subsection (c) of Section 3 of this Act applies.

6 (C-6) A person who is convicted or adjudicated delinquent
7 of first degree murder as defined in Section 9-1 of the
8 Criminal Code of 1961 or the Criminal Code of 2012, against a
9 person 18 years of age or over, shall be required to register
10 for his or her natural life. A conviction for an offense of
11 federal, Uniform Code of Military Justice, sister state, or
12 foreign country law that is substantially equivalent to any
13 offense listed in subsection (C-6) of this Section shall
14 constitute a conviction for the purpose of this Article. This
15 subsection (C-6) does not apply to those individuals released
16 from incarceration more than 10 years prior to January 1, 2012
17 (the effective date of Public Act 97-154).

18 (D) As used in this Article, "law enforcement agency
19 having jurisdiction" means the Chief of Police in each of the
20 municipalities in which the sex offender expects to reside,
21 work, or attend school (1) upon his or her discharge, parole or
22 release or (2) during the service of his or her sentence of
23 probation or conditional discharge, or the Sheriff of the
24 county, in the event no Police Chief exists or if the offender
25 intends to reside, work, or attend school in an unincorporated
26 area. "Law enforcement agency having jurisdiction" includes

1 the location where out-of-state students attend school and
2 where out-of-state employees are employed or are otherwise
3 required to register.

4 (D-1) As used in this Article, "supervising officer" means
5 the assigned Illinois Department of Corrections parole agent
6 or county probation officer.

7 (E) As used in this Article, "sexual predator" means any
8 person who, after July 1, 1999, is:

9 (1) Convicted for an offense of federal, Uniform Code
10 of Military Justice, sister state, or foreign country law
11 that is substantially equivalent to any offense listed in
12 subsection (E) or (E-5) of this Section shall constitute a
13 conviction for the purpose of this Article. Convicted of a
14 violation or attempted violation of any of the following
15 Sections of the Criminal Code of 1961 or the Criminal Code
16 of 2012:

17 10-5.1 (luring of a minor),

18 11-14.4 that involves keeping a place of
19 commercial sexual exploitation of a child, or 11-17.1
20 (keeping a place of commercial sexual exploitation of
21 a child),

22 subdivision (a) (2) or (a) (3) of Section 11-14.4,
23 or Section 11-19.1 (juvenile pimping),

24 subdivision (a) (4) of Section 11-14.4, or Section
25 11-19.2 (exploitation of a child),

26 11-20.1 (child sexual abuse material or child

pornography),

11-20.1B or 11-20.3 (aggravated child
pornography),

11-1.20 or 12-13 (criminal sexual assault),

11-1.30 or 12-14 (aggravated criminal sexual
assault),

11-1.40 or 12-14.1 (predatory criminal sexual
assault of a child),

11-1.60 or 12-16 (aggravated criminal sexual
abuse),

12-33 (ritualized abuse of a child);

(2) (blank);

(3) declared as a sexually dangerous person pursuant
to the Sexually Dangerous Persons Act or any substantially
similar federal, Uniform Code of Military Justice, sister
state, or foreign country law;

(4) found to be a sexually violent person pursuant to
the Sexually Violent Persons Commitment Act or any
substantially similar federal, Uniform Code of Military
Justice, sister state, or foreign country law;

(5) convicted of a second or subsequent offense which
requires registration pursuant to this Act. For purposes
of this paragraph (5), "convicted" shall include a
conviction under any substantially similar Illinois,
federal, Uniform Code of Military Justice, sister state,
or foreign country law;

1 (6) (blank); or

2 (7) if the person was convicted of an offense set
3 forth in this subsection (E) on or before July 1, 1999, the
4 person is a sexual predator for whom registration is
5 required only when the person is convicted of a felony
6 offense after July 1, 2011, and paragraph (2.1) of
7 subsection (c) of Section 3 of this Act applies.

8 (E-5) As used in this Article, "sexual predator" also
9 means a person convicted of a violation or attempted violation
10 of any of the following Sections of the Criminal Code of 1961
11 or the Criminal Code of 2012:

12 (1) Section 9-1 (first degree murder, when the victim
13 was a person under 18 years of age and the defendant was at
14 least 17 years of age at the time of the commission of the
15 offense, provided the offense was sexually motivated as
16 defined in Section 10 of the Sex Offender Management Board
17 Act);

18 (2) Section 11-9.5 (sexual misconduct with a person
19 with a disability);

20 (3) when the victim is a person under 18 years of age,
21 the defendant is not a parent of the victim, the offense
22 was sexually motivated as defined in Section 10 of the Sex
23 Offender Management Board Act, and the offense was
24 committed on or after January 1, 1996: (A) Section 10-1
25 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
26 (C) Section 10-3 (unlawful restraint), and (D) Section

1 10-3.1 (aggravated unlawful restraint); and

2 (4) Section 10-5(b)(10) (child abduction committed by
3 luring or attempting to lure a child under the age of 16
4 into a motor vehicle, building, house trailer, or dwelling
5 place without the consent of the parent or lawful
6 custodian of the child for other than a lawful purpose and
7 the offense was committed on or after January 1, 1998,
8 provided the offense was sexually motivated as defined in
9 Section 10 of the Sex Offender Management Board Act).

10 (E-10) As used in this Article, "sexual predator" also
11 means a person required to register in another State due to a
12 conviction, adjudication or other action of any court
13 triggering an obligation to register as a sex offender, sexual
14 predator, or substantially similar status under the laws of
15 that State.

16 (F) As used in this Article, "out-of-state student" means
17 any sex offender, as defined in this Section, or sexual
18 predator who is enrolled in Illinois, on a full-time or
19 part-time basis, in any public or private educational
20 institution, including, but not limited to, any secondary
21 school, trade or professional institution, or institution of
22 higher learning.

23 (G) As used in this Article, "out-of-state employee" means
24 any sex offender, as defined in this Section, or sexual
25 predator who works in Illinois, regardless of whether the
26 individual receives payment for services performed, for a

1 period of time of 10 or more days or for an aggregate period of
2 time of 30 or more days during any calendar year. Persons who
3 operate motor vehicles in the State accrue one day of
4 employment time for any portion of a day spent in Illinois.

5 (H) As used in this Article, "school" means any public or
6 private educational institution, including, but not limited
7 to, any elementary or secondary school, trade or professional
8 institution, or institution of higher education.

9 (I) As used in this Article, "fixed residence" means any
10 and all places that a sex offender resides for an aggregate
11 period of time of 5 or more days in a calendar year.

12 (J) As used in this Article, "Internet protocol address"
13 means the string of numbers by which a location on the Internet
14 is identified by routers or other computers connected to the
15 Internet.

16 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
17 revised 11-21-25.)

18 Section 1045. The Re-Entering Citizens Civics Education
19 Act is amended by changing Section 25 as follows:

20 (730 ILCS 200/25)

21 Sec. 25. Voter and civic education program; content.

22 (a) Program content shall provide the following:

23 (1) nonpartisan information on voting history
24 procedures;

1 (2) nonpartisan definitions of local, State, and
2 federal governmental institutions and offices; and

3 (3) examples and simulations of registration and
4 voting processes, and access to voter registration and
5 voting processes for those individuals who are eligible to
6 vote.

7 (b) Established nonpartisan civic organizations shall
8 provide periodic updates to program content and, if
9 applicable, peer educators and co-facilitators. Updates shall
10 reflect major relevant changes to election laws and processes
11 in Illinois.

12 (c) Program content shall be delivered in the following
13 manners:

14 (1) verbally via peer educators and co-facilitators;

15 (2) broadcasts via Department of Corrections and
16 Department of Juvenile Justice internal television
17 channels; or

18 (3) printed information packets.

19 (d) Peer educators and co-facilitators shall disseminate
20 printed information for voting in the releasee's county,
21 including, but not limited to, election authorities'
22 addresses, all applicable Internet websites, and public
23 contact information for all election authorities. This
24 information shall be compiled into a civics handbook. The
25 handbook shall also include key information condensed into a
26 pocket information card.

1 (e) This information shall also be compiled electronically
2 and posted on the Department of Corrections' and the
3 Department of Juvenile Justice's websites ~~website~~ along with
4 the Department of Corrections' Community Support Advisory
5 Councils' ~~Councils~~ websites.

6 (f) Department Directors shall ensure that the wardens or
7 superintendents of all correctional institutions and
8 facilities visibly post this information on all common areas
9 of their respective institutions, and shall broadcast the same
10 via in-house institutional information television channels.
11 Directors shall ensure that updated information is distributed
12 in a timely, visible, and accessible manner.

13 (g) The Director of Corrections shall order, in a clearly
14 visible area of each parole office within this State, the
15 posting of a notice stipulating voter eligibility and that
16 contains the current Internet website address and voter
17 registration information provided by State Board of Elections
18 regarding voting rights for citizens released from the
19 physical custody of the Department of Corrections and the
20 Department of Juvenile Justice.

21 (h) All program content and materials shall be distributed
22 annually to the Community Support Advisory Councils of the
23 Department of Corrections for use in re-entry programs across
24 this State.

25 (Source: P.A. 101-441, eff. 1-1-20; 102-374, eff. 1-1-22;
26 revised 6-23-25.)

1 Section 1050. The Code of Civil Procedure is amended by
2 changing Section 21-101 as follows:

3 (735 ILCS 5/21-101) (from Ch. 110, par. 21-101)

4 Sec. 21-101. Proceedings; parties.

5 (a) If any person who is a resident of this State desires
6 to assume another name by which to be afterwards called and
7 known, the person may file a petition requesting that relief
8 in the circuit court of the county wherein he or she resides.
9 The petitioner shall have resided in this State for 3 months at
10 the time of the name change hearing or entry of an order
11 granting the name change.

12 (b) A person who has been convicted of any offense for
13 which a person is required to register under the Sex Offender
14 Registration Act, the Murderer and Violent Offender Against
15 Youth Registration Act, or the Arsonist Registry Act in this
16 State or any other state and who has not been pardoned is not
17 permitted to file a petition for a name change in the courts of
18 this State during the period that the person is required to
19 register, unless that person verifies under oath, as provided
20 under Section 1-109, that the petition for the name change is
21 due to marriage, religious beliefs, status as a victim of
22 trafficking or gender-related identity as defined by the
23 Illinois Human Rights Act. A judge may grant or deny the
24 request for legal name change filed by such persons. Any such

1 persons granted a legal name change shall report the change to
2 the law enforcement agency having jurisdiction of their
3 current registration pursuant to the Duty to Report
4 requirements specified in Section 20 of the Murderer and
5 Violent Offender Against Youth Registration Act and Section 6
6 of the Sex Offender Registration Act. For the purposes of this
7 subsection, a person will not face a felony charge if the
8 person's request for legal name change is denied without proof
9 of perjury.

10 (b-1) A person who has been convicted of a felony offense
11 in this State or any other state and whose sentence has not
12 been completed, terminated, or discharged is not permitted to
13 file a petition for a name change in the courts of this State
14 unless that person is pardoned for the offense.

15 (c) A petitioner may include the petitioner's spouse and
16 adult unmarried children, with their consent, and the
17 petitioner's minor children where it appears to the court that
18 it is for their best interest, in the petition and relief
19 requested, and the court's order shall then include the spouse
20 and children. Whenever any minor has resided in the family of
21 any person for the space of 3 years and has been recognized and
22 known as an adopted child in the family of that person, the
23 application herein provided for may be made by the person
24 having that minor in that person's family.

25 An order shall be entered as to a minor only if the court
26 finds by clear and convincing evidence that the change is

1 necessary to serve the best interest of the child. In
2 determining the best interest of a minor child under this
3 Section, the court shall consider all relevant factors,
4 including:

5 (1) The wishes of the child's parents and any person
6 acting as a parent who has physical custody of the child.

7 (2) The wishes of the child and the reasons for those
8 wishes. The court may interview the child in chambers to
9 ascertain the child's wishes with respect to the change of
10 name. Counsel shall be present at the interview unless
11 otherwise agreed upon by the parties. The court shall
12 cause a court reporter to be present who shall make a
13 complete record of the interview instantaneously to be
14 part of the record in the case.

15 (3) The interaction and interrelationship of the child
16 with the child's parents or persons acting as parents who
17 have physical custody of the child, step-parents,
18 siblings, step-siblings, or any other person who may
19 significantly affect the child's best interest.

20 (4) The child's adjustment to the child's home,
21 school, and community.

22 (d) If it appears to the court that the conditions and
23 requirements under this Article have been complied with and
24 that there is no reason why the relief requested should not be
25 granted, the court, by an order to be entered of record, may
26 direct and provide that the name of that person be changed in

1 accordance with the relief requested in the petition. If the
2 circuit court orders that a name change be granted to a person
3 who has been adjudicated or convicted of a felony or
4 misdemeanor offense under the laws of this State or any other
5 state for which a pardon has not been granted, or has an arrest
6 for which a charge has not been filed or a pending charge on a
7 felony or misdemeanor offense, a copy of the order, including
8 a copy of each applicable access and review response, shall be
9 forwarded to the Illinois State Police. The Illinois State
10 Police shall update any criminal history transcript or
11 offender registration of each person 18 years of age or older
12 in the order to include the change of name as well as his or
13 her former name.

14 (Source: P.A. 102-538, eff. 8-20-21; 102-1133, eff. 1-1-24;
15 103-605, eff. 7-1-24; 103-609, eff. 7-1-24; 103-1063, eff.
16 3-1-25.)

17 Section 1055. The Eminent Domain Act is amended by
18 changing Section 15-5-15 and by setting forth, renumbering,
19 and changing multiple versions of Sections 25-5-130 and
20 25-5-140 as follows:

21 (735 ILCS 30/15-5-15)

22 (Text of Section before amendment by P.A. 104-457)

23 Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70
24 through 75. The following provisions of law may include

1 express grants of the power to acquire property by
2 condemnation or eminent domain:

3 (70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport
4 authorities; for public airport facilities.

5 (70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport
6 authorities; for removal of airport hazards.

7 (70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport
8 authorities; for reduction of the height of objects or
9 structures.

10 (70 ILCS 10/4); Interstate Airport Authorities Act; interstate
11 airport authorities; for general purposes.

12 (70 ILCS 15/3); Kankakee River Valley Area Airport Authority
13 Act; Kankakee River Valley Area Airport Authority; for
14 acquisition of land for airports.

15 (70 ILCS 200/2-20); Civic Center Code; civic center
16 authorities; for grounds, centers, buildings, and parking.

17 (70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center
18 Authority; for grounds, centers, buildings, and parking.

19 (70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan
20 Exposition, Auditorium and Office Building Authority; for
21 grounds, centers, buildings, and parking.

22 (70 ILCS 200/15-40); Civic Center Code; Benton Civic Center
23 Authority; for grounds, centers, buildings, and parking.

24 (70 ILCS 200/20-15); Civic Center Code; Bloomington Civic
25 Center Authority; for grounds, centers, buildings, and

1 parking.

2 (70 ILCS 200/35-35); Civic Center Code; Brownstown Park
3 District Civic Center Authority; for grounds, centers,
4 buildings, and parking.

5 (70 ILCS 200/40-35); Civic Center Code; Carbondale Civic
6 Center Authority; for grounds, centers, buildings, and
7 parking.

8 (70 ILCS 200/55-60); Civic Center Code; Chicago South Civic
9 Center Authority; for grounds, centers, buildings, and
10 parking.

11 (70 ILCS 200/60-30); Civic Center Code; Collinsville
12 Metropolitan Exposition, Auditorium and Office Building
13 Authority; for grounds, centers, buildings, and parking.

14 (70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic
15 Center Authority; for grounds, centers, buildings, and
16 parking.

17 (70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan
18 Exposition, Auditorium and Office Building Authority; for
19 grounds, centers, buildings, and parking.

20 (70 ILCS 200/80-15); Civic Center Code; DuPage County
21 Metropolitan Exposition, Auditorium and Office Building
22 Authority; for grounds, centers, buildings, and parking.

23 (70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan
24 Exposition, Auditorium and Office Building Authority; for
25 grounds, centers, buildings, and parking.

26 (70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan

1 Exposition, Auditorium and Office Building Authority; for
2 grounds, centers, buildings, and parking.

3 (70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic
4 Center Authority; for grounds, centers, buildings, and
5 parking.

6 (70 ILCS 200/115-35); Civic Center Code; Jasper County Civic
7 Center Authority; for grounds, centers, buildings, and
8 parking.

9 (70 ILCS 200/120-25); Civic Center Code; Jefferson County
10 Metropolitan Exposition, Auditorium and Office Building
11 Authority; for grounds, centers, buildings, and parking.

12 (70 ILCS 200/125-15); Civic Center Code; Jo Daviess County
13 Civic Center Authority; for grounds, centers, buildings,
14 and parking.

15 (70 ILCS 200/130-30); Civic Center Code; Katherine Dunham
16 Metropolitan Exposition, Auditorium and Office Building
17 Authority; for grounds, centers, buildings, and parking.

18 (70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center
19 Authority; for grounds, centers, buildings, and parking.

20 (70 ILCS 200/150-35); Civic Center Code; Mason County Civic
21 Center Authority; for grounds, centers, buildings, and
22 parking.

23 (70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan
24 Civic Center Authority; for grounds, centers, buildings,
25 and parking.

26 (70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center

1 Authority; for grounds, centers, buildings, and parking.

2 (70 ILCS 200/165-35); Civic Center Code; Melrose Park
3 Metropolitan Exposition Auditorium and Office Building
4 Authority; for grounds, centers, buildings, and parking.

5 (70 ILCS 200/170-20); Civic Center Code; certain Metropolitan
6 Exposition, Auditorium and Office Building Authorities;
7 for general purposes.

8 (70 ILCS 200/180-35); Civic Center Code; Normal Civic Center
9 Authority; for grounds, centers, buildings, and parking.

10 (70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center
11 Authority; for grounds, centers, buildings, and parking.

12 (70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center
13 Authority; for grounds, centers, buildings, and parking.

14 (70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center
15 Authority; for grounds, centers, buildings, and parking.

16 (70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center
17 Authority; for grounds, centers, buildings, and parking.

18 (70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center
19 Authority; for grounds, centers, buildings, and parking.

20 (70 ILCS 200/215-15); Civic Center Code; Illinois Quad City
21 Civic Center Authority; for grounds, centers, buildings,
22 and parking.

23 (70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan
24 Exposition, Auditorium and Office Building Authority; for
25 grounds, centers, buildings, and parking.

26 (70 ILCS 200/225-35); Civic Center Code; Randolph County Civic

1 Center Authority; for grounds, centers, buildings, and
2 parking.

3 (70 ILCS 200/230-35); Civic Center Code; River Forest
4 Metropolitan Exposition, Auditorium and Office Building
5 Authority; for grounds, centers, buildings, and parking.

6 (70 ILCS 200/235-40); Civic Center Code; Riverside Civic
7 Center Authority; for grounds, centers, buildings, and
8 parking.

9 (70 ILCS 200/245-35); Civic Center Code; Salem Civic Center
10 Authority; for grounds, centers, buildings, and parking.

11 (70 ILCS 200/255-20); Civic Center Code; Springfield
12 Metropolitan Exposition and Auditorium Authority; for
13 grounds, centers, and parking.

14 (70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan
15 Exposition, Auditorium and Office Building Authority; for
16 grounds, centers, buildings, and parking.

17 (70 ILCS 200/265-20); Civic Center Code; Vermilion County
18 Metropolitan Exposition, Auditorium and Office Building
19 Authority; for grounds, centers, buildings, and parking.

20 (70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center
21 Authority; for grounds, centers, buildings, and parking.

22 (70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic
23 Center Authority; for grounds, centers, buildings, and
24 parking.

25 (70 ILCS 200/280-20); Civic Center Code; Will County
26 Metropolitan Exposition and Auditorium Authority; for

1 grounds, centers, and parking.

2 (70 ILCS 210/5); Metropolitan Pier and Exposition Authority
3 Act; Metropolitan Pier and Exposition Authority; for
4 general purposes, including quick-take power.

5 (70 ILCS 405/22.04); Soil and Water Conservation Districts
6 Act; soil and water conservation districts; for general
7 purposes.

8 (70 ILCS 410/10 and 410/12); Conservation District Act;
9 conservation districts; for open space, wildland, scenic
10 roadway, pathway, outdoor recreation, or other
11 conservation benefits.

12 (70 ILCS 503/25); Chanute-Rantoul National Aviation Center
13 Redevelopment Commission Act; Chanute-Rantoul National
14 Aviation Center Redevelopment Commission; for general
15 purposes.

16 (70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act;
17 Fort Sheridan Redevelopment Commission; for general
18 purposes or to carry out comprehensive or redevelopment
19 plans.

20 (70 ILCS 520/8); Southwestern Illinois Development Authority
21 Act; Southwestern Illinois Development Authority; for
22 general purposes, including quick-take power.

23 (70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code;
24 drainage districts; for general purposes.

25 (70 ILCS 615/5 and 615/6); Chicago Drainage District Act;
26 corporate authorities; for construction and maintenance of

1 works.

2 (70 ILCS 705/10); Fire Protection District Act; fire
3 protection districts; for general purposes.

4 (70 ILCS 750/20); Flood Prevention District Act; flood
5 prevention districts; for general purposes.

6 (70 ILCS 805/6); Downstate Forest Preserve District Act;
7 certain forest preserve districts; for general purposes.

8 (70 ILCS 805/18.8); Downstate Forest Preserve District Act;
9 certain forest preserve districts; for recreational and
10 cultural facilities.

11 (70 ILCS 810/8); Cook County Forest Preserve District Act;
12 Forest Preserve District of Cook County; for general
13 purposes.

14 (70 ILCS 810/38); Cook County Forest Preserve District Act;
15 Forest Preserve District of Cook County; for recreational
16 facilities.

17 (70 ILCS 910/15 and 910/16); Hospital District Law; hospital
18 districts; for hospitals or hospital facilities.

19 (70 ILCS 915/3); Illinois Medical District Act; Illinois
20 Medical District Commission; for general purposes.

21 (70 ILCS 915/4.5); Illinois Medical District Act; Illinois
22 Medical District Commission; quick-take power for the
23 Illinois State Police Forensic Science Laboratory
24 (obsolete).

25 (70 ILCS 920/5); Tuberculosis Sanitarium District Act;
26 tuberculosis sanitarium districts; for tuberculosis

1 sanitariums.

2 (70 ILCS 925/20); Mid-Illinois Medical District Act;

3 Mid-Illinois Medical District; for general purposes.

4 (70 ILCS 930/20); Mid-America Medical District Act;

5 Mid-America Medical District Commission; for general

6 purposes.

7 (70 ILCS 935/20); Roseland Community Medical District Act;

8 medical district; for general purposes.

9 (70 ILCS 1005/7); Mosquito Abatement District Act; mosquito

10 abatement districts; for general purposes.

11 (70 ILCS 1105/8); Museum District Act; museum districts; for

12 general purposes.

13 (70 ILCS 1205/7-1); Park District Code; park districts; for

14 streets and other purposes.

15 (70 ILCS 1205/8-1); Park District Code; park districts; for

16 parks.

17 (70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park

18 districts; for airports and landing fields.

19 (70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park

20 districts; for State land abutting public water and

21 certain access rights.

22 (70 ILCS 1205/11.1-3); Park District Code; park districts; for

23 harbors.

24 (70 ILCS 1225/2); Park Commissioners Land Condemnation Act;

25 park districts; for street widening.

26 (70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water

1 Control Act; park districts; for parks, boulevards,
2 driveways, parkways, viaducts, bridges, or tunnels.

3 (70 ILCS 1250/2); Park Commissioners Street Control (1889)
4 Act; park districts; for boulevards or driveways.

5 (70 ILCS 1290/1); Park District Aquarium and Museum Act;
6 municipalities or park districts; for aquariums or
7 museums.

8 (70 ILCS 1305/2); Park District Airport Zoning Act; park
9 districts; for restriction of the height of structures.

10 (70 ILCS 1310/5); Park District Elevated Highway Act; park
11 districts; for elevated highways.

12 (70 ILCS 1505/15); Chicago Park District Act; Chicago Park
13 District; for parks and other purposes.

14 (70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park
15 District; for parking lots or garages.

16 (70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park
17 District; for harbors.

18 (70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation
19 Act; Lincoln Park Commissioners; for land and interests in
20 land, including riparian rights.

21 (70 ILCS 1801/30); Alexander-Cairo Port District Act;
22 Alexander-Cairo Port District; for general purposes.

23 (70 ILCS 1805/8); Havana Regional Port District Act; Havana
24 Regional Port District; for general purposes.

25 (70 ILCS 1810/7); Illinois International Port District Act;
26 Illinois International Port District; for general

1 purposes.

2 (70 ILCS 1815/13); Illinois Valley Regional Port District Act;
3 Illinois Valley Regional Port District; for general
4 purposes.

5 (70 ILCS 1820/4); Jackson-Union Counties Regional Port
6 District Act; Jackson-Union Counties Regional Port
7 District; for removal of airport hazards or reduction of
8 the height of objects or structures.

9 (70 ILCS 1820/5); Jackson-Union Counties Regional Port
10 District Act; Jackson-Union Counties Regional Port
11 District; for general purposes.

12 (70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet
13 Regional Port District; for removal of airport hazards.

14 (70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet
15 Regional Port District; for reduction of the height of
16 objects or structures.

17 (70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet
18 Regional Port District; for removal of hazards from ports
19 and terminals.

20 (70 ILCS 1825/5); Joliet Regional Port District Act; Joliet
21 Regional Port District; for general purposes.

22 (70 ILCS 1830/7.1); Kaskaskia Regional Port District Act;
23 Kaskaskia Regional Port District; for removal of hazards
24 from ports and terminals.

25 (70 ILCS 1830/14); Kaskaskia Regional Port District Act;
26 Kaskaskia Regional Port District; for general purposes.

1 (70 ILCS 1831/30); Massac-Metropolis Port District Act;
2 Massac-Metropolis Port District; for general purposes.

3 (70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act;
4 Mt. Carmel Regional Port District; for removal of airport
5 hazards.

6 (70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port
7 District; for general purposes.

8 (70 ILCS 1842/30 and 1842/35); Rock Island Regional Port
9 District Act; Rock Island Regional Port District and
10 participating municipalities; for general Port District
11 purposes.

12 (70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca
13 Regional Port District; for removal of airport hazards.

14 (70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca
15 Regional Port District; for reduction of the height of
16 objects or structures.

17 (70 ILCS 1845/5); Seneca Regional Port District Act; Seneca
18 Regional Port District; for general purposes.

19 (70 ILCS 1850/4); Shawneetown Regional Port District Act;
20 Shawneetown Regional Port District; for removal of airport
21 hazards or reduction of the height of objects or
22 structures.

23 (70 ILCS 1850/5); Shawneetown Regional Port District Act;
24 Shawneetown Regional Port District; for general purposes.

25 (70 ILCS 1860/4); Tri-City Regional Port District Act;
26 Tri-City Regional Port District; for removal of airport

1 hazards.

2 (70 ILCS 1860/5); Tri-City Regional Port District Act;
3 Tri-City Regional Port District; for the development of
4 facilities.

5 (70 ILCS 1863/11); Upper Mississippi River International Port
6 District Act; Upper Mississippi River International Port
7 District; for general purposes.

8 (70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port
9 District; for removal of airport hazards.

10 (70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port
11 District; for restricting the height of objects or
12 structures.

13 (70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port
14 District; for the development of facilities.

15 (70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad
16 Terminal Authority (Chicago); for general purposes.

17 (70 ILCS 2105/9b); River Conservancy Districts Act; river
18 conservancy districts; for general purposes.

19 (70 ILCS 2105/10a); River Conservancy Districts Act; river
20 conservancy districts; for corporate purposes.

21 (70 ILCS 2205/15); Sanitary District Act of 1907; sanitary
22 districts; for corporate purposes.

23 (70 ILCS 2205/18); Sanitary District Act of 1907; sanitary
24 districts; for improvements and works.

25 (70 ILCS 2205/19); Sanitary District Act of 1907; sanitary
26 districts; for access to property.

1 (70 ILCS 2305/8); North Shore Water Reclamation District Act;
2 North Shore Water Reclamation District; for corporate
3 purposes.

4 (70 ILCS 2305/15); North Shore Water Reclamation District Act;
5 North Shore Water Reclamation District; for improvements.

6 (70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary
7 District of Decatur; for carrying out agreements to sell,
8 convey, or disburse treated wastewater to a private
9 entity.

10 (70 ILCS 2405/8); Sanitary District Act of 1917; sanitary
11 districts; for corporate purposes.

12 (70 ILCS 2405/15); Sanitary District Act of 1917; sanitary
13 districts; for improvements.

14 (70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of
15 1917; sanitary districts; for waterworks.

16 (70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary
17 districts; for public sewer and water utility treatment
18 works.

19 (70 ILCS 2405/18); Sanitary District Act of 1917; sanitary
20 districts; for dams or other structures to regulate water
21 flow.

22 (70 ILCS 2605/8); Metropolitan Water Reclamation District Act;
23 Metropolitan Water Reclamation District; for corporate
24 purposes.

25 (70 ILCS 2605/16); Metropolitan Water Reclamation District
26 Act; Metropolitan Water Reclamation District; quick-take

1 power for improvements.

2 (70 ILCS 2605/17); Metropolitan Water Reclamation District
3 Act; Metropolitan Water Reclamation District; for bridges.

4 (70 ILCS 2605/35); Metropolitan Water Reclamation District
5 Act; Metropolitan Water Reclamation District; for widening
6 and deepening a navigable stream.

7 (70 ILCS 2805/10); Sanitary District Act of 1936; sanitary
8 districts; for corporate purposes.

9 (70 ILCS 2805/24); Sanitary District Act of 1936; sanitary
10 districts; for improvements.

11 (70 ILCS 2805/26i and 2805/26j); Sanitary District Act of
12 1936; sanitary districts; for drainage systems.

13 (70 ILCS 2805/27); Sanitary District Act of 1936; sanitary
14 districts; for dams or other structures to regulate water
15 flow.

16 (70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary
17 districts; for water supply.

18 (70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary
19 districts; for waterworks.

20 (70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974;
21 Metro-East Sanitary District; for corporate purposes.

22 (70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974;
23 Metro-East Sanitary District; for access to property.

24 (70 ILCS 3010/10); Sanitary District Revenue Bond Act;
25 sanitary districts; for sewerage systems.

26 (70 ILCS 3205/12); Illinois Sports Facilities Authority Act;

1 Illinois Sports Facilities Authority; quick-take power for
2 its corporate purposes (obsolete).

3 (70 ILCS 3405/16); Surface Water Protection District Act;
4 surface water protection districts; for corporate
5 purposes.

6 (70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago
7 Transit Authority; for transportation systems.

8 (70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago
9 Transit Authority; for general purposes.

10 (70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago
11 Transit Authority; for general purposes, including
12 railroad property.

13 (70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;
14 local mass transit districts; for general purposes.

15 (70 ILCS 3615/2.13); Regional Transportation Authority Act;
16 Regional Transportation Authority; for general purposes.

17 (70 ILCS 3705/8 and 3705/12); Public Water District Act;
18 public water districts; for waterworks.

19 (70 ILCS 3705/23a); Public Water District Act; public water
20 districts; for sewerage properties.

21 (70 ILCS 3705/23e); Public Water District Act; public water
22 districts; for combined waterworks and sewerage systems.

23 (70 ILCS 3715/6); Water Authorities Act; water authorities;
24 for facilities to ensure adequate water supply.

25 (70 ILCS 3715/27); Water Authorities Act; water authorities;
26 for access to property.

1 (75 ILCS 5/4-7); Illinois Local Library Act; boards of library
2 trustees; for library buildings.

3 (75 ILCS 16/30-55.80); Public Library District Act of 1991;
4 public library districts; for general purposes.

5 (75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate
6 authorities of city or park district, or board of park
7 commissioners; for free public library buildings.

8 (Source: 104-435, eff. 11-21-25; 104-454, eff. 12-12-25;
9 revised 1-8-26.)

10 (Text of Section after amendment by P.A. 104-457)

11 Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70
12 through 75. The following provisions of law may include
13 express grants of the power to acquire property by
14 condemnation or eminent domain:

15 (70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport
16 authorities; for public airport facilities.

17 (70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport
18 authorities; for removal of airport hazards.

19 (70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport
20 authorities; for reduction of the height of objects or
21 structures.

22 (70 ILCS 10/4); Interstate Airport Authorities Act; interstate
23 airport authorities; for general purposes.

24 (70 ILCS 15/3); Kankakee River Valley Area Airport Authority

1 Act; Kankakee River Valley Area Airport Authority; for
2 acquisition of land for airports.

3 (70 ILCS 200/2-20); Civic Center Code; civic center
4 authorities; for grounds, centers, buildings, and parking.

5 (70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center
6 Authority; for grounds, centers, buildings, and parking.

7 (70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan
8 Exposition, Auditorium and Office Building Authority; for
9 grounds, centers, buildings, and parking.

10 (70 ILCS 200/15-40); Civic Center Code; Benton Civic Center
11 Authority; for grounds, centers, buildings, and parking.

12 (70 ILCS 200/20-15); Civic Center Code; Bloomington Civic
13 Center Authority; for grounds, centers, buildings, and
14 parking.

15 (70 ILCS 200/35-35); Civic Center Code; Brownstown Park
16 District Civic Center Authority; for grounds, centers,
17 buildings, and parking.

18 (70 ILCS 200/40-35); Civic Center Code; Carbondale Civic
19 Center Authority; for grounds, centers, buildings, and
20 parking.

21 (70 ILCS 200/55-60); Civic Center Code; Chicago South Civic
22 Center Authority; for grounds, centers, buildings, and
23 parking.

24 (70 ILCS 200/60-30); Civic Center Code; Collinsville
25 Metropolitan Exposition, Auditorium and Office Building
26 Authority; for grounds, centers, buildings, and parking.

1 (70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic
2 Center Authority; for grounds, centers, buildings, and
3 parking.

4 (70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan
5 Exposition, Auditorium and Office Building Authority; for
6 grounds, centers, buildings, and parking.

7 (70 ILCS 200/80-15); Civic Center Code; DuPage County
8 Metropolitan Exposition, Auditorium and Office Building
9 Authority; for grounds, centers, buildings, and parking.

10 (70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan
11 Exposition, Auditorium and Office Building Authority; for
12 grounds, centers, buildings, and parking.

13 (70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan
14 Exposition, Auditorium and Office Building Authority; for
15 grounds, centers, buildings, and parking.

16 (70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic
17 Center Authority; for grounds, centers, buildings, and
18 parking.

19 (70 ILCS 200/115-35); Civic Center Code; Jasper County Civic
20 Center Authority; for grounds, centers, buildings, and
21 parking.

22 (70 ILCS 200/120-25); Civic Center Code; Jefferson County
23 Metropolitan Exposition, Auditorium and Office Building
24 Authority; for grounds, centers, buildings, and parking.

25 (70 ILCS 200/125-15); Civic Center Code; Jo Daviess County
26 Civic Center Authority; for grounds, centers, buildings,

1 and parking.

2 (70 ILCS 200/130-30); Civic Center Code; Katherine Dunham
3 Metropolitan Exposition, Auditorium and Office Building
4 Authority; for grounds, centers, buildings, and parking.

5 (70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center
6 Authority; for grounds, centers, buildings, and parking.

7 (70 ILCS 200/150-35); Civic Center Code; Mason County Civic
8 Center Authority; for grounds, centers, buildings, and
9 parking.

10 (70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan
11 Civic Center Authority; for grounds, centers, buildings,
12 and parking.

13 (70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center
14 Authority; for grounds, centers, buildings, and parking.

15 (70 ILCS 200/165-35); Civic Center Code; Melrose Park
16 Metropolitan Exposition Auditorium and Office Building
17 Authority; for grounds, centers, buildings, and parking.

18 (70 ILCS 200/170-20); Civic Center Code; certain Metropolitan
19 Exposition, Auditorium and Office Building Authorities;
20 for general purposes.

21 (70 ILCS 200/180-35); Civic Center Code; Normal Civic Center
22 Authority; for grounds, centers, buildings, and parking.

23 (70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center
24 Authority; for grounds, centers, buildings, and parking.

25 (70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center
26 Authority; for grounds, centers, buildings, and parking.

1 (70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center
2 Authority; for grounds, centers, buildings, and parking.

3 (70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center
4 Authority; for grounds, centers, buildings, and parking.

5 (70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center
6 Authority; for grounds, centers, buildings, and parking.

7 (70 ILCS 200/215-15); Civic Center Code; Illinois Quad City
8 Civic Center Authority; for grounds, centers, buildings,
9 and parking.

10 (70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan
11 Exposition, Auditorium and Office Building Authority; for
12 grounds, centers, buildings, and parking.

13 (70 ILCS 200/225-35); Civic Center Code; Randolph County Civic
14 Center Authority; for grounds, centers, buildings, and
15 parking.

16 (70 ILCS 200/230-35); Civic Center Code; River Forest
17 Metropolitan Exposition, Auditorium and Office Building
18 Authority; for grounds, centers, buildings, and parking.

19 (70 ILCS 200/235-40); Civic Center Code; Riverside Civic
20 Center Authority; for grounds, centers, buildings, and
21 parking.

22 (70 ILCS 200/245-35); Civic Center Code; Salem Civic Center
23 Authority; for grounds, centers, buildings, and parking.

24 (70 ILCS 200/255-20); Civic Center Code; Springfield
25 Metropolitan Exposition and Auditorium Authority; for
26 grounds, centers, and parking.

1 (70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan
2 Exposition, Auditorium and Office Building Authority; for
3 grounds, centers, buildings, and parking.

4 (70 ILCS 200/265-20); Civic Center Code; Vermilion County
5 Metropolitan Exposition, Auditorium and Office Building
6 Authority; for grounds, centers, buildings, and parking.

7 (70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center
8 Authority; for grounds, centers, buildings, and parking.

9 (70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic
10 Center Authority; for grounds, centers, buildings, and
11 parking.

12 (70 ILCS 200/280-20); Civic Center Code; Will County
13 Metropolitan Exposition and Auditorium Authority; for
14 grounds, centers, and parking.

15 (70 ILCS 210/5); Metropolitan Pier and Exposition Authority
16 Act; Metropolitan Pier and Exposition Authority; for
17 general purposes, including quick-take power.

18 (70 ILCS 405/22.04); Soil and Water Conservation Districts
19 Act; soil and water conservation districts; for general
20 purposes.

21 (70 ILCS 410/10 and 410/12); Conservation District Act;
22 conservation districts; for open space, wildland, scenic
23 roadway, pathway, outdoor recreation, or other
24 conservation benefits.

25 (70 ILCS 503/25); Chanute-Rantoul National Aviation Center
26 Redevelopment Commission Act; Chanute-Rantoul National

1 Aviation Center Redevelopment Commission; for general
2 purposes.

3 (70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act;
4 Fort Sheridan Redevelopment Commission; for general
5 purposes or to carry out comprehensive or redevelopment
6 plans.

7 (70 ILCS 520/8); Southwestern Illinois Development Authority
8 Act; Southwestern Illinois Development Authority; for
9 general purposes, including quick-take power.

10 (70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code;
11 drainage districts; for general purposes.

12 (70 ILCS 615/5 and 615/6); Chicago Drainage District Act;
13 corporate authorities; for construction and maintenance of
14 works.

15 (70 ILCS 705/10); Fire Protection District Act; fire
16 protection districts; for general purposes.

17 (70 ILCS 750/20); Flood Prevention District Act; flood
18 prevention districts; for general purposes.

19 (70 ILCS 805/6); Downstate Forest Preserve District Act;
20 certain forest preserve districts; for general purposes.

21 (70 ILCS 805/18.8); Downstate Forest Preserve District Act;
22 certain forest preserve districts; for recreational and
23 cultural facilities.

24 (70 ILCS 810/8); Cook County Forest Preserve District Act;
25 Forest Preserve District of Cook County; for general
26 purposes.

1 (70 ILCS 810/38); Cook County Forest Preserve District Act;
2 Forest Preserve District of Cook County; for recreational
3 facilities.

4 (70 ILCS 910/15 and 910/16); Hospital District Law; hospital
5 districts; for hospitals or hospital facilities.

6 (70 ILCS 915/3); Illinois Medical District Act; Illinois
7 Medical District Commission; for general purposes.

8 (70 ILCS 915/4.5); Illinois Medical District Act; Illinois
9 Medical District Commission; quick-take power for the
10 Illinois State Police Forensic Science Laboratory
11 (obsolete).

12 (70 ILCS 920/5); Tuberculosis Sanitarium District Act;
13 tuberculosis sanitarium districts; for tuberculosis
14 sanitariums.

15 (70 ILCS 925/20); Mid-Illinois Medical District Act;
16 Mid-Illinois Medical District; for general purposes.

17 (70 ILCS 930/20); Mid-America Medical District Act;
18 Mid-America Medical District Commission; for general
19 purposes.

20 (70 ILCS 935/20); Roseland Community Medical District Act;
21 medical district; for general purposes.

22 (70 ILCS 1005/7); Mosquito Abatement District Act; mosquito
23 abatement districts; for general purposes.

24 (70 ILCS 1105/8); Museum District Act; museum districts; for
25 general purposes.

26 (70 ILCS 1205/7-1); Park District Code; park districts; for

1 streets and other purposes.

2 (70 ILCS 1205/8-1); Park District Code; park districts; for

3 parks.

4 (70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park

5 districts; for airports and landing fields.

6 (70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park

7 districts; for State land abutting public water and

8 certain access rights.

9 (70 ILCS 1205/11.1-3); Park District Code; park districts; for

10 harbors.

11 (70 ILCS 1225/2); Park Commissioners Land Condemnation Act;

12 park districts; for street widening.

13 (70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water

14 Control Act; park districts; for parks, boulevards,

15 driveways, parkways, viaducts, bridges, or tunnels.

16 (70 ILCS 1250/2); Park Commissioners Street Control (1889)

17 Act; park districts; for boulevards or driveways.

18 (70 ILCS 1290/1); Park District Aquarium and Museum Act;

19 municipalities or park districts; for aquariums or

20 museums.

21 (70 ILCS 1305/2); Park District Airport Zoning Act; park

22 districts; for restriction of the height of structures.

23 (70 ILCS 1310/5); Park District Elevated Highway Act; park

24 districts; for elevated highways.

25 (70 ILCS 1505/15); Chicago Park District Act; Chicago Park

26 District; for parks and other purposes.

1 (70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park
2 District; for parking lots or garages.

3 (70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park
4 District; for harbors.

5 (70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation
6 Act; Lincoln Park Commissioners; for land and interests in
7 land, including riparian rights.

8 (70 ILCS 1801/30); Alexander-Cairo Port District Act;
9 Alexander-Cairo Port District; for general purposes.

10 (70 ILCS 1805/8); Havana Regional Port District Act; Havana
11 Regional Port District; for general purposes.

12 (70 ILCS 1810/7); Illinois International Port District Act;
13 Illinois International Port District; for general
14 purposes.

15 (70 ILCS 1815/13); Illinois Valley Regional Port District Act;
16 Illinois Valley Regional Port District; for general
17 purposes.

18 (70 ILCS 1820/4); Jackson-Union Counties Regional Port
19 District Act; Jackson-Union Counties Regional Port
20 District; for removal of airport hazards or reduction of
21 the height of objects or structures.

22 (70 ILCS 1820/5); Jackson-Union Counties Regional Port
23 District Act; Jackson-Union Counties Regional Port
24 District; for general purposes.

25 (70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet
26 Regional Port District; for removal of airport hazards.

1 (70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet
2 Regional Port District; for reduction of the height of
3 objects or structures.

4 (70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet
5 Regional Port District; for removal of hazards from ports
6 and terminals.

7 (70 ILCS 1825/5); Joliet Regional Port District Act; Joliet
8 Regional Port District; for general purposes.

9 (70 ILCS 1830/7.1); Kaskaskia Regional Port District Act;
10 Kaskaskia Regional Port District; for removal of hazards
11 from ports and terminals.

12 (70 ILCS 1830/14); Kaskaskia Regional Port District Act;
13 Kaskaskia Regional Port District; for general purposes.

14 (70 ILCS 1831/30); Massac-Metropolis Port District Act;
15 Massac-Metropolis Port District; for general purposes.

16 (70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act;
17 Mt. Carmel Regional Port District; for removal of airport
18 hazards.

19 (70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port
20 District; for general purposes.

21 (70 ILCS 1842/30 and 1842/35); Rock Island Regional Port
22 District Act; Rock Island Regional Port District and
23 participating municipalities; for general Port District
24 purposes.

25 (70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca
26 Regional Port District; for removal of airport hazards.

1 (70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca
2 Regional Port District; for reduction of the height of
3 objects or structures.

4 (70 ILCS 1845/5); Seneca Regional Port District Act; Seneca
5 Regional Port District; for general purposes.

6 (70 ILCS 1850/4); Shawneetown Regional Port District Act;
7 Shawneetown Regional Port District; for removal of airport
8 hazards or reduction of the height of objects or
9 structures.

10 (70 ILCS 1850/5); Shawneetown Regional Port District Act;
11 Shawneetown Regional Port District; for general purposes.

12 (70 ILCS 1860/4); Tri-City Regional Port District Act;
13 Tri-City Regional Port District; for removal of airport
14 hazards.

15 (70 ILCS 1860/5); Tri-City Regional Port District Act;
16 Tri-City Regional Port District; for the development of
17 facilities.

18 (70 ILCS 1863/11); Upper Mississippi River International Port
19 District Act; Upper Mississippi River International Port
20 District; for general purposes.

21 (70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port
22 District; for removal of airport hazards.

23 (70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port
24 District; for restricting the height of objects or
25 structures.

26 (70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port

1 District; for the development of facilities.

2 (70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad
3 Terminal Authority (Chicago); for general purposes.

4 (70 ILCS 2105/9b); River Conservancy Districts Act; river
5 conservancy districts; for general purposes.

6 (70 ILCS 2105/10a); River Conservancy Districts Act; river
7 conservancy districts; for corporate purposes.

8 (70 ILCS 2205/15); Sanitary District Act of 1907; sanitary
9 districts; for corporate purposes.

10 (70 ILCS 2205/18); Sanitary District Act of 1907; sanitary
11 districts; for improvements and works.

12 (70 ILCS 2205/19); Sanitary District Act of 1907; sanitary
13 districts; for access to property.

14 (70 ILCS 2305/8); North Shore Water Reclamation District Act;
15 North Shore Water Reclamation District; for corporate
16 purposes.

17 (70 ILCS 2305/15); North Shore Water Reclamation District Act;
18 North Shore Water Reclamation District; for improvements.

19 (70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary
20 District of Decatur; for carrying out agreements to sell,
21 convey, or disburse treated wastewater to a private
22 entity.

23 (70 ILCS 2405/8); Sanitary District Act of 1917; sanitary
24 districts; for corporate purposes.

25 (70 ILCS 2405/15); Sanitary District Act of 1917; sanitary
26 districts; for improvements.

1 (70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of
2 1917; sanitary districts; for waterworks.

3 (70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary
4 districts; for public sewer and water utility treatment
5 works.

6 (70 ILCS 2405/18); Sanitary District Act of 1917; sanitary
7 districts; for dams or other structures to regulate water
8 flow.

9 (70 ILCS 2605/8); Metropolitan Water Reclamation District Act;
10 Metropolitan Water Reclamation District; for corporate
11 purposes.

12 (70 ILCS 2605/16); Metropolitan Water Reclamation District
13 Act; Metropolitan Water Reclamation District; quick-take
14 power for improvements.

15 (70 ILCS 2605/17); Metropolitan Water Reclamation District
16 Act; Metropolitan Water Reclamation District; for bridges.

17 (70 ILCS 2605/35); Metropolitan Water Reclamation District
18 Act; Metropolitan Water Reclamation District; for widening
19 and deepening a navigable stream.

20 (70 ILCS 2805/10); Sanitary District Act of 1936; sanitary
21 districts; for corporate purposes.

22 (70 ILCS 2805/24); Sanitary District Act of 1936; sanitary
23 districts; for improvements.

24 (70 ILCS 2805/26i and 2805/26j); Sanitary District Act of
25 1936; sanitary districts; for drainage systems.

26 (70 ILCS 2805/27); Sanitary District Act of 1936; sanitary

1 districts; for dams or other structures to regulate water
2 flow.

3 (70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary
4 districts; for water supply.

5 (70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary
6 districts; for waterworks.

7 (70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974;
8 Metro-East Sanitary District; for corporate purposes.

9 (70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974;
10 Metro-East Sanitary District; for access to property.

11 (70 ILCS 3010/10); Sanitary District Revenue Bond Act;
12 sanitary districts; for sewerage systems.

13 (70 ILCS 3205/12); Illinois Sports Facilities Authority Act;
14 Illinois Sports Facilities Authority; quick-take power for
15 its corporate purposes (obsolete).

16 (70 ILCS 3405/16); Surface Water Protection District Act;
17 surface water protection districts; for corporate
18 purposes.

19 (70 ILCS 3605/7); Chicago Transit Authority Act; Chicago
20 Transit Authority; for transportation systems.

21 (70 ILCS 3605/8); Chicago Transit Authority Act; Chicago
22 Transit Authority; for general purposes.

23 (70 ILCS 3605/10); Chicago Transit Authority Act; Chicago
24 Transit Authority; for general purposes, including
25 railroad property.

26 (70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act;

1 local mass transit districts; for general purposes.
2 (70 ILCS 3615/2.13); Northern Illinois Transit Authority Act;
3 Northern Illinois Transit Authority; for general purposes.
4 (70 ILCS 3705/8 and 3705/12); Public Water District Act;
5 public water districts; for waterworks.
6 (70 ILCS 3705/23a); Public Water District Act; public water
7 districts; for sewerage properties.
8 (70 ILCS 3705/23e); Public Water District Act; public water
9 districts; for combined waterworks and sewerage systems.
10 (70 ILCS 3715/6); Water Authorities Act; water authorities;
11 for facilities to ensure adequate water supply.
12 (70 ILCS 3715/27); Water Authorities Act; water authorities;
13 for access to property.
14 (75 ILCS 5/4-7); Illinois Local Library Act; boards of library
15 trustees; for library buildings.
16 (75 ILCS 16/30-55.80); Public Library District Act of 1991;
17 public library districts; for general purposes.
18 (75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate
19 authorities of city or park district, or board of park
20 commissioners; for free public library buildings.
21 (Source: 104-435, eff. 11-21-25; 104-454, eff. 12-12-25;
22 104-457, Article 5, Section 5-925, eff. 6-1-26; 104-457,
23 Article 10, Section 10-75, eff. 6-1-26; 104-457, Article 15,
24 Section 15-210, eff. 6-1-26; revised 1-8-26.)

25 (735 ILCS 30/25-5-130)

(Section scheduled to be repealed on July 19, 2027)

Sec. 25-5-130. Quick-take; City of Elmhurst; North York Road.

(a) Quick-take proceedings under Article 20 may be used for a period of 2 years after July 19, 2024 (the effective date of Public Act 103-698) by the City of Elmhurst for the acquisition of the following described property for the purpose of road construction:

Route: North York Road

Section: 17-00188-00-SW

Job No.: C-91-186-20

County: DuPage

Parcel: 0002

Owner: NXE Properties, LLC

Pin No.: 03-35-406-048

That part of Lot 1 in County Clerk's Assessment Division of Lots 1 and 2 of North Elmhurst Third Addition to the Village of Elmhurst, being a subdivision in the East Half of the Southeast Quarter of Section 35, Township 40 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded April 8, 1927 as document R233179, described as follows:

Commencing at the northwest corner of said Lot 1; thence South 61 degrees 59 minutes 07 seconds East, (bearings based on Illinois State Plane Coordinates System, NAD83, East Zone), being the northerly line of said Lot 1, a distance of 194.85

1 feet to the Point of Beginning;
2 Thence continuing South 61 degrees 59 minutes 07 seconds East,
3 along said northerly line, 53.14 feet to a point 10.00 feet
4 west of the northeast corner of said Lot 1; thence South 04
5 degrees 00 minutes 07 seconds East, along a line that
6 commences at the southeast corner of said Lot 1 and ends at a
7 point 10.00 feet west of the northeast corner of said Lot 1,
8 said line herein after referred to as Line "A", a distance of
9 40.63 feet; thence South 85 degrees 59 minutes 53 seconds
10 West, perpendicular to the last course, 5.00 feet to a point on
11 a line 5.00 feet west of and parallel with Line "A"; thence
12 North 04 degrees 00 minutes 07 seconds West, along said
13 parallel line, 33.40 feet; thence northwesterly 9.30 feet,
14 along the arc of a non-tangent circle to the left, having a
15 radius of 39.00 feet and whose chord bears North 52 degrees 45
16 minutes 22 seconds West, 9.28 feet to a point of tangency;
17 thence North 59 degrees 35 minutes 15 seconds West, 7.04 feet
18 to a point on a line 7.00 feet southerly of the northerly line
19 of said Lot 1; thence North 61 degrees 59 minutes 07 seconds
20 West, along said parallel line, 36.54 feet; thence North 28
21 degrees 00 minutes 53 seconds East, perpendicular to the last
22 course, 7.00 feet to the Point of Beginning, situated in the
23 County of DuPage and the State of Illinois.

24 Said Parcel Containing 565 square feet or 0.013 acres, more or
25 less.

26 Dated: February 6, 2024

1 Route: North York Road

2 Section: 17-00188-00-SW

3 Job No: C-91-186-20

4 County: DuPage

5 Parcel: 0002TE

6 Owner: NXE Properties, LLC

7 Pin No.: 03-35-406-048

8 That part of Lot 1 in County Clerk's Assessment Division of
9 Lots 1 and 2 of North Elmhurst Third Addition to the Village of
10 Elmhurst, being a subdivision in the East Half of the
11 Southeast Quarter of Section 35, Township 40 North, Range 11
12 East of the Third Principal Meridian, according to the plat
13 thereof recorded April 8, 1927 as document R233179, described
14 as follows:

15 Commencing at the northwest corner of said Lot 1; thence South
16 61 degrees 59 minutes 07 seconds East, (bearings based on
17 Illinois State Plane Coordinates System, NAD83, East Zone),
18 being the northerly line of said Lot 1, a distance of 194.85
19 feet; thence South 28 degrees 00 minutes 53 seconds West,
20 perpendicular to the last course, 7.00 feet to a point on a
21 line 7.00 feet southerly of the northerly line of said Lot 1,
22 said point also being the Point of Beginning;

23 Thence South 61 degrees 59 minutes 07 seconds East, along said
24 parallel line, 36.54 feet; thence South 59 degrees 35 minutes
25 15 seconds East, 7.04 feet to a point of curvature; thence

1 southeasterly 9.30 feet, along the arc of a tangent circle to
2 the left, having a radius of 39.00 feet and whose chord bears
3 South 52 degrees 45 minutes 22 seconds East, 9.28 feet to a
4 point on a line 5.00 feet west of and parallel with Line "A";
5 Line "A" is defined as a line that commences at the southeast
6 corner of said Lot 1 and ends at a point 10.00 feet west of the
7 northeast corner of said Lot 1; thence South 04 degrees 00
8 minutes 07 seconds East, along said parallel line, 16.42 feet;
9 thence South 85 degrees 59 minutes 53 seconds West,
10 perpendicular to the last course, 5.00 feet to a point on a
11 line 10.00 feet west of and parallel with Line "A"; thence
12 North 04 degrees 00 minutes 07 seconds West, along said
13 parallel line, 14.43 feet; thence northwesterly 6.25 feet,
14 along the arc of a non-tangent circle to the left, having a
15 radius of 34.00 feet and whose chord bears North 54 degrees 19
16 minutes 23 seconds West, 6.24 feet to a point of tangency;
17 thence North 59 degrees 35 minutes 15 seconds West, 6.94 feet
18 to a point on a line 12.00 feet southerly of the northerly line
19 of said Lot 1; thence North 61 degrees 59 minutes 07 seconds
20 West, along said parallel line, 36.43 feet; thence North 28
21 degrees 00 minutes 53 seconds East, perpendicular to the last
22 course, 5.00 feet to the Point of Beginning, situated in the
23 County of DuPage and the State of Illinois.

24 Said Parcel Containing 333 square feet or 0.008 acres, more or
25 less.

26 Dated: February 6, 2024

1 (b) This Section is repealed July 19, 2027 (3 years after
2 the effective date of Public Act 103-698).

3 (Source: P.A. 103-698, eff. 7-19-24; 104-417, eff. 8-15-25.)

4 (735 ILCS 30/25-5-136)

5 (Section scheduled to be repealed on March 21, 2028)

6 Sec. 25-5-136 ~~25-5-130~~. Quick-take; Village of Deer Park;
7 20820 N. Rand Road.

8 (a) Quick-take proceedings under Article 20 may be used
9 for a period of one year after March 21, 2025 (the effective
10 date of Public Act 103-1080) ~~this amendatory Act of the 103rd~~
11 ~~General Assembly~~ by the Village of Deer Park for the
12 acquisition of the following described property for the
13 purpose of a permanent Village utility easement for the
14 transmission of potable water:

15 Part of 14-34-100-012, 20820 N. Rand Road

16 The Northerly 10 feet of the Property being a strip of land 10
17 feet wide adjoining and parallel with the Southwesterly
18 right-of-way line of Rand Road (U.S. Route 12), said
19 Southwesterly right-of-way line being 50 feet Southwesterly of
20 and parallel with the centerline of Rand Road as per Plat of
21 Highway recorded December 2, 1983 as Document No. 2254251.

22 The "Property" is legally described as:

23 That part of the West Half of the North West Quarter of Section
24 34, Township 43 North, Range 10, East of the 3rd Principal

1 Meridian described as follows: Beginning on the West line of
2 said Northwest Quarter at the Northwest corner of a tract of
3 land conveyed to Fritz Fisher by Warranty Deed dated August
4 10, 1868 and recorded April 2, 1869 in Book 46 of Deeds Page
5 552 (said point being 19.55 chains North of the Southwest
6 corner of said Quarter Section); thence North on said West
7 line 8.59 chains, more or less, to the center of Chicago Road
8 (so called); thence South 62 Degrees East in the center of said
9 Road, 11.30 chains; thence South 3.40 chains to the North line
10 of said Fisher's land; thence West on said North line to the
11 place of beginning (excepting therefrom that party lying
12 Westerly of the following described line: Beginning at the
13 Northeasterly corner of Creamery Lot as described in deed
14 recorded as Document 27470; thence Southwesterly along the
15 Southeasterly line of said Lot to the Southeasterly corner of
16 said Lot; thence South to a point in the North line of said
17 Fritz Fisher land, said point being 308.73 feet East of the
18 Northwest corner of said Fisher's land), and also excepting
19 therefrom that part lying Northeasterly of and adjoining the
20 Southwesterly right of way of Rand Road (U.S. 12), all in Lake
21 County, Illinois.

22 (b) This Section is repealed March 21, 2028 (3 years after
23 the effective date of Public Act 103-1080) ~~this amendatory Act~~
24 ~~of the 103rd General Assembly.~~

25 (Source: P.A. 103-1080, eff. 3-21-25; revised 4-22-25.)

1 (735 ILCS 30/25-5-140)

2 (Section scheduled to be repealed on August 1, 2027)

3 Sec. 25-5-140. Quick-take; Kane County Division of
4 Transportation. Quick-take proceedings under Article 20 may be
5 used for a period of 12 months after the effective date of this
6 amendatory Act of the 104th General Assembly by the Kane
7 County Division of Transportation for the acquisition of the
8 following described property for the purpose of intersection
9 realignment and separation improvement.

10 That part of Lot 2 in Winterland Subdivision, being a
11 subdivision in the Southwest Quarter of Section 33,
12 Township 41 North, Range 8 East of the Third Principal
13 Meridian, according to the plat thereof recorded May 11,
14 2001 as document no. 2001K044295 in Kane County, Illinois,
15 bearings and distances based on the Illinois State Plane
16 Coordinate System, East Zone, NAD 83 (2011 Adjustment),
17 with a combined scale factor of 0.9999369004, being
18 described as follows:

19 Beginning at the southwest corner of said Lot 2; thence
20 northerly along the west line of said Lot 2, being a
21 43,070.80 radius curve, concave westerly an arc distance
22 of 25.38 (the chord bears North 01 degree 19 minutes 07
23 seconds West, 25.38 feet), said west line also being the
24 east right-of-way line of Randall Road (A.K.A. County
25 Highway 34); thence North 01 degree 29 minutes 37 seconds
26 West, 217.77 feet (218.00 feet record) along said west

1 line of Lot 2 to a point on a 34,332.50 foot radius curve,
2 concave easterly; thence northerly along said curve and
3 west line 62.19 feet (62.12 feet record) the chord bears
4 North 01 degree 27 minutes 22 seconds West, 62.19 feet
5 (62.12 feet record) to the northwest corner of said Lot 2;
6 thence South 89 degrees 59 minutes 23 seconds East, 11.00
7 feet along the north line of said Lot 2 to a point on line
8 11.00 east of and parallel with said west line of Lot 2,
9 being a 34,321.50 foot radius curve, concave easterly;
10 thence southerly along said curve 61.90 feet (the chord
11 bears South 01 degree 27 minutes 23 seconds East, 61.90
12 feet) along said parallel line; thence South 01 degree 29
13 minutes 37 seconds East, 217.78 feet along said parallel
14 line to a point on a 43,081.80 foot radius curve, concave
15 westerly; thence southerly along said curve 25.39 feet
16 (the chord bears South 01 degree 19 minutes 07 seconds
17 East, 25.39 feet) along said parallel line to a point on
18 the south line of said Lot 2; thence South 88 degrees 39
19 minutes 23 seconds West, 11.00 feet along said south line
20 to the point of beginning.

21 Said parcel containing 0.077 acres, more or less.

22 That part of Lot 4 in Winterland Subdivision, being a
23 subdivision in the Southwest Quarter of Section 33,
24 Township 41 North, Range 8 East of the Third Principal
25 Meridian, according to the plat thereof recorded May 11,

2001 as document no. 2001K044295 in Kane County, Illinois, bearings and distances based on the Illinois State Plane Coordinate System, East Zone, NAD 83 (2011 Adjustment), with a combined scale factor of 0.9999369004, being described as follows:

Beginning at the northwest corner of said Lot 4; thence North 88 degrees 52 minutes 44 seconds East, 40.00 feet along the north line of said Lot 4; thence South 32 degrees 46 minutes 19 seconds West, 52.02 feet to a point on a line 11.00 feet east of and parallel with said west line of Lot 4, being a 34,321.50 foot radius curve, concave easterly; thence southerly along said curve 157.00 feet (the chord bears South 01 degree 16 minutes 25 seconds East, 157.00 feet) to a point on the south line of said Lot 4; thence North 89 degrees 59 minutes 23 seconds West, 11.00 feet along said south line to the southwest corner of said Lot 4; thence northerly along said west line of Lot 4, said west line also being the east right-of-way line of Randall Road (A.K.A. County Highway 34) and being a 34,332.50 foot radius curve, concave easterly an arc distance of 199.97 feet (the chord bears North 01 degree 14 minutes 14 seconds West, 199.97 feet) to the point of beginning.

Said parcel containing 0.065 acres, more or less.

That part of Lot 4 in Winterland Subdivision, being a subdivision in the Southwest Quarter of Section 33,

1 Township 41 North, Range 8 East of the Third Principal
2 Meridian, according to the plat thereof recorded May 11,
3 2001 as document no. 2001K044295 in Kane County, Illinois,
4 bearings and distances based on the Illinois State Plane
5 Coordinate System, East Zone, NAD 83 (2011 Adjustment),
6 with a combined scale factor of 0.9999369004, being
7 described as follows:

8 Commencing at the northeast corner of said Lot 4; thence
9 South 88 degrees 52 minutes 44 seconds West, 122.00 feet
10 along the north line of said Lot 4 to the point of
11 beginning; thence South 01 degree 07 minutes 16 seconds
12 East, 5.00 feet to a point on a line 5.00 feet south of and
13 parallel with the said north line of Lot 4; thence South 88
14 degrees 52 minutes 44 seconds West, 41.00 feet along said
15 parallel line; thence North 01 degree 07 minutes 16
16 seconds West, 5.00 feet to a point on said north line of
17 Lot 4; thence North 88 degrees 52 minutes 44 seconds East,
18 41.00 feet along said north line to the point of
19 beginning.

20 Said temporary easement containing 0.005 acres or 205
21 square feet, more or less.

22 That part of Lot 2 in Panko's Subdivision, being a
23 subdivision in the Southwest Quarter of Section 33,
24 Township 41 North, Range 8 East of the Third Principal
25 Meridian, according to the plat thereof recorded November

1 6, 2003 as document no. 2003K195732 in Kane County,
2 Illinois, bearings and distances based on the Illinois
3 State Plane Coordinate System, East Zone, NAD 83 (2011
4 Adjustment), with a combined scale factor of 0.9999369004,
5 being described as follows:

6 Commencing at the southeast corner of said Lot 2; thence
7 South 88 degrees 52 minutes 44 seconds West, 142.50 feet
8 along the south line of said Lot 2 to the point of
9 beginning; thence continuing South 88 degrees 52 minutes
10 44 seconds West, 134.05 feet along said south line; thence
11 North 01 degree 02 minutes 08 seconds East, 5.00 feet
12 along said south line; thence North 80 degrees 02 minutes
13 54 seconds West, 20.84 feet along said south line; thence
14 North 88 degrees 52 minutes 44 seconds East, 154.32 feet;
15 thence South 01 degree 07 minutes 16 seconds East, 9.00
16 feet to the point of beginning.

17 Said parcel containing 0.029 acres, more or less.

18 That part of Lot 2 in Panko's Subdivision, being a
19 subdivision in the Southwest Quarter of Section 33,
20 Township 41 North, Range 8 East of the Third Principal
21 Meridian, according to the plat thereof recorded November
22 6, 2003 as document no. 2003K195732 in Kane County,
23 Illinois, bearings and distances based on the Illinois
24 State Plane Coordinate System, East Zone, NAD 83 (2011
25 Adjustment), with a combined scale factor of 0.9999369004,

1 being described as follows:

2 Commencing at the southeast corner of said Lot 2; thence
3 South 88 degrees 52 minutes 44 seconds West, 142.50 feet
4 along the south line of said Lot 2; thence North 01 degree
5 07 minutes 16 seconds West, 9.00 feet to the point of
6 beginning; thence South 88 degrees 52 minutes 44 seconds
7 West, 154.32 feet to a point on the south line of said Lot
8 2; thence North 80 degrees 02 minutes 54 seconds West,
9 28.64 feet along said south line; thence North 88 degrees
10 52 minutes 44 seconds East, 59.85 feet; thence North 04
11 degrees 00 minutes 18 seconds West, 5.00 feet; thence
12 South 88 degrees 05 minutes 42 seconds East, 123.00 feet;
13 thence South 01 degree 07 minutes 16 seconds East, 4.00
14 feet to the point of beginning.

15 Said temporary easement containing 0.026 acres, more or
16 less.

17 That part of the Southeast Quarter of Section 32, Township
18 41 North, Range 8 East of the Third Principal Meridian in
19 Kane County, Illinois, bearings and distances based on the
20 Illinois State Plane Coordinate System, East Zone, NAD 83
21 (2011 Adjustment), with a combined scale factor of
22 0.9999369004, being described as follows:

23 Commencing at the northeast corner of said Southeast
24 Quarter of Section 32; thence South 00 degrees 00 minutes
25 17 seconds East, 766.95 feet along the east line of said

1 Southeast Quarter of Section 32 to a point on the
2 southerly line of the 200.00 foot right-of-way of the
3 Canadian National Railroad (A.K.A. The Illinois Central
4 Gulf Railroad and The Chicago Central and Pacific
5 Railroad), said point being the point of beginning; thence
6 North 56 degrees 57 minutes 22 seconds West, 109.47 feet
7 along said southerly line to a point on a line 63.00 feet
8 west of and parallel with the centerline of right-of-way
9 as platted and described by document no. 780936, recorded
10 May 27, 1955; thence North 00 degrees 05 minutes 18
11 seconds West, 107.47 feet along said parallel line to a
12 point on a line 90.00 feet north of and parallel with said
13 southerly line of the 200.00 foot right-of-way of the
14 Canadian National Railroad; thence South 56 degrees 57
15 minutes 22 seconds East, 109.66 feet along said parallel
16 line to a point on said east line of said Southeast Quarter
17 of Section 32; thence South 00 degrees 00 minutes 17
18 seconds East, 107.37 feet along said east line to the
19 point of beginning.

20 Said parcel containing 0.226 acres, more or less.

21 That part of the Southeast Quarter of Section 32, Township
22 41 North, Range 8 East of the Third Principal Meridian in
23 Kane County, Illinois, bearings and distances based on the
24 Illinois State Plane Coordinate System, East Zone, NAD 83
25 (2011 Adjustment), with a combined scale factor of

1 0.9999369004, being described as follows:

2 Commencing at the northeast corner of said Southeast
3 Quarter of Section 32; thence South 00 degrees 00 minutes
4 17 seconds East, 528.35 feet along the east line of said
5 Southeast Quarter of Section 32 to a point on the
6 northerly line of the 200.00 foot right-of-way of the
7 Canadian National Railroad (A.K.A. The Illinois Central
8 Gulf Railroad and The Chicago Central and Pacific
9 Railroad), said point being the point of beginning; thence
10 continuing South 00 degrees 00 minutes 17 seconds East,
11 35.79 feet along said east line to a point on a line 30.00
12 feet south of and parallel with said northerly line of the
13 200.00 foot right-of-way of the Canadian National
14 Railroad; thence North 56 degrees 57 minutes 22 seconds
15 West, 109.83 feet along said parallel line to a point on a
16 line 63.00 feet west of and parallel with the centerline
17 of right-of-way as platted and described by document no.
18 780936, recorded May 27, 1955; thence North 00 degrees 05
19 minutes 18 seconds West, 35.82 feet along said parallel
20 line to a point on said northerly line of the 200.00 foot
21 right-of-way of the Canadian National Railroad; thence
22 South 56 degrees 57 minutes 22 seconds East, 109.89 feet
23 along said northerly line to the point of beginning.

24 Said parcel containing 0.076 acres, more or less.

25 That part of the Southeast Quarter of Section 32, Township

1 41 North, Range 8 East of the Third Principal Meridian in
2 Kane County, Illinois, bearings and distances based on the
3 Illinois State Plane Coordinate System, East Zone, NAD 83
4 (2011 Adjustment), with a combined scale factor of
5 0.9999369004, being described as follows:

6 Commencing at the northeast corner of said Southeast
7 Quarter of Section 32; thence South 00 degrees 00 minutes
8 17 seconds East, 528.35 feet along the east line of said
9 Southeast Quarter of Section 32 to a point on the
10 northerly line of the 200.00 foot right-of-way of the
11 Canadian National Railroad (A.K.A. The Illinois Central
12 Gulf Railroad and The Chicago Central and Pacific
13 Railroad); thence North 56 degrees 57 minutes 22 seconds
14 West, 82.42 feet along said northerly line to a point on
15 the west right-of-way line of Randall Road (A.K.A. County
16 Highway 34) as dedicated by document no. 780936, recorded
17 May 27, 1955, said point being the point of beginning;
18 thence North 56 degrees 57 minutes 22 seconds West, 27.47
19 feet along said northerly line to a point on a line 23.00
20 feet west of and parallel with said west right-of-way line
21 of Randall Road; thence North 00 degrees 05 minutes 18
22 seconds West, 137.33 feet along said parallel line to a
23 point on a line 115.00 feet northerly of and parallel with
24 said northerly line of the 200.00 foot right-of-way of the
25 Canadian National Railroad; thence South 56 degrees 57
26 minutes 22 seconds East, 27.47 feet along said parallel

1 line to a point on said west right-of-way line of Randall
2 Road; thence South 00 degrees 05 minutes 18 seconds East,
3 137.33 feet along said west right-of-way line to the point
4 of beginning.

5 Said permanent easement containing 0.073 acres, more or
6 less.

7 That part of the Southeast Quarter and Northeast Quarter
8 of Section 32, Township 41 North, Range 8 East of the Third
9 Principal Meridian in Kane County, Illinois, bearings and
10 distances based on the Illinois State Plane Coordinate
11 System, East Zone, NAD 83 (2011 Adjustment), with a
12 combined scale factor of 0.9999369004, being described as
13 follows:

14 Commencing at the southeast corner of said Northeast
15 Quarter of Section 32; thence North 00 degrees 19 minutes
16 41 seconds East, 29.61 feet along the east line of said
17 Southeast Quarter of Section 32 to a point on the north
18 line of the south 29.60 feet of said Northeast Quarter of
19 Section 32; thence South 88 degrees 45 minutes 58 seconds
20 West, 59.02 feet along said north line of the south 29.60
21 feet of the Northeast Quarter to a point on the original
22 west right-of-way line of Randall Road (A.K.A. County
23 Highway 34), said point being the point of beginning;
24 thence South 00 degrees 05 minutes 18 seconds East, 119.14
25 feet along said original west right-of-way line of Randall

1 Road to a point on the west right-of-way line of Randall
2 Road as dedicated by document no. 780936 recorded May 27,
3 1955, said west right-of-way line being a 1,677.28 foot
4 radius curve, concave easterly; thence southerly along
5 said curve and west right-of-way line 192.20 feet (the
6 chord bears South 03 degrees 11 minutes 40 seconds West,
7 192.09 feet); thence South 00 degrees 05 minutes 18
8 seconds East, 63.48 feet along said west right-of-way line
9 to a point on a line 115.00 feet northerly of and parallel
10 with said northerly line of the 200.00 foot right-of-way
11 of the Canadian National Railroad (A.K.A. The Illinois
12 Central Gulf Railroad and The Chicago Central and Pacific
13 Railroad); thence North 56 degrees 57 minutes 22 seconds
14 West, 27.47 feet along said parallel line to a point on a
15 line 63.00 feet west of and parallel with the centerline
16 of right-of-way as platted and described by said document
17 no. 780936; thence North 00 degrees 05 minutes 18 seconds
18 West, 48.46 feet along said parallel line to a point on a
19 1,700.28 foot radius curve, concave easterly; thence
20 northerly along said curve and parallel line 264.27 feet
21 (the chord bears North 04 degrees 21 minutes 51 seconds
22 East, 264.00 feet); thence North 81 degrees 11 minutes 00
23 seconds West, 36.00 feet to a point on a line 99.00 feet
24 west of and parallel with the centerline of right-of-way
25 as platted and described by said document no. 780936,
26 being a 1,736.28 foot radius curve, concave easterly;

1 thence northerly along said curve and parallel line 41.88
2 feet (the chord bears North 09 degrees 30 minutes 29
3 seconds East, 41.88 feet) to a point on said north line of
4 the south 29.60 feet of said Northeast Quarter of Section
5 32; thence North 88 degrees 45 minutes 34 seconds East,
6 42.10 feet along said north line to the point of
7 beginning.

8 Said parcel containing 0.209 acres, more or less.

9 That part of the Southeast Quarter and Northeast Quarter
10 of Section 32, Township 41 North, Range 8 East of the Third
11 Principal Meridian in Kane County, Illinois, bearings and
12 distances based on the Illinois State Plane Coordinate
13 System, East Zone, NAD 83 (2011 Adjustment), with a
14 combined scale factor of 0.9999369004, being described as
15 follows:

16 Commencing at the southeast corner of said Northeast
17 Quarter of Section 32; thence North 00 degrees 19 minutes
18 41 seconds East, 29.61 feet along the east line of said
19 Southeast Quarter of Section 32 to a point on the north
20 line of the south 29.60 feet of said Northeast Quarter of
21 Section 32; thence South 88 degrees 45 minutes 34 seconds
22 West, 101.12 feet along said north line of the south 29.60
23 feet of the Northeast Quarter to a point on a line 99.00
24 feet west of and parallel with the centerline of
25 right-of-way as platted and described by document no.

780936 recorded May 27, 1955, being a 1,736.28 foot radius curve, concave easterly, said point being the point of beginning; thence southerly along said curve and parallel line 41.88 feet (the chord bears South 09 degrees 30 minutes 29 seconds West, 41.88 feet); thence South 81 degrees 11 minutes 00 seconds East, 36.00 feet to a point on a line 63.00 feet west of and parallel with said centerline of right-of-way platted and described by said document no. 780936, said parallel line being a 1,700.28 foot radius curve, concave easterly; thence southerly along said curve and parallel line 6.00 feet (the chord bears South 08 degrees 42 minutes 57 seconds West, 6.00 feet); thence North 81 degrees 11 minutes 00 seconds West, 46.00 feet to a point on a line 109.00 feet west of and parallel with said centerline of right-of-way, being a 1,746.28 foot radius curve, concave easterly; thence northerly along said curve and parallel line 46.10 feet (the chord bears North 09 degrees 22 minutes 35 seconds East, 46.10 feet) to a point on said north line of the south 29.60 feet of said Northeast Quarter of Section 32; thence North 88 degrees 45 minutes 34 seconds East, 10.20 feet along said north line to the point of beginning.

Said temporary easement containing 0.016 acres, more or less.

That part of Lot "A" in Fox Ridge Townhomes Subdivision,

1 being a subdivision in the Northwest Quarter of Section
2 33, Township 41 North, Range 8 East of the Third Principal
3 Meridian, according to the plat thereof recorded October
4 19, 1998 as document no. 98K096197 in Kane County,
5 Illinois, bearings and distances based on the Illinois
6 State Plane Coordinate System, East Zone, NAD 83 (2011
7 Adjustment), with a combined scale factor of 0.9999369004,
8 being described as follows:

9 Beginning at the southwest corner of said Lot "A"; thence
10 northerly along the westerly line of said Lot "A", said
11 westerly line also being the easterly right-of-way line of
12 Randall Road (A.K.A. County Highway 34) and being a
13 1,870.08 foot radius curve, concave southwesterly an arc
14 distance of 819.75 feet (820.44 feet and 820.45 feet
15 record) the chord bears North 21 degrees 52 minutes 55
16 seconds East, 813.20 feet to a point on a 1,597.28 foot
17 radius curve (1,597.28 feet and 1,590.54 feet record),
18 concave southwesterly; thence northerly along said curve
19 and westerly line 175.78 feet (175.96 feet and 172.58 feet
20 record) the chord bears North 43 degrees 36 minutes 14
21 seconds East, 175.69 feet; thence North 46 degrees 45
22 minutes 24 seconds East, 95.81 feet (94.10 feet and 94.65
23 feet record) to the northeast corner of said Lot "A";
24 thence South 00 degrees 22 minutes 14 seconds West, 13.78
25 feet along the east line of said Lot "A"; thence South 40
26 degrees 45 minutes 53 seconds West, 231.44 feet (13.78

1 feet record) to a point on a 1,754.00 foot radius curve,
2 concave southwesterly; thence southerly along said curve
3 621.57 feet (the chord bears south 27 degrees 13 minutes
4 55 seconds West, 618.32 feet); thence South 74 degrees 00
5 minutes 44 seconds East, 12.25 feet to a point on a
6 1,845.08 foot radius curve, concave westerly; thence
7 southerly along said curve 210.00 feet (the chord bears
8 south 12 degrees 43 minutes 38 seconds West, 209.89 feet)
9 to a point on the south line of said Lot "A"; thence South
10 88 degrees 55 minutes 06 seconds West, 25.42 feet along
11 said south line to the point of beginning.
12 Said parcel containing 0.531 acres, more or less.

13 That part of the Northwest Quarter of Section 33, Township
14 41 North, Range 8 East of the Third Principal Meridian in
15 Kane County, Illinois, bearings and distances based on the
16 Illinois State Plane Coordinate System, East Zone, NAD 83
17 (2011 Adjustment), with a combined scale factor of
18 0.9999369004, being described as follows:

19 Beginning at a point of intersection with the north line
20 of said Northwest Quarter of Section 33 and the west
21 right-of-way line of Randall Road (A.K.A. County Highway
22 34) as acquired by the County of Kane by deed document no.
23 1157361, recorded January 29, 1970; thence South 01 degree
24 01 minutes 35 seconds East, 21.85 feet (22.87 feet record)
25 along said west right-of-way line to a point on a 1,864.08

1 foot radius curve, concave westerly; thence southerly
2 along said curve and west right-of-way line 1,487.19 feet
3 (the chord bears South 21 degrees 36 minutes 50 seconds
4 West, 1,448.06 feet); thence South 44 degrees 49 minutes
5 39 seconds West, 121.14 feet along said west right-of-way
6 line to a point on the centerline of the 50.00 foot
7 rightof- way of Hopps Road as monumented and occupied;
8 thence South 89 degrees 05 minutes 22 seconds West, 673.34
9 feet along said centerline of right-of-way; thence North
10 00 degrees 54 minutes 38 seconds West, 52.00 feet to a
11 point on a line 52.00 feet north of and parallel with said
12 centerline of right-of-way; thence North 89 degrees 05
13 minutes 22 seconds East, 110.00 feet along said parallel
14 line; thence North 64 degrees 13 minutes 06 seconds East,
15 209.69 feet to a point on a 545.00 foot radius curve,
16 concave southerly; thence easterly along said curve 413.09
17 feet (the chord bears North 85 degrees 55 minutes 58
18 seconds East, 403.28 feet); thence North 37 degrees 23
19 minutes 02 seconds East, 312.52 feet to a point on a
20 1,674.00 foot radius curve, concave westerly; thence
21 northerly along said curve 1,117.16 feet (the chord bears
22 North 18 degrees 15 minutes 56 seconds East, 1,096.54
23 feet); thence North 88 degrees 28 minutes 42 seconds East,
24 58.01 feet along to the point of beginning.
25 Said parcel containing 5.068 acres, more or less, of which
26 0.394 acres, more or less, was previously dedicated or

1 used for highway purposes.

2 That part of Lot 160 in Woodbridge South - Phase 1
3 Subdivision, being a subdivision in the Northwest Quarter
4 of Section 33, Township 41 North, Range 8 East of the Third
5 Principal Meridian, according to the plat thereof recorded
6 December 5, 1991 as document no. 91K066828 in Kane County,
7 Illinois, bearings and distances based on the Illinois
8 State Plane Coordinate System, East Zone, NAD 83 (2011
9 Adjustment), with a combined scale factor of 0.9999369004,
10 being described as follows:

11 Beginning at the northwesterly corner of said Lot 160;
12 thence North 88 degrees 15 minutes 13 seconds East, 21.00
13 feet along the north line of said Lot 160, said north line
14 also being the south right-of-way line of Hopps Road;
15 thence South 62 degrees 41 minutes 34 seconds West, 50.68
16 feet to a point on the westerly line of said Lot 160, said
17 westerly line also being the easterly right-of-way line of
18 Randall Road (A.K.A. County Highway 34); thence North 46
19 degrees 45 minutes 24 seconds East, 33.00 feet along said
20 westerly line to the point of beginning.

21 Said temporary easement containing 0.005 acres or 230
22 square feet, more or less.

23 (b) This Section is repealed August 1, 2027 (2 years after
24 the effective date of Public Act 104-126) ~~this amendatory Act~~
25 ~~of the 104th General Assembly.~~

(Source: P.A. 104-126, eff. 8-1-25; revised 1-12-26.)

(735 ILCS 30/25-5-141)

(Section scheduled to be repealed on December 12, 2028)

Sec. 25-5-141 ~~25-5-140~~. Quick-take; Will County; 143rd Street.

(a) Quick-take proceedings under Article 20 may be used for a period of 2 years after the effective date of this amendatory Act of the 104th General Assembly by Will County for the acquisition of the following described property for the purpose of road construction:

Route: County Highway #37 (143rd Street)

Section: 08-00169-18-LA

County: Will

Job No.:

Parcel: 0043

Station: 215+39.04 to 242+04.14

Index No.: 16-05-03-400-001-0000

That part of the Southeast Quarter of Section 3, Township 36 North, Range 11 East of the Third Principal Meridian, in Will County, Illinois, bearings and distances based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 adjustment), with a combined factor of 0.999956901, described as follows:

Beginning at the southwest corner of said Southeast Quarter; thence North 01 degrees 52 minutes 52 seconds West along the

1 west line of said Southeast Quarter a distance of 50.00 feet;
2 thence North 88 degrees 01 minutes 18 seconds East a distance
3 of 285.01 feet; thence North 01 degrees 58 minutes 42 seconds
4 West a distance of 30.00 feet; thence North 88 degrees 01
5 minutes 18 seconds East a distance of 62.00 feet; thence South
6 01 degrees 58 minutes 42 seconds East a distance of 30.00 feet;
7 thence North 88 degrees 01 minutes 18 seconds East a distance
8 of 1441.01 feet; thence North 01 degrees 58 minutes 42 seconds
9 West a distance of 30.00 feet; thence North 88 degrees 01
10 minutes 18 seconds East a distance of 84.00 feet; thence South
11 01 degrees 58 minutes 42 seconds East a distance of 30.00 feet;
12 thence North 88 degrees 01 minutes 18 seconds East a distance
13 of 688.01 feet; thence North 01 degrees 58 minutes 42 seconds
14 West a distance of 10.00 feet; thence North 88 degrees 01
15 minutes 18 seconds East a distance of 52.00 feet; thence North
16 43 degrees 03 minutes 14 seconds East a distance of 28.30 feet,
17 to a line 33.00 feet west of and parallel with the east line of
18 said Southeast Quarter; thence North 01 degrees 54 minutes 49
19 seconds West along said parallel line a distance of 669.74
20 feet; thence North 88 degrees 05 minutes 11 seconds East a
21 distance of 33.00 feet to said east line of the Southeast
22 Quarter; thence South 01 degrees 54 minutes 49 seconds East
23 along said east line a distance of 739.70 feet, to the south
24 line of said Southeast Quarter; thence South 87 degrees 48
25 minutes 24 seconds West along said south line a distance of
26 2665.08 feet, to the point of beginning.

1 Said parcel containing 3.405 acres, more or less or 148,317
2 square feet, more or less, of which 2.753 acres, more or less
3 or 119,926 square feet, more or less, was previously dedicated
4 or used for highway purposes.

5 Route: County Highway #37 (143rd Street)

6 Section: 08-00169-18-LA

7 County: Will

8 Job No.:

9 Parcel: 0043TE-A

10 Station: 215+39.08 to 216+67.08

11 Index No.: 16-05-03-400-001-0000

12 That part of the Southeast Quarter of Section 3, Township 36
13 North, Range 11 East of the Third Principal Meridian, in Will
14 County, Illinois, bearings and distances based on the Illinois
15 State Plane Coordinate System, East Zone, NAD83 (2011
16 adjustment), with a combined factor of 0.999956901, described
17 as follows:

18 Commencing at the southwest corner of said Southeast Quarter;
19 thence North 01 degrees 52 minutes 52 seconds West along the
20 west line of said Southeast Quarter a distance of 50.00 feet,
21 to the Point of Beginning; thence North 88 degrees 01 minutes
22 18 seconds East a distance of 128.00 feet; thence North 01
23 degrees 58 minutes 42 seconds West a distance of 5.00 feet;
24 thence South 88 degrees 01 minutes 18 seconds West a distance

1 of 74.00 feet; thence North 01 degree 58 minutes 42 seconds
2 West a distance of 20.00 feet; thence South 88 degrees 01
3 minutes 18 seconds West a distance of 40.00 feet; thence South
4 01 degrees 58 minutes 42 seconds East a distance of 5.00 feet;
5 thence South 88 degrees 01 minutes 18 seconds West a distance
6 of 13.97 feet, to said west line of the Southeast Quarter;
7 thence South 01 degrees 52 minutes 52 seconds East along said
8 west line a distance of 20.00 feet, to the point of beginning.
9 Said parcel containing 0.038 acres, more or less or 1,650
10 square feet, more or less.

11 Route: County Highway #37 (143rd Street)

12 Section: 08-00169-18-LA

13 County: Will

14 Job No.:

15 Parcel: 0043TE-B

16 Station: 217+75.09 to 218+24.09

17 Index No.: 16-05-03-400-001-0000

18 That part of the Southeast Quarter of Section 3, Township 36
19 North, Range 11 East of the Third Principal Meridian, in Will
20 County, Illinois, bearings and distances based on the Illinois
21 State Plane Coordinate System, East Zone, NAD83 (2011
22 adjustment), with a combined factor of 0.999956901, described
23 as follows:

24 Commencing at the southwest corner of said Southeast Quarter;
25 thence North 01 degrees 52 minutes 52 seconds West along the

1 west line of said Southeast Quarter a distance of 50.00 feet;
2 thence North 88 degrees 01 minutes 18 seconds East a distance
3 of 236.01 feet, to the Point of Beginning; thence continuing
4 North 88 degrees 01 minutes 18 seconds East a distance of 49.00
5 feet; thence North 01 degrees 58 minutes 42 seconds West a
6 distance of 5.00 feet; thence South 88 degrees 01 minutes 18
7 seconds West a distance of 49.00 feet; thence South 01 degrees
8 58 minutes 42 seconds East a distance of 5.00 feet, to the
9 Point of Beginning.

10 Said parcel containing 0.006 acres, more or less or 245 square
11 feet, more or less.

12 Route: County Highway #37 (143rd Street)

13 Section: 08-00169-18-LA

14 County: Will

15 Job No.:

16 Parcel: 0043TE-C

17 Station: 218+86.09 to 221+50.09

18 Index No.: 16-05-03-400-001-0000

19 That part of the Southeast Quarter of Section 3, Township 36
20 North, Range 11 East of the Third Principal Meridian, in Will
21 County, Illinois, bearings and distances based on the Illinois
22 State Plane Coordinate System, East Zone, NAD83 (2011
23 adjustment), with a combined factor of 0.999956901, described
24 as follows:

25 Commencing at the southwest corner of said Southeast Quarter;

1 thence North 01 degrees 52 minutes 52 seconds West along the
2 west line of said Southeast Quarter a distance of 50.00 feet;
3 thence North 88 degrees 01 minutes 18 seconds East a distance
4 of 285.01 feet; thence North 01 degrees 58 minutes 42 seconds
5 West a distance of 30.00 feet; thence North 88 degrees 01
6 minutes 18 seconds East a distance of 62.00 feet; thence South
7 01 degrees 58 minutes 42 seconds East a distance of 25.00 feet,
8 to the Point of Beginning; thence continuing South 01 degrees
9 58 minutes 42 seconds East a distance of 5.00 feet; thence
10 North 88 degrees 01 minutes 18 seconds East a distance of
11 264.00 feet; thence North 01 degrees 58 minutes 42 seconds
12 West a distance of 5.00 feet; thence South 88 degrees 01
13 minutes 18 seconds West a distance of 264.00 feet, to the Point
14 of Beginning.

15 Said parcel containing 0.030 acres, more or less or 1,320
16 square feet, more or less.

17 Route: County Highway #37 (143rd Street)

18 Section: 08-00169-18-LA

19 County: Will

20 Job No.:

21 Parcel: 0043TE-D

22 Station: 222+90.09 to 233+27.10

23 Index No.: 16-05-03-400-001-0000

24 That part of the Southeast Quarter of Section 3, Township 36
25 North, Range 11 East of the Third Principal Meridian, in Will

1 County, Illinois, bearings and distances based on the Illinois
2 State Plane Coordinate System, East Zone, NAD83 (2011
3 adjustment), with a combined factor of 0.999956901, described
4 as follows:

5 Commencing at the southwest corner of said Southeast Quarter;
6 thence North 01 degrees 52 minutes 52 seconds West along the
7 west line of said Southeast Quarter a distance of 50.00 feet;
8 thence North 88 degrees 01 minutes 18 seconds East a distance
9 of 285.01 feet; thence North 01 degrees 58 minutes 42 seconds
10 West a distance of 30.00 feet; thence North 88 degrees 01
11 minutes 18 seconds East a distance of 62.00 feet; thence South
12 01 degrees 58 minutes 42 seconds East a distance of 30.00 feet;
13 thence North 88 degrees 01 minutes 18 seconds East a distance
14 of 404.00 feet, to the Point of Beginning; thence continuing
15 North 88 degrees 01 minutes 18 seconds East a distance of
16 1037.01 feet; thence North 01 degrees 58 minutes 42 seconds
17 West a distance of 10.00 feet; thence South 88 degrees 01
18 minutes 18 seconds West 640.00 feet; thence South 01 degrees
19 58 minutes 42 seconds East a distance of 5.00 feet; thence
20 South 88 degrees 01 minutes 18 seconds West a distance of
21 397.01 feet; thence South 01 degrees 58 minutes 42 seconds
22 East a distance of 5.00 feet, to the Point of Beginning.

23 Said parcel containing 0.192 acres, more or less or 8,385
24 square feet, more or less.

1 Route: County Highway #37 (143rd Street)

2 Section: 08-00169-18-LA

3 County: Will

4 Job No.:

5 Parcel: 0043TE-F

6 Station: 234+11.07 to 238+04.95

7 Index No.: 16-05-03-400-001-0000

8 That part of the Southeast Quarter of Section 3, Township 36
9 North, Range 11 East of the Third Principal Meridian, in Will
10 County, Illinois, bearings and distances based on the Illinois
11 State Plane Coordinate System, East Zone, NAD83 (2011
12 adjustment), with a combined factor of 0.999956901, described
13 as follows:

14 Commencing at the southwest corner of said Southeast Quarter;
15 thence North 01 degrees 52 minutes 52 seconds West along the
16 west line of said Southeast Quarter a distance of 50.00 feet;
17 thence North 88 degrees 01 minutes 18 seconds East a distance
18 of 285.01 feet; thence North 01 degrees 58 minutes 42 seconds
19 West a distance of 30.00 feet; thence North 88 degrees 01
20 minutes 18 seconds East a distance of 62.00 feet; thence South
21 01 degrees 58 minutes 42 seconds East a distance of 30.00 feet;
22 thence North 88 degrees 01 minutes 18 seconds East a distance
23 of 1441.01 feet; thence North 01 degrees 58 minutes 42 seconds
24 West a distance of 30.00 feet; thence North 88 degrees 01
25 minutes 18 seconds East a distance of 84.00 feet; thence South
26 01 degrees 58 minutes 42 seconds East a distance of 20.00 feet,

1 to the Point of Beginning; thence continue South 01 degrees 58
2 minutes 42 seconds East a distance of 10.00 feet; thence North
3 88 degrees 01 minutes 18 seconds East a distance of 393.86
4 feet; thence North 01 degrees 58 minutes 42 seconds West a
5 distance of 10.00 feet; thence South 88 degrees 01 minutes 18
6 seconds West a distance of 393.86 feet, to the Point of
7 Beginning. Said parcel containing 0.090 acres, more or less or
8 3,939 square feet, more or less.

9 Route: County Highway #37 (143rd Street)

10 Section: 08-00169-18-LA

11 County: Will

12 Job No.:

13 Parcel: 0044

14 Station: 242+54.19 to 242+96.16

15 Index No.: 16-05-02-301-011-0000

16 That part of Lot 11 in Brashler and Kall's Chickasaw Hills, a
17 subdivision of the Southwest Quarter of Section 2, Township 36
18 North, Range 11 East of the Third Principal Meridian,
19 according to the plat thereof recorded March 8, 1963, as
20 Document No. 978860, in Will County, Illinois, bearings and
21 distances based on the Illinois State Plane Coordinate System,
22 East Zone, NAD83 (2011 adjustment), with a combined factor of
23 0.999956901, described as follows:

24 Beginning at the southwest corner of said Lot 11; thence North

1 01 degrees 54 minutes 49 seconds West along the west line of
2 said Lot 11 a distance of 35.11 feet; thence South 46 degrees
3 56 minutes 51 seconds East a distance of 35.33 feet; thence
4 North 88 degrees 01 minutes 07 seconds East a distance of 17.00
5 feet; thence South 01 degrees 54 minutes 49 seconds East a
6 distance of 10.11 feet, to the south line of said Lot 11;
7 thence South 88 degrees 00 minutes 31 seconds West along said
8 south line a distance of 42.00 feet, to the Point of Beginning.
9 Said parcel containing 0.017 acres, more or less or 737 square
10 feet, more or less.

11 Route: County Highway #37 (143rd Street)

12 Section: 08-00169-18-LA

13 County: Will

14 Job No.:

15 Parcel: 0044TE

16 Station: 242+54.19 to 242+64.21

17 Index No.: 16-05-02-301-011-0000

18 That part of Lot 11 in Brashler and Kall's Chickasaw Hills, a
19 subdivision of the Southwest Quarter of Section 2, Township 36
20 North, Range 11 East of the Third Principal Meridian,
21 according to the plat thereof recorded March 8, 1963, as
22 Document No. 978860, in Will County, Illinois, bearings and
23 distances based on the Illinois State Plane Coordinate System,
24 East Zone, NAD83 (2011 adjustment), with a combined factor of
25 0.999956901, described as follows:

1 Commencing at the southwest corner of said Lot 11; thence
2 North 01 degrees 54 minutes 49 seconds West along the west line
3 of said Lot 11 a distance of 35.11 feet, to the Point of
4 Beginning; thence South 46 degrees 56 minutes 51 seconds East
5 a distance of 14.13 feet, to a line 10.00 feet east of and
6 parallel with said west line of Lot 11; thence North 01 degrees
7 54 minutes 49 seconds West along said parallel line a distance
8 of 30.00 feet; thence South 88 degrees 05 minutes 11 seconds
9 West a distance of 10.00 feet, to said west line of Lot 11;
10 thence South 01 degrees 54 minutes 49 seconds East along said
11 west line a distance of 20.01 feet, to the Point of Beginning.
12 Said parcel containing 0.006 acres, more or less or 250 square
13 feet, more or less.

14 Route: County Highway #37 (143rd Street)

15 Section: 08-00169-18-LA

16 County: Will

17 Job No.:

18 Parcel: 0045TE

19 Station: 244+56.15 to 246+58.17

20 Index No.: 16-05-02-301-012-0000

21 That part of Lot 12 in Brashler and Kall's Chickasaw Hills, a
22 subdivision in the Southwest Quarter of Section 2, Township 36
23 North, Range 11 East of the Third Principal Meridian,
24 according to the plat thereof recorded March 8, 1963, as
25 Document No. 978860, in Will County, Illinois, bearings and

1 distances based on the Illinois State Plane Coordinate System,
2 East Zone, NAD83 (2011 adjustment), with a combined factor of
3 0.999956901, described as follows:

4 Beginning at the southwest corner of said Lot 12; thence North
5 01 degrees 54 minutes 49 seconds West along the west line of
6 said Lot 12 a distance of 5.08 feet; thence North 88 degrees 01
7 minutes 07 seconds East a distance of 187.00 feet; thence
8 North 43 degrees 03 minutes 09 seconds East a distance of 21.23
9 feet, to the east line of said Lot 12; thence South 01 degrees
10 54 minutes 49 seconds East along said east line a distance of
11 20.04 feet, to the south line of said Lot 12; thence South 88
12 degrees 00 minutes 31 seconds West along said south line a
13 distance of 202.00 feet, to the Point of Beginning.

14 Said parcel containing 0.026 acres, more or less or 1,134
15 square feet, more or less.

16 Route: County Highway #37 (143rd Street)

17 Section: 08-00169-18-LA

18 County: Will

19 Job No.:

20 Parcel: 0056TE-A

21 Station: 602+54.29 to 602+60.29

22 Index No.: 16-05-02-301-010-0000

23 That part of Lot 10 in Brashler and Kall's Chickasaw Hills, a
24 subdivision of the Southwest Quarter of Section 2, Township 36
25 North, Range 11 East of the Third Principal Meridian,

1 according to the plat thereof recorded March 8, 1963 as
2 Document Number 978860, in Will County, Illinois, bearings and
3 distances based on the Illinois State Plane Coordinate System,
4 East Zone, NAD83 (2011 adjustment), with a combined factor of
5 0.999956901, described as follows:

6 Beginning at the northwest corner of said Lot 10; thence South
7 01 degrees 54 minutes 49 seconds East along the west line of
8 said Lot 10 a distance of 6.00 feet, to a line 6.00 feet south
9 of and parallel with the north line of said Lot 10; thence
10 North 88 degrees 05 minutes 07 seconds East along said
11 parallel line a distance of 12.00 feet, to a line 12.00 feet
12 east of and parallel with said west line of Lot 10; thence
13 North 01 degrees 54 minutes 49 seconds West along said
14 parallel line a distance of 6.00 feet, to said north line of
15 Lot 10; thence South 88 degrees 05 minutes 07 seconds West
16 along said north line a distance of 12.00 feet, to the Point of
17 Beginning.

18 Said parcel containing 0.002 acres, more or less or 72 square
19 feet, more or less.

20 Route: County Highway #37 (143rd Street)

21 Section: 08-00169-18-LA

22 County: Will

23 Job No.:

24 Parcel: 0056TE-B

25 Station: 601+78.79 to 602+13.79

1 Index No.: 16-05-02-301-010-0000

2 That part of Lot 10 in Brashler and Kall's Chickasaw Hills, a
3 subdivision of the Southwest Quarter of Section 2, Township 36
4 North, Range 11 East of the Third Principal Meridian,
5 according to the plat thereof recorded March 8, 1963 as
6 Document Number 978860, in Will County, Illinois, bearings and
7 distances based on the Illinois State Plane Coordinate System,
8 East Zone, NAD83 (2011 adjustment), with a combined factor of
9 0.999956901, described as follows:

10 Commencing at the northwest corner of said Lot 10; thence
11 South 01 degrees 54 minutes 49 seconds East along the west line
12 of said Lot 10 a distance of 46.50 feet, to the Point of
13 Beginning; thence continuing South 01 degrees 54 minutes 49
14 seconds East along said west line a distance of 35.00 feet, to
15 a line 81.50 feet south of and parallel with said north line of
16 Lot 10; thence North 88 degrees 05 minutes 07 seconds East
17 along said parallel line a distance of 12.00 feet, to a line
18 12.00 feet east of and parallel with said west line of Lot 10;
19 thence North 01 degrees 54 minutes 49 seconds West along said
20 parallel line a distance of 35.00 feet, to a line 46.50 feet
21 south of and parallel with the north line of said Lot 10;
22 thence South 88 degrees 05 minutes 07 seconds West along said
23 parallel line a distance of 12.00 feet, to the Point of
24 Beginning.

25 Said parcel containing 0.010 acres, more or less or 420 square
26 feet, more or less.

1 Route: County Highway #37 (143rd Street)

2 Section: 08-00169-18-LA

3 County: Will

4 Job No.:

5 Parcel: 0057TE

6 Station: 602+60.29 to 602+89.29

7 Index No.: 16-05-02-301-009-0000

8 That part of Lot 9 in Brashler and Kall's Chickasaw Hills, a
9 subdivision in the Southwest Quarter of Section 2, Township 36
10 North, Range 11 East of the Third Principal Meridian,
11 according to the plat thereof recorded March 8, 1963, as
12 Document No. 978860, in Will County, Illinois, bearings and
13 distances based on the Illinois State Plane Coordinate System,
14 East Zone, NAD83 (2011 adjustment), with a combined factor of
15 0.999956901, described as follows:

16 Beginning at the southwest corner of said Lot 9; thence North
17 01 degrees 54 minutes 49 seconds West along the west line of
18 said Lot 9 a distance of 29.00 feet, to a line 29.00 feet north
19 of and parallel with the south line of said Lot 9; thence North
20 88 degrees 05 minutes 07 seconds East along said parallel line
21 a distance of 12.00 feet, to a line 12.00 feet east of and
22 parallel with said west line of Lot 9; thence South 01 degrees
23 54 minutes 49 seconds East along said parallel line a distance
24 of 29.00 feet, to said south line of Lot 9; thence South 88
25 degrees 05 minutes 07 seconds West along said south line a

1 distance of 12.00 feet, to the Point of Beginning.

2 Said parcel containing 0.008 acres, more or less or 348 square
3 feet, more or less.

4 Route: County Highway #37 (143rd Street)

5 Section: 08-00169-18-LA

6 County: Will

7 Job No.:

8 Parcel: 0058TE

9 Station: 604+06.79 to 604+41.79

10 Index No.: 16-05-02-301-008-0000

11 That part of Lot 8 in Brashler and Kall's Chickasaw Hills, a
12 subdivision in the Southwest Quarter of Section 2, Township 36
13 North, Range 11 East of the Third Principal Meridian,
14 according to the plat thereof recorded March 8, 1963, as
15 Document No. 978860, in Will County, Illinois, bearings and
16 distances based on the Illinois State Plane Coordinate System,
17 East Zone, NAD83 (2011 adjustment), with a combined factor of
18 0.999956901, described as follows:

19 Commencing at the northwest corner of said Lot 8; thence South
20 01 degrees 54 minutes 49 seconds East along the west line of
21 said Lot 8 a distance of 18.50 feet, to the Point of Beginning;
22 thence continuing South 01 degrees 54 minutes 49 seconds East
23 along said west line a distance of 35.00 feet, to a line 53.50
24 feet south of and parallel with the north line of said Lot 8;
25 thence North 88 degrees 05 minutes 07 seconds East along said

1 parallel line a distance of 12.00 feet, to a line 12.00 feet
2 east of and parallel with said west line of Lot 8; thence North
3 01 degrees 54 minutes 49 seconds West along said parallel line
4 a distance of 35.00 feet, to a line 18.50 feet south of and
5 parallel with said north line of Lot 8; thence South 88 degrees
6 05 minutes 07 seconds West along said parallel line a distance
7 of 12.00 feet, to the Point of Beginning.

8 Said parcel containing 0.010 acres, more or less or 420 square
9 feet, more or less.

10 Route: County Highway #37 (143rd Street)

11 Section: 08-00169-18-LA

12 County: Will

13 Job No.:

14 Parcel: 0059TE

15 Station: 605+17.79 to 605+52.79

16 Index No.: 16-05-02-301-007-0000

17 That part of Lot 7 in Brashler and Kall's Chickasaw Hills, a
18 subdivision in the Southwest Quarter of Section 2, Township 36
19 North, Range 11 East of the Third Principal Meridian,
20 according to the plat thereof recorded March 8, 1963, as
21 Document No. 978860, in Will County, Illinois, bearings and
22 distances based on the Illinois State Plane Coordinate System,
23 East Zone, NAD83 (2011 adjustment), with a combined factor of
24 0.999956901, described as follows:

25 Commencing at the northwest corner of said Lot 7; thence South

1 01 degrees 54 minutes 49 seconds East along the west line of
2 said Lot 7 a distance of 7.50 feet, to the Point of Beginning;
3 thence continuing South 01 degrees 54 minutes 49 seconds East
4 along said west line a distance of 35.00 feet, to a line 42.50
5 feet south of and parallel with the north line of said Lot 7;
6 thence North 88 degrees 05 minutes 07 seconds East along said
7 parallel line a distance of 12.00 feet, to a line 12.00 feet
8 east of and parallel with said west line of Lot 7; thence North
9 01 degrees 54 minutes 49 seconds West along said parallel line
10 a distance of 35.00 feet, to a line 7.50 feet south of and
11 parallel with said north line of Lot 7; thence South 88 degrees
12 05 minutes 07 seconds West along said parallel line a distance
13 of 12.00 feet, to the Point of Beginning.

14 Said parcel containing 0.010 acres, more or less or 420 square
15 feet, more or less.

16 Route: County Highway #37 (143rd Street)

17 Section: 08-00169-18-LA

18 County: Will

19 Job No.:

20 Parcel: 0046TE

21 Station: 247+24.15 to 249+34.93

22 Index No.: 16-05-02-302-009-0000

23 That part of Lot 32 in Brashler and Kall's Chickasaw Hills, a
24 subdivision of the Southwest Quarter of Section 2, Township 36
25 North, Range 11 East of the Third Principal Meridian,

1 according to the plat thereof recorded March 8, 1963, as
2 Document No. 978860, in Will County, Illinois, bearings and
3 distances based on the Illinois State Plane Coordinate System,
4 East Zone, NAD83 (2011 adjustment), with a combined factor of
5 0.999956901, described as follows:

6 Beginning at the southwest corner of said Lot 32; thence North
7 01 degrees 54 minutes 49 seconds West along the west line of
8 said Lot 32 a distance of 37.67 feet; thence North 88 degrees
9 00 minutes 31 seconds East a distance of 10.00 feet, to a line
10 10.00 feet east of and parallel with said west line of Lot 32;
11 thence South 01 degrees 54 minutes 49 seconds East along said
12 parallel line a distance of 27.67 feet; thence North 88
13 degrees 00 minutes 31 seconds East a distance of 10.00 feet, to
14 a line 20.00 feet east of and parallel with said west line of
15 Lot 32; thence South 01 degrees 54 minutes 49 seconds East
16 along said parallel line a distance of 5.00 feet; thence North
17 88 degrees 00 minutes 31 seconds East a distance of 190.78
18 feet, to the east line of said Lot 32; thence South 01 degrees
19 54 minutes 49 seconds East along said east line a distance of
20 5.00 feet, to the south line of said Lot 32; thence South 88
21 degrees 00 minutes 31 seconds West along said south line a
22 distance of 210.78 feet, to the Point of Beginning.

23 Said parcel containing 0.033 acres, more or less or 1,432
24 square feet, more or less.

25 Route: County Highway #37 (143rd Street)

1 Section: 08-00169-18-LA

2 County: Will

3 Job No.:

4 Parcel: 0047

5 Station: 249+34.93 to 251+20.99

6 Index No.: 16-05-02-302-014-0000

7 That part of Lot 16 in Brashler and Kall's Chickasaw Woods, a
8 subdivision of the East 915.0 feet of the South 1150.0 feet of
9 the West 100 Acres of the Southwest Quarter of Section 2,
10 Township 36 North, Range 11 East of the Third Principal
11 Meridian, according to the plat thereof recorded September 5,
12 1962, as Document No. 964959, in Will County, Illinois,
13 bearings and distances based on the Illinois State Plane
14 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
15 combined factor of 0.999956901, described as follows:

16 Beginning at the southwest corner of said Lot 16; thence North
17 01 degrees 54 minutes 49 seconds West along the west line of
18 said Lot 16 a distance of 5.00 feet, to a line 5.00 feet north
19 of and parallel with the south line of said Lot 16; thence
20 North 88 degrees 00 minutes 31 seconds East along said
21 parallel line a distance of 170.51 feet; thence North 40
22 degrees 16 minutes 21 seconds East a distance of 20.27 feet, to
23 the easterly line of said Lot 16; thence South 07 degrees 27
24 minutes 49 seconds East along said easterly line a distance of
25 20.09 feet, to said south line of Lot 16; thence South 88
26 degrees 00 minutes 31 seconds West along said south line a

1 distance of 186.06 feet, to the Point of Beginning.

2 Said parcel containing 0.024 acres, more or less or 1,042
3 square feet, more or less.

4 Route: County Highway #37 (143rd Street)

5 Section: 08-00169-18-LA

6 County: Will

7 Job No.:

8 Parcel: 0048

9 Station: 251+85.37 to 254+13.48

10 Index No.: 16-05-02-303-006-0000

11 That part of Lot 17 in Brashler and Kall's Chickasaw Woods, a
12 subdivision of the East 915 feet of the South 1150 feet of the
13 West 100 Acres of the Southwest Quarter of Section 2, Township
14 36 North, Range 11 East of the Third Principal Meridian,
15 according to the plat thereof recorded September 5, 1962, as
16 Document No. 964959, in Will County, Illinois, bearings and
17 distances based on the Illinois State Plane Coordinate System,
18 East Zone, NAD83 (2011 adjustment), with a combined factor of
19 0.999956901, described as follows:

20 Beginning at the southwest corner of said Lot 17; thence North
21 07 degrees 27 minutes 49 seconds West along the westerly line
22 of said Lot 17 a distance of 20.09 feet; thence South 49
23 degrees 43 minutes 39 seconds East a distance of 22.30 feet, to
24 a line 5.00 feet north of and parallel with the south line of
25 said Lot 17; thence North 88 degrees 00 minutes 31 seconds East

1 along said parallel line a distance of 157.93 feet; thence
2 North 01 degrees 59 minutes 29 seconds West a distance of 15.00
3 feet, to a line 20.00 feet north of and parallel with said
4 south line of Lot 17; thence North 88 degrees 00 minutes 31
5 seconds East along said parallel line a distance of 53.67
6 feet, to the easterly line of said Lot 17; thence South 18
7 degrees 25 minutes 19 seconds West along said easterly line a
8 distance of 21.34 feet, to said south line of Lot 17; thence
9 South 88 degrees 00 minutes 31 seconds West along said south
10 line a distance of 218.75 feet, to the Point of Beginning.
11 Said parcel containing 0.045 acres, more or less or 1,976
12 square feet, more or less.

13 Route: County Highway #37 (143rd Street)

14 Section: 08-00169-18-LA

15 County: Will

16 Job No.:

17 Parcel: 0048TE-A

18 Station: 251+96.33 to 253+59.81

19 Index No.: 16-05-02-303-006-0000

20 That part of Lot 17 in Brashler and Kall's Chickasaw Woods, a
21 subdivision of the East 915 feet of the South 1150 feet of the
22 West 100 Acres of the Southwest Quarter of Section 2, Township
23 36 North, Range 11 East of the Third Principal Meridian,
24 according to the plat thereof recorded September 5, 1962, as
25 Document No. 964959, in Will County, Illinois, bearings and

1 distances based on the Illinois State Plane Coordinate System,
2 East Zone, NAD83 (2011 adjustment), with a combined factor of
3 0.999956901, described as follows:

4 Commencing at the southwest corner of said Lot 17; thence
5 North 07 degrees 27 minutes 49 seconds West along the westerly
6 line of said Lot 17 a distance of 20.09 feet; thence South 49
7 degrees 43 minutes 39 seconds East a distance of 14.87 feet, to
8 the Point of Beginning; thence continuing South 49 degrees 43
9 minutes 39 seconds East a distance of 7.43 feet, to a line 5.00
10 feet north of and parallel with the south line of said Lot 17;
11 thence North 88 degrees 00 minutes 31 seconds East along said
12 parallel line a distance of 157.93 feet; thence North 01
13 degrees 59 minutes 29 seconds West a distance of 5.00 feet, to
14 a line 10.00 feet north of and parallel with said south line of
15 Lot 17; thence South 88 degrees 00 minutes 31 seconds West
16 along said parallel line a distance of 163.43 feet, to the
17 Point of Beginning.

18 Said parcel containing 0.018 acres, more or less or 803 square
19 feet, more or less.

20 Route: County Highway #37 (143rd Street)

21 Section: 08-00169-18-LA

22 County: Will

23 Job No.:

24 Parcel: 0048TE-B

25 Station: 253+68.81 to 254+32.16

1 Index No.: 16-05-02-303-006-0000

2 That part of Lot 17 in Brashler and Kall's Chickasaw Woods, a
3 subdivision of the East 915 feet of the South 1150 feet of the
4 West 100 Acres of the Southwest Quarter of Section 2, Township
5 36 North, Range 11 East of the Third Principal Meridian,
6 according to the plat thereof recorded September 5, 1962, as
7 Document No. 964959, in Will County, Illinois, bearings and
8 distances based on the Illinois State Plane Coordinate System,
9 East Zone, NAD83 (2011 adjustment), with a combined factor of
10 0.999956901, described as follows:

11 Commencing at the southwest corner of said Lot 17; thence
12 North 07 degrees 27 minutes 49 seconds West along the westerly
13 line of said Lot 17 a distance of 20.09 feet; thence South 49
14 degrees 43 minutes 39 seconds East a distance of 22.30 feet, to
15 a line 5.00 feet north of and parallel with the south line of
16 said Lot 17; thence North 88 degrees 00 minutes 31 seconds East
17 along said parallel line a distance of 157.93 feet; thence
18 North 01 degrees 59 minutes 29 seconds West a distance of 15.00
19 feet, to a line 20.00 feet north of and parallel with said
20 south line of Lot 17; thence North 88 degrees 00 minutes 31
21 seconds East along said parallel line a distance of 9.00 feet,
22 to the Point of Beginning; thence continuing North 88 degrees
23 00 minutes 31 seconds East along said parallel line a distance
24 of 44.67 feet, to the easterly line of said Lot 17; thence
25 North 18 degrees 25 minutes 19 seconds East along said
26 easterly line a distance of 53.60 feet; thence North 71

1 degrees 34 minutes 41 seconds West a distance of 33.74 feet;
2 thence South 25 degrees 07 minutes 21 seconds West a distance
3 of 69.65 feet, to the Point of Beginning.

4 Said parcel containing 0.053 acres, more or less or 2,289
5 square feet, more or less.

6 Route: County Highway #37 (143rd Street)

7 Section: 08-00169-18-LA

8 County: Will

9 Job No.:

10 Parcel: 0049

11 Station: 254+06.04 to 255+68.06

12 Index No.: 16-05-02-303-011-0000

13 That part of Lot 27 in Brashler and Kall's Chickasaw Woods, a
14 subdivision of the East 915 feet of the South 1150 feet of the
15 West 100 Acres of the Southwest Quarter of Section 2, Township
16 36 North, Range 11 East of the Third Principal Meridian,
17 according to the plat thereof recorded September 5, 1962, as
18 Document No. 964959, in Will County, Illinois, bearings and
19 distances based on the Illinois State Plane Coordinate System,
20 East Zone, NAD83 (2011 adjustment), with a combined factor of
21 0.999956901, described as follows:

22 Beginning at the southwest corner of said Lot 27; thence North
23 18 degrees 25 minutes 19 seconds East along the westerly line
24 of said Lot 27 a distance of 21.34 feet, to a line 20.00 feet
25 north of and parallel with the south line of said Lot 27;

1 thence North 88 degrees 00 minutes 31 seconds East along said
2 parallel line a distance of 26.33 feet; thence South 01
3 degrees 59 minutes 29 seconds East a distance of 10.00 feet, to
4 a line 10.00 feet north of and parallel with said south line of
5 Lot 27; thence North 88 degrees 00 minutes 31 seconds East
6 along said parallel line a distance of 116.80 feet; thence
7 North 39 degrees 11 minutes 54 seconds East a distance of 13.29
8 feet, to the easterly line of said Lot 27; thence South 9
9 degrees 36 minutes 42 seconds East along said easterly line a
10 distance of 20.18 feet, to said south line of Lot 27; thence
11 South 88 degrees 00 minutes 31 seconds West along said south
12 line a distance of 162.00 feet, to the Point of Beginning.

13 Said parcel containing 0.044 acres, more or less or 1,927
14 square feet, more or less.

15 Route: County Highway #37 (143rd Street)

16 Section: 08-00169-18-LA

17 County: Will

18 Job No.:

19 Parcel: 0049TE

20 Station: 254+13.48 to 254+60.72

21 Index No.: 16-05-02-303-011-0000

22 That part of Lot 27 in Brashler and Kall's Chickasaw Woods, a
23 subdivision of the East 915 feet of the South 1150 feet of the
24 West 100 Acres of the Southwest Quarter of Section 2, Township
25 36 North, Range 11 East of the Third Principal Meridian,

1 according to the plat thereof recorded September 5, 1962, as
2 Document No. 964959, in Will County, Illinois, bearings and
3 distances based on the Illinois State Plane Coordinate System,
4 East Zone, NAD83 (2011 adjustment), with a combined factor of
5 0.999956901, described as follows:

6 Commencing at the southwest corner of said Lot 27; thence
7 North 18 degrees 25 minutes 19 seconds East along the westerly
8 line of said Lot 27 a distance of 21.34 feet, to a line 20.00
9 feet north of and parallel with the south line of said Lot 27
10 and the Point of Beginning; thence North 88 degrees 00 minutes
11 31 seconds East along said parallel line a distance of 26.33
12 feet; thence North 25 degrees 51 minutes 00 seconds East a
13 distance of 44.79 feet; thence North 71 degrees 34 minutes 41
14 seconds West a distance of 30.47 feet, to the said westerly
15 line of Lot 27; thence South 18 degrees 25 minutes 19 seconds
16 West along said westerly line a distance of 53.60 feet, to the
17 Point of Beginning.

18 Said parcel containing 0.031 acres, more or less or 1,338
19 square feet, more or less.

20 Route: County Highway #37 (143rd Street)

21 Section: 08-00169-18-LA

22 County: Will

23 Job No.:

24 Parcel: 0050

25 Station: 256+33.29 to 258+49.93

1 Index No.: 16-05-02-304-034-0000

2 That part of Lot 1 in Brashler and Kall's Chickasaw Woods, a
3 subdivision of the East 915.0 feet of the South 1150.0 feet of
4 the West 100 Acres of the Southwest Quarter of Section 2,
5 Township 36 North, Range 11 East of the Third Principal
6 Meridian, according to the plat thereof recorded September 5,
7 1962, as Document No. 964959, in Will County, Illinois,
8 bearings and distances based on the Illinois State Plane
9 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
10 combined factor of 0.999956901, described as follows:

11 Beginning at the southwest corner of said Lot 1; thence North
12 09 degrees 36 minutes 42 seconds West along the westerly line
13 of said Lot 1 a distance of 10.09 feet, to a line 10.00 feet
14 north of and parallel with the south line of said Lot 1; thence
15 North 88 degrees 00 minutes 31 seconds East along said
16 parallel line a distance of 36.64 feet; thence North 01
17 degrees 57 minutes 08 seconds West a distance of 5.00 feet, to
18 a line 15.00 feet north of and parallel with said south line of
19 Lot 1; thence North 88 degrees 00 minutes 31 seconds East along
20 said parallel line a distance of 80.00 feet; thence South 01
21 degrees 57 minutes 08 seconds East a distance of 10.00 feet, to
22 a line 5.00 feet north of and parallel with said south line of
23 Lot 1; thence North 88 degrees 00 minutes 31 seconds East along
24 said parallel line a distance of 100.00 feet, to the east line
25 of said Lot 1; thence South 01 degrees 57 minutes 08 seconds
26 East along said east line a distance of 5.00 feet, to said

1 south line of Lot 1; thence South 88 degrees 00 minutes 31
2 seconds West along said south line a distance of 215.30 feet,
3 to the Point of Beginning.

4 Said parcel containing 0.047 acres, more or less or 2,060
5 square feet, more or less.

6 Route: County Highway #37 (143rd Street)

7 Section: 08-00169-18-LA

8 County: Will

9 Job No.:

10 Parcel: 0050TE

11 Station: 257+49.93 to 258+49.93

12 Index No.: 16-05-02-304-034-0000

13 That part of Lot 1 in Brashler and Kall's Chickasaw Woods, a
14 subdivision of the East 915.0 feet of the South 1150.0 feet of
15 the West 100 Acres of the Southwest Quarter of Section 2,
16 Township 36 North, Range 11 East of the Third Principal
17 Meridian, according to the plat thereof recorded September 5,
18 1962, as Document No. 964959, in Will County, Illinois,
19 bearings and distances based on the Illinois State Plane
20 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
21 combined factor of 0.999956901, described as follows:

22 Commencing at the southwest corner of said Lot 1; thence North
23 09 degrees 36 minutes 42 seconds West along the westerly line
24 of said Lot 1 a distance of 10.09 feet, to a line 10.00 feet
25 north of and parallel with the south line of said Lot 1; thence

1 North 88 degrees 00 minutes 31 seconds East along said
2 parallel line a distance of 36.64 feet; thence North 01
3 degrees 57 minutes 08 seconds West a distance of 5.00 feet, to
4 a line 15.00 feet north of and parallel with said south line of
5 Lot 1; thence North 88 degrees 00 minutes 31 seconds East along
6 said parallel line a distance of 80.00 feet; thence South 01
7 degrees 57 minutes 08 seconds East a distance of 8.00 feet, to
8 the Point of Beginning; thence continuing South 01 degrees 57
9 minutes 08 seconds East a distance of 2.00 feet, to a line 5.00
10 feet north of and parallel with said south line of Lot 1;
11 thence North 88 degrees 00 minutes 31 seconds East along said
12 parallel line a distance of 100.00 feet, to the east line of
13 said Lot 1; thence North 01 degrees 57 minutes 08 seconds West
14 along said east line a distance of 2.00 feet, to a line 7.00
15 north of and parallel with said south line of Lot 1; thence
16 South 88 degrees 00 minutes 31 seconds West along said
17 parallel line a distance of 100.00 feet, to the Point of
18 Beginning.

19 Said parcel containing 0.005 acres, more or less or 200 square
20 feet, more or less.

21 Route: County Highway #37 (143rd Street)

22 Section: 08-00169-18-LA

23 County: Will

24 Job No.:

25 Parcel: 0051

1 Station: 258+49.91 to 268+47.79

2 Index No.: 16-05-02-300-007(pt)

3 That part of the Southwest Quarter of Section 2, Township 36
4 North, Range 11 East of the Third Principal Meridian, in Will
5 County, Illinois, bearings and distances based on the Illinois
6 State Plane Coordinate System, East Zone, NAD83 (2011
7 adjustment), with a combined factor of 0.999956901, described
8 as follows:

9 Beginning at the intersection of the south line of said
10 Southwest Quarter with the east line of Brashler & Kall's
11 Chickasaw Woods, a subdivision in said Southwest Quarter of
12 Section 2, according to the plat thereof recorded September 5,
13 1962 as Document No. 964959; thence North 01 degrees 57
14 minutes 08 seconds West along said east line a distance of
15 42.74 feet, to a line 20.00 feet south of and parallel with the
16 north line of 143rd Street as dedicated in the Final Plat of
17 Villas of Old Oak, a Planned Unit Development, recorded
18 December 7, 2022 as Document No. R2022-085644, in said
19 Southwest Quarter of Section 2, also being the north line of
20 dedication for public road purposes per Document No. 457941;
21 thence North 88 degrees 01 minutes 07 seconds East along said
22 parallel line also being the north line of said dedication for
23 public road purposes per Document No. 457941 a distance of
24 931.97 feet; to the west line of Golden Oak Drive as dedicated
25 per Document No. R77-042665; thence North 88 degrees 01
26 minutes 07 seconds East along the south line of said Golden Oak

1 Drive a distance of 66.00 feet, to the east line of said
2 Southwest Quarter of Section 2; thence South 01 degrees 35
3 minutes 29 seconds East along said east line a distance of
4 44.58 feet, to said south line of the Southwest Quarter of
5 Section 2; thence South 88 degrees 07 minutes 28 seconds West
6 along said south line a distance of 997.69 feet, to the Point
7 of Beginning.

8 Said parcel containing 1.000 acres, more or less or 43,563
9 square feet, more or less, of which 1.000 acres, more or less
10 or 43,563 square feet, more or less, was previously dedicated
11 or used for highway purposes.

12 Route: County Highway #37 (143rd Street)

13 Section: 08-00169-18-LA

14 County: Will

15 Job No.:

16 Parcel: 0051TE

17 Station: 267+54.94 to 267+82.17

18 Index No.: 16-05-02-310-042-0000

19 That part of Outlot D in the Final Plat of Villas of Old Oak, a
20 Planned Unit Development, recorded December 7, 2022, as
21 Document No. R2022-085644, being a subdivision of the
22 Southwest Quarter of Section 2, Township 36 North, Range 11
23 East of the Third Principal Meridian, except the north 1765.01
24 feet thereof and except the east 66.00 feet thereof, in Will
25 County, Illinois, bearings and distances based on the Illinois

1 State Plane Coordinate System, East Zone, NAD83 (2011
2 adjustment), with a combined factor of 0.999956901, described
3 as follows:

4 Beginning at the southmost southeast corner of said Outlot D;
5 thence South 88 degrees 01 minutes 07 seconds West along the
6 south line of said Outlot D a distance of 7.09 feet, to a line
7 5.00 feet northwesterly of and parallel with the southeasterly
8 line of said Outlot D; thence North 43 degrees 11 minutes 09
9 seconds East along said parallel line a distance of 24.26
10 feet, to a line 10.00 feet west of and parallel with the east
11 line of said Outlot D; thence North 01 degrees 35 minutes 21
12 seconds West along said parallel line a distance of 148.58
13 feet, to the north line of said Outlot D; thence North 88
14 degrees 08 minutes 36 seconds East along said north line a
15 distance of 10.00 feet, to the east line of said Outlot D;
16 thence South 01 degrees 35 minutes 21 seconds East along said
17 east line a distance of 145.65 feet, to said southeasterly
18 line of Outlot D; thence South 43 degrees 11 minutes 09 seconds
19 West along said southeasterly line a distance of 28.39 feet,
20 to the Point of Beginning.

21 Said parcel containing 0.037 acres, more or less or 1,603
22 square feet, more or less.

23 Route: County Highway #37 (143rd Street)

24 Section: 08-00169-18-LA

25 County: Will

1 Job No.:

2 Parcel: 0061TE

3 Station: 502+35.40 to 502+55.45

4 Index No.: 16-05-02-310-041-0000

5 That part of Lot 13 in the Final Plat of Villas of Old Oak, a
6 Planned Unit Development, recorded December 7, 2022, as
7 Document No. R2022-085644, being a subdivision of the
8 Southwest Quarter of Section 2, Township 36 North, Range 11
9 East of the Third Principal Meridian, except the north 1765.01
10 feet thereof and except the east 66.00 feet thereof, in Will
11 County, Illinois, bearings and distances based on the Illinois
12 State Plane Coordinate System, East Zone, NAD83 (2011
13 adjustment), with a combined factor of 0.999956901, described
14 as follows:

15 Beginning at the southeast corner of said Lot 13; thence South
16 88 degrees 08 minutes 36 seconds West along the south line of
17 said Lot 13 a distance of 10.00 feet, to a line 10.00 feet west
18 of and parallel with the east line of said Lot 13; thence North
19 01 degrees 35 minutes 21 seconds West along said parallel line
20 a distance of 20.00 feet, to a line 20.00 feet north of and
21 parallel with said south line of Lot 13; thence North 88
22 degrees 08 minutes 36 seconds East along said parallel line a
23 distance of 10.00 feet, to said east line of Lot 13; thence
24 South 01 degrees 35 minutes 21 seconds East along said east
25 line a distance of 20.00 feet, to the Point of Beginning.

26 Said parcel containing 0.005 acres, more or less or 200 square

1 feet, more or less.

2 Route: County Highway #37 (143rd Street)

3 Section: 08-00169-18-LA

4 County: Will

5 Job No.:

6 Parcel: 0052

7 Station: 268+47.49 to 271+31.82

8 Index No.: 16-05-02-400-036-0000

9 16-05-02-400-037-0000

10 That part of Southwest Quarter of the Southeast Quarter of
11 Section 2, Township 36 North, Range 11 East of the Third
12 Principal Meridian, in Will County, Illinois, bearings and
13 distances based on the Illinois State Plane Coordinate System,
14 East Zone, NAD83 (2011 adjustment), with a combined factor of
15 0.999956901, described as follows:

16 Beginning at the southwest corner of said Southwest Quarter of
17 the Southeast Quarter; thence North 01 degrees 35 minutes 29
18 seconds West along the west line of said Southwest Quarter of
19 the Southeast Quarter a distance of 44.58 feet, to the north
20 line of dedication for public road purposes per Document No.
21 457943; thence North 88 degrees 01 minutes 07 seconds East
22 along said north line a distance of 28.00 feet, to the easterly
23 line of dedication for public road purposes per Document No.
24 R2008- 073540; thence North 29 degrees 04 minutes 52 seconds
25 West along said easterly line a distance of 60.66 feet, to the

1 north corner of said dedication for public road purposes per
2 Document No. R2008-073540 said corner being on said west line
3 of the Southwest Quarter of the Southeast Quarter; thence
4 North 01 degrees 35 minutes 29 seconds West along said west
5 line a distance of 186.42 feet, to the north line of the south
6 285.00 feet of said Southwest Quarter of the Southeast
7 Quarter; thence North 88 degrees 08 minutes 10 seconds East
8 along said north line a distance of 15.00 feet, to a line 15.00
9 feet east of and parallel with said west line of the Southwest
10 Quarter of the Southeast Quarter; thence South 01 degrees 35
11 minutes 29 seconds East along said parallel line a distance of
12 204.49 feet, to a line 5.00 feet easterly of and parallel with
13 said easterly line of dedication for public road purposes per
14 Document No. R2008-073540; thence South 29 degrees 04 minutes
15 52 seconds East along said easterly line a distance of 34.71
16 feet, to a line 5.00 feet north of and parallel with said north
17 line of dedication for public road purposes per Document No.
18 457943; thence North 88 degrees 01 minutes 07 seconds East
19 along said parallel line a distance of 252.98 feet, to a line
20 284.00 feet east of and parallel with said west line of the
21 Southwest Quarter of the Southeast Quarter; thence South 01
22 degrees 35 minutes 29 seconds East along said parallel line a
23 distance of 5.00 feet, to said north line of dedication for
24 public road purposes per Document No. 457943; thence North 88
25 degrees 01 minutes 07 seconds East along said north line a
26 distance of 528.12 feet, to the east line of the west 812.11

1 feet of said Southwest Quarter of the Southeast Quarter;
2 thence South 01 degrees 35 minutes 29 seconds East along said
3 east line a distance of 46.24 feet, to the south line of said
4 Southwest Quarter of the Southeast Quarter; thence South 88
5 degrees 08 minutes 10 seconds West along said south line a
6 distance of 812.12 feet, to the Point of Beginning.

7 Said parcel containing 0.949 acres, more or less or 41,318
8 square feet, more or less, of which 0.847 acres, more or less
9 or 36,880 square feet, more or less, was previously dedicated
10 or used for highway purposes.

11 Route: County Highway #37 (143rd Street)

12 Section: 08-00169-18-LA

13 County: Will

14 Job No.:

15 Parcel: 0052TE

16 Station: 271+12.12 to 271+72.14

17 Index No.: 16-05-02-400-036-0000

18 16-05-02-400-037-0000

19 That part of Southwest Quarter of the Southeast Quarter of
20 Section 2, Township 36 North, Range 11 East of the Third
21 Principal Meridian, in Will County, Illinois, bearings and
22 distances based on the Illinois State Plane Coordinate System,
23 East Zone, NAD83 (2011 adjustment), with a combined factor of
24 0.999956901, described as follows:

25 Commencing at the southwest corner of said Southwest Quarter

1 of the Southeast Quarter; thence North 01 degrees 35 minutes
2 29 seconds West along the west line of said Southwest Quarter
3 of the Southeast Quarter a distance of 44.58 feet, to the north
4 line of dedication for public road purposes per Document No.
5 457943; thence North 88 degrees 01 minutes 07 seconds East
6 along said north line a distance of 28.00 feet, to the easterly
7 line of dedication for public road purposes per Document No.
8 R2008- 073540; thence North 29 degrees 04 minutes 52 seconds
9 West along said easterly line a distance of 60.66 feet, to the
10 north corner of said dedication for public road purposes per
11 Document No. R2008-073540 said corner being on said west line
12 of the Southwest Quarter of the Southeast Quarter; thence
13 North 01 degrees 35 minutes 29 seconds West along said west
14 line a distance of 186.42 feet, to the north line of the south
15 285.00 feet of said Southwest Quarter of the Southeast
16 Quarter; thence North 88 degrees 08 minutes 10 seconds East
17 along said north line a distance of 15.00 feet, to a line 15.00
18 feet east of and parallel with said west line of the Southwest
19 Quarter of the Southeast Quarter; thence South 01 degrees 35
20 minutes 29 seconds East along said parallel line a distance of
21 204.49 feet, to a line 5.00 feet easterly of and parallel with
22 said easterly line of dedication for public road purposes per
23 Document No. R2008-073540; thence South 29 degrees 04 minutes
24 52 seconds East along said easterly line a distance of 34.71
25 feet, to a line 5.00 feet north of and parallel with said north
26 line of dedication for public road purposes per Document No.

1 457943; thence North 88 degrees 01 minutes 07 seconds East
2 along said parallel line a distance of 233.28 feet, to the
3 Point of Beginning; thence continuing North 88 degrees 01
4 minutes 07 seconds East along said parallel line a distance of
5 19.70 feet, to a line 284.00 feet east of and parallel with
6 said west line of the Southwest Quarter of the Southeast
7 Quarter; thence South 01 degrees 35 minutes 29 seconds East
8 along said parallel line a distance of 5.00 feet, to said north
9 line of dedication for public road purposes per Document No.
10 457943; thence North 88 degrees 01 minutes 07 seconds East
11 along said north line a distance of 40.30 feet, to a line
12 324.30 feet east of and parallel with said west line of the
13 Southwest Quarter of the Southeast Quarter; thence North 01
14 degrees 35 minutes 29 seconds West along said parallel line a
15 distance of 10.00 feet, to a line 10.00 feet north of and
16 parallel with said north line of dedication for public road
17 purposes per Document No. 457943; thence South 88 degrees 01
18 minutes 07 seconds West along said parallel line a distance of
19 60.00 feet, to a line 264.30 feet east of and parallel with
20 said west line of the Southwest Quarter of the Southeast
21 Quarter; thence South 01 degrees 35 minutes 29 seconds East
22 along said parallel line a distance of 5.00 feet, to the Point
23 of Beginning.

24 Said parcel containing 0.012 acres, more or less or 501 square
25 feet, more or less.

1 Route: County Highway #37 (143rd Street)

2 Section: 08-00169-18-LA

3 County: Will

4 Job No.:

5 Parcel: 0155PE

6 Station: 229+44.58 to 229+61.97

7 Index No.: 16-05-10-203-034-0000

8 That part of Lot 5 in Block 1 in Pebble Creek Unit 2 Phase 1,
9 being a subdivision of part of the Northeast Quarter of
10 Section 10, Township 36 North, Range 11 East of the Third
11 Principal Meridian, according to the plat thereof recorded
12 January 12, 1977, as Document Number R77-001234, in Will
13 County, Illinois, bearings and distances based on the Illinois
14 State Plane Coordinate System, East Zone, NAD83 (2011
15 adjustment), with a combined factor of 0.999956901, described
16 as follows:

17 Beginning at the northwest corner of said Lot 5; thence North
18 88 degrees 01 minutes 17 seconds East along the north line of
19 said Lot 5 a distance of 17.38 feet; thence South 01 degrees 58
20 minutes 43 seconds East a distance of 10.00 feet, to a line
21 10.00 feet south of and parallel with said north line of Lot 5;
22 thence South 88 degrees 01 minutes 17 seconds West along said
23 parallel line a distance of 11.57 feet, to the southwesterly
24 line of said Lot 5; thence North 32 degrees 08 minutes 50
25 seconds West along said southwesterly line a distance of 11.57
26 feet, to the Point of Beginning.

1 Said parcel containing 0.003 acres, more or less or 145 square
2 feet, more or less.

3 Route: County Highway #37 (143rd Street)

4 Section: 08-00169-18-LA

5 County: Will

6 Job No.:

7 Parcel: 0156PE

8 Station: 230+90.03 to 231+10.04

9 Index No.: 16-05-10-203-035-0000

10 That part of Lot 4 in Block 1 in Pebble Creek Unit 2 Phase 1,
11 being a subdivision of part of the Northeast Quarter of
12 Section 10, Township 36 North, Range 11 East of the Third
13 Principal Meridian, according to the plat thereof recorded
14 January 12, 1977, as Document Number R77-001234, in Will
15 County, Illinois, bearings and distances based on the Illinois
16 State Plane Coordinate System, East Zone, NAD83 (2011
17 adjustment), with a combined factor of 0.999956901, described
18 as follows:

19 Commencing at the northwest corner of said Lot 4; thence North
20 88 degrees 01 minutes 17 seconds East along the north line of
21 said Lot 4 a distance of 29.70 feet, to the Point of Beginning;
22 thence continuing North 88 degrees 01 minutes 17 seconds East
23 along said north line a distance of 20.00 feet, to a line 15.30
24 feet west of and parallel with the east line of said Lot 4;
25 thence South 01 degrees 58 minutes 43 seconds East along said

1 parallel line a distance of 10.00 feet, to a line 10.00 feet
2 south of and parallel with said north line of Lot 4; thence
3 South 88 degrees 01 minutes 17 seconds West along said
4 parallel line a distance of 20.00 feet, to a line 35.30 feet
5 west of and parallel with said east line of Lot 4; thence North
6 01 degrees 58 minutes 43 seconds West along said parallel line
7 a distance of 10.00 feet, to the Point of Beginning.

8 Said parcel containing 0.005 acres, more or less or 200 square
9 feet, more or less.

10 Route: County Highway #37 (143rd Street)

11 Section: 08-00169-18-LA

12 County: Will

13 Job No.:

14 Parcel: 0165

15 Station: 241+23.91 to 241+53.86

16 Index No.: 16-05-10-207-011-0000

17 That part of Lot 169 in Block 7 in Pebble Creek Unit 2 Phase 2,
18 being a subdivision of part of the Northeast Quarter of
19 Section 10, Township 36 North, Range 11 East of the Third
20 Principal Meridian, according to the plat thereof recorded
21 June 3, 1977, as Document Number R77-018514, in Will County,
22 Illinois, bearings and distances based on the Illinois State
23 Plane Coordinate System, East Zone, NAD83 (2011 adjustment),
24 with a combined factor of 0.999956901, described as follows:

25 Beginning at the northeast corner of said Lot 169; thence

1 South 01 degrees 49 minutes 37 seconds East along the east line
2 of said Lot 169 a distance of 30.00 feet; thence North 46
3 degrees 54 minutes 10 seconds West a distance of 42.37 feet, to
4 the north line of said Lot 169; thence North 88 degrees 01
5 minutes 17 seconds East along said north line a distance of
6 30.00 feet, to the Point of Beginning.

7 Said parcel containing 0.010 acres, more or less or 450 square
8 feet, more or less.

9 Route: County Highway #37 (143rd Street)

10 Section: 08-00169-18-LA

11 County: Will

12 Job No.:

13 Parcel: 0190

14 Station: 596+50.29 to 597+20.30

15 Index No.: 16-05-10-200-012-0000

16 That part of the Northeast Quarter of Section 10, Township 36
17 North, Range 11 East of the Third Principal Meridian, in Will
18 County, Illinois, bearings and distances based on the Illinois
19 State Plane Coordinate System, East Zone, NAD83 (2011
20 adjustment), with a combined factor of 0.999956901, described
21 as follows:

22 Commencing at the Northeast corner of said Northeast Quarter;
23 thence South 01 degrees 49 minutes 07 seconds East along the
24 east line of said Northeast Quarter a distance of 290.00 feet,
25 to a line perpendicular to said east line and the Point of

1 Beginning; thence South 88 degrees 10 minutes 53 seconds West
2 along said perpendicular line a distance of 50.00 feet, to a
3 line 50.00 feet west of and parallel with said east line of the
4 Northeast Quarter; thence South 01 degrees 49 minutes 07
5 seconds East along said parallel line a distance of 70.00
6 feet, to a line perpendicular to said east line of the
7 Northeast Quarter; thence North 88 degrees 10 minutes 53
8 seconds East along said perpendicular line a distance of 50.00
9 feet, to said east line of the Northeast Quarter; thence North
10 01 degrees 49 minutes 07 seconds West along said east line a
11 distance of 70.00 feet, to the Point of Beginning.

12 Said parcel containing 0.080 acres, more or less or 3,500
13 square feet, more or less.

14 Route: County Highway #37 (143rd Street)

15 Section: 08-00169-18-LA

16 County: Will

17 Job No.:

18 Parcel: 0191

19 Station: 594+99.25 to 596+50.29

20 Index No.: 16-05-10-200-013-0000

21 That part of the Northeast Quarter of Section 10, Township 36
22 North, Range 11 East of the Third Principal Meridian, in Will
23 County, Illinois, bearings and distances based on the Illinois
24 State Plane Coordinate System, East Zone, NAD83 (2011

1 adjustment), with a combined factor of 0.999956901, described
2 as follows:

3 Commencing at the Northeast corner of said Northeast Quarter;
4 thence South 01 degrees 49 minutes 07 seconds East along the
5 east line of said Northeast Quarter a distance of 290.00 feet,
6 to a line perpendicular to said east line; thence South 88
7 degrees 10 minutes 53 seconds West along said perpendicular
8 line a distance of 50.00 feet, to a line 50.00 feet west of and
9 parallel with said east line of the Northeast Quarter; thence
10 South 01 degrees 49 minutes 07 seconds East along said
11 parallel line a distance of 70.00 feet, to a line
12 perpendicular to said east line of the Northeast Quarter and
13 the Point of Beginning; thence North 88 degrees 10 minutes 53
14 seconds East along said perpendicular line a distance of 50.00
15 feet, to said east line of the Northeast Quarter; thence South
16 01 degrees 49 minutes 07 seconds East along said east line a
17 distance of 150.00 feet, to a line perpendicular to said east
18 line; thence South 88 degrees 10 minutes 53 seconds West along
19 said perpendicular line a distance of 50.00 feet, to a line
20 50.00 feet west of and parallel with said east line of the
21 Northeast Quarter; thence North 01 degrees 49 minutes 07
22 seconds West along said parallel line a distance of 150.00
23 feet, to the Point of Beginning.

24 Said parcel containing 0.172 acres, more or less or 7,500
25 square feet, more or less.

1 Route: County Highway #37 (143rd Street)

2 Section: 08-00169-18-LA

3 County: Will

4 Job No.:

5 Parcel: 0166TE-A

6 Station: 242+93.89 to 247+30.73

7 Index No.: 16-05-11-101-029-0000

8 That part of Outlot A in Dawnwood Unit No. 1, a subdivision in
9 a Planned Unit Development of part of the West Half of the
10 Northwest Quarter of the Northwest Quarter of Section 11,
11 Township 36 North, Range 11 East of the Third Principal
12 Meridian, according to the plat thereof recorded August 20,
13 1991, as Document Number R91-047260, in Will County, Illinois,
14 bearings and distances based on the Illinois State Plane
15 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
16 combined factor of 0.999956901, described as follows:

17 Beginning at the north most northwest corner of said Outlot A;
18 thence North 88 degrees 04 minutes 14 seconds East along the
19 north line of said Outlot A for a distance of 426.79 feet, to a
20 line 134.00 feet west of and parallel with the east line of
21 said Outlot A; thence South 01 degrees 46 minutes 03 seconds
22 East along said parallel line a distance of 40.00 feet, to a
23 line 40.00 feet south of and parallel with said north line of
24 Outlot A; thence South 88 degrees 04 minutes 14 seconds West
25 along said parallel line a distance of 34.00 feet; thence
26 North 01 degrees 55 minutes 46 seconds West a distance of 2.00

1 feet, to a line 38.00 feet south of and parallel with said
2 north line of Outlot A; thence South 88 degrees 04 minutes 14
3 seconds West along said parallel line a distance of 12.00
4 feet; thence South 01 degrees 55 minutes 46 seconds East a
5 distance of 2.00 feet, to said line 40.00 feet south of and
6 parallel with the north line of Outlot A; thence South 88
7 degrees 04 minutes 14 seconds West along said parallel line a
8 distance of 39.00 feet, to a line 219.00 feet west of and
9 parallel with said east line of Outlot A; thence North 01
10 degrees 46 minutes 03 seconds West along said parallel line a
11 distance of 30.00 feet, to a line 10.00 feet south of and
12 parallel with said north line of Outlot A; thence South 88
13 degrees 04 minutes 14 seconds West along said parallel line a
14 distance of 351.79 feet, to the northwesterly line of said
15 Outlot A; thence North 43 degrees 09 minutes 04 seconds East
16 along said northwesterly line a distance of 14.16 feet, to the
17 Point of Beginning.

18 Said parcel containing 0.157 acres, more or less or 6,844
19 square feet, more or less.

20 Route: County Highway #37 (143rd Street)

21 Section: 08-00169-18-LA

22 County: Will

23 Job No.:

24 Parcel: 0166TE-B

1 Station: 248+39.67 to 248+64.67

2 Index No.: 16-05-11-101-029-0000

3 That part of Outlot A in Dawnwood Unit No. 1, a subdivision in
4 a Planned Unit Development of part of the West Half of the
5 Northwest Quarter of the Northwest Quarter of Section 11,
6 Township 36 North, Range 11 East of the Third Principal
7 Meridian, according to the plat thereof recorded August 20,
8 1991, as Document Number R91-047260, in Will County, Illinois,
9 bearings and distances based on the Illinois State Plane
10 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
11 combined factor of 0.999956901, described as follows:

12 Beginning at the northeast corner of said Outlot A; thence
13 South 01 degrees

14 46 minutes 03 seconds East along the east line of said Outlot A
15 for a distance of 15.00 feet, to a line 15.00 feet south of and
16 parallel with the north line of said Outlot A; thence South 88
17 degrees 04 minutes 14 seconds West along said parallel line a
18 distance of 25.00 feet, to a line 25.00 feet west of and
19 parallel with said east line of Outlot A; thence North 01
20 degrees 46 minutes 03 seconds West along said parallel line a
21 distance of 15.00 feet, to said north line of Outlot A; thence
22 North 88 degrees 04 minutes 14 seconds East along said north
23 line a distance of 25.00 feet, to the Point of Beginning.

24 Said parcel containing 0.009 acres, more or less or 375 square
25 feet, more or less.

1 Route: County Highway #37 (143rd Street)

2 Section: 08-00169-18-LA

3 County: Will

4 Job No.:

5 Parcel: 0167

6 Station: 248+64.69 to 250+36.73

7 Index No.: 16-05-11-101-001-0000

8 That part of Lot 1 in Old Oak, a subdivision of part of the
9 Northwest Quarter of the Northwest Quarter of Section 11,
10 Township 36 North, Range 11 East of the Third Principal
11 Meridian, according to the plat thereof recorded August 22,
12 1968, as Document Number R68-014102, in Will County, Illinois,
13 bearings and distances based on the Illinois State Plane
14 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
15 combined factor of 0.999956901, described as follows:

16 Beginning at the northwest corner of said Lot 1; thence North
17 88 degrees 04 minutes 14 seconds East along the north line of
18 said Lot 1 a distance of 172.00 feet, to the east line of said
19 Lot 1; thence South 01 degrees 55 minutes 46 seconds East along
20 said east line a distance of 30.00 feet; thence North 46
21 degrees 55 minutes 46 seconds West a distance of 28.28 feet, to
22 a line 10.00 feet south of and parallel with said north line of
23 Lot 1; thence South 88 degrees 04 minutes 14 seconds West along
24 said parallel line a distance of 152.03 feet, to the west line
25 of said Lot 1; thence North 01 degrees 46 minutes 03 seconds
26 West along said west line a distance of 10.00 feet, to the

1 Point of Beginning.

2 Said parcel containing 0.044 acres, more or less or 1,921
3 square feet, more or less.

4 Route: County Highway #37 (143rd Street)

5 Section: 08-00169-18-LA

6 County: Will

7 Job No.:

8 Parcel: 0168

9 Station: 251+02.71 to 252+57.96

10 Index No.: 16-05-11-102-001-0000

11 That part of Lot 2 in Old Oak, a subdivision of part of the
12 Northwest Quarter of the Northwest Quarter of Section 11,
13 Township 36 North, Range 11 East of the Third Principal
14 Meridian, according to the plat thereof recorded August 22,
15 1968, as Document Number R68-014102, in Will County, Illinois,
16 bearings and distances based on the Illinois State Plane
17 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
18 combined factor of 0.999956901, described as follows:

19 Beginning at the northwest corner of said Lot 2; thence North
20 88 degrees 04 minutes 14 seconds East along the north line of
21 said Lot 2 a distance of 155.23 feet, to the east line of said
22 Lot 2; thence South 01 degrees 48 minutes 46 seconds East along
23 said east line a distance of 5.00 feet, to a line 5.00 feet
24 south of and parallel with said north line of Lot 2; thence
25 South 88 degrees 04 minutes 14 seconds West along said

1 parallel line a distance of 140.22 feet; thence South 43
2 degrees 04 minutes 14 seconds West a distance of 21.21 feet, to
3 the west line of said Lot 2; thence North 01 degrees 55 minutes
4 46 seconds West along said west line a distance of 20.00 feet,
5 to the Point of Beginning.

6 Said parcel containing 0.020 acres, more or less or 889 square
7 feet, more or less.

8 Route: County Highway #37 (143rd Street)

9 Section: 08-00169-18-LA

10 County: Will

11 Job No.:

12 Parcel: 0169

13 Station: 252+57.88 to 255+37.96

14 Index No.: 16-05-11-102-013-0000

15 That part of Lot 24 in Old Oak Unit No. 2, being a subdivision
16 of part of the Northwest Quarter of Section 11, Township 36
17 North, Range 11 East of the Third Principal Meridian,
18 according to the plat thereof recorded October 14, 1969, as
19 Document Number R69-019112, in Will County, Illinois, bearings
20 and distances based on the Illinois State Plane Coordinate
21 System, East Zone, NAD83 (2011 adjustment), with a combined
22 factor of 0.999956901, described as follows:

23 Beginning at the northwest corner of said Lot 24; thence North
24 88 degrees 04 minutes 14 seconds East along the north line of
25 said Lot 24 a distance of 280.00 feet, to the east line of the

1 west 280.00 feet of said Lot 24; thence South 01 degrees 44
2 minutes 01 seconds East along said east line a distance of
3 15.00 feet, to a line 15.00 feet south of and parallel with
4 said north line of Lot 24; thence South 88 degrees 04 minutes
5 14 seconds West along said parallel line a distance of 125.50
6 feet, to a line 154.50 feet east of and parallel with the west
7 line of said Lot 24; thence South 01 degrees 44 minutes 01
8 seconds East along said parallel line a distance of 10.00
9 feet, to a line 25.00 feet south of and parallel with said
10 north line of Lot 24; thence South 88 degrees 04 minutes 14
11 seconds West along said parallel line a distance of 154.50
12 feet, to said west line of Lot 24; thence North 01 degrees 44
13 minutes 01 seconds West along said west line a distance of
14 25.00 feet, to the Point of Beginning.

15 Said parcel containing 0.132 acres, more or less or 5,745
16 square feet, more or less.

17 Route: County Highway #37 (143rd Street)

18 Section: 08-00169-18-LA

19 County: Will

20 Job No.:

21 Parcel: 0169TE

22 Station: 253+31.81 to 254+38.91

23 Index No.: 16-05-11-102-013-0000

24 That part of Lot 24 in Old Oak Unit No. 2, being a subdivision
25 of part of the Northwest Quarter of Section 11, Township 36

1 North, Range 11 East of the Third Principal Meridian,
2 according to the plat thereof recorded October 14, 1969, as
3 Document Number R69-019112, in Will County, Illinois, bearings
4 and distances based on the Illinois State Plane Coordinate
5 System, East Zone, NAD83 (2011 adjustment), with a combined
6 factor of 0.999956901, described as follows:

7 Commencing at the northwest corner of said Lot 24; thence
8 North 88 degrees 04 minutes 14 seconds East along the north
9 line of said Lot 24 a distance of 280.00 feet, to the east line
10 of the west 280.00 feet of said Lot 24; thence South 01 degrees
11 44 minutes 01 seconds East along said east line a distance of
12 15.00 feet, to a line 15.00 feet south of and parallel with
13 said north line of Lot 24; thence South 88 degrees 04 minutes
14 14 seconds West along said parallel line a distance of 99.00
15 feet, to the Point of Beginning; thence continuing South 88
16 degrees 04 minutes 14 seconds West along said parallel line a
17 distance of 26.50 feet, to a line 154.50 feet east of and
18 parallel with the west line of said Lot 24; thence South 01
19 degrees 44 minutes 01 seconds East along said parallel line a
20 distance of 10.00 feet, to a line 25.00 feet south of and
21 parallel with said north line of Lot 24; thence South 88
22 degrees 04 minutes 14 seconds West along said parallel line a
23 distance of 80.50 feet, to a line 74.00 feet east of and
24 parallel with said west line of Lot 24; thence South 01 degrees
25 44 minutes 01 seconds East along said parallel line a distance
26 of 25.00 feet, to a line 50.00 feet south of and parallel with

1 said north line of Lot 24; thence North 88 degrees 04 minutes
2 14 seconds East along said parallel line a distance of 107.00
3 feet, to a line 181.00 feet east of and parallel with said west
4 line of Lot 24; thence North 01 degrees 44 minutes 01 seconds
5 West along said parallel line a distance of 35.00 feet, to the
6 Point of Beginning.

7 Said parcel containing 0.067 acres, more or less or 2,940
8 square feet, more or less.

9 Route: County Highway #37 (143rd Street)

10 Section: 08-00169-18-LA

11 County: Will

12 Job No.:

13 Parcel: 0170

14 Station: 255+37.89 to 257+86.58

15 Index No.: 16-05-11-102-014-0000

16 That part of Lot 24 in Old Oak Unit No. 2, being a subdivision
17 of part of the Northwest Quarter of Section 11, Township 36
18 North, Range 11 East of the Third Principal Meridian,
19 according to the plat thereof recorded October 14, 1969 as
20 Document Number R69-019112, in Will County, Illinois, bearings
21 and distances based on the Illinois State Plane Coordinate
22 System, East Zone, NAD83 (2011 adjustment), with a combined
23 factor of 0.999956901, described as follows:

24 Beginning at the intersection of the north line of said Lot 24
25 with the east line of the west 280.00 feet of said Lot 24;

1 thence North 88 degrees 04 minutes 14 seconds East along said
2 north line of Lot 24 a distance of 248.62 feet, to the east
3 line of said Lot 24; thence South 01 degrees 44 minutes 01
4 seconds East along said east line a distance of 45.00 feet;
5 thence North 46 degrees 49 minutes 54 seconds West a distance
6 of 42.35 feet, to a line 15.00 feet south of and parallel with
7 said north line of Lot 24; thence South 88 degrees 04 minutes
8 14 seconds West along said parallel line a distance of 218.62
9 feet, to said east line of the west 280.00 feet of said Lot 24;
10 thence North 01 degrees 44 minutes 01 seconds West along said
11 east line a distance of 15.00 feet, to the Point of Beginning.
12 Said parcel containing 0.096 acres, more or less or 4,180
13 square feet, more or less.

14 Route: County Highway #37 (143rd Street)

15 Section: 08-00169-18-LA

16 County: Will

17 Job No.:

18 Parcel: 0171

19 Station: 258+53.70 to 262+01.03

20 Index No.: 16-05-11-103-001-0000

21 That part of Lot 9 in Old Oak Subdivision Unit 4A of part of
22 the East Half of the Northwest Quarter of Section 11, Township
23 36 North, Range 11 East of the Third Principal Meridian,
24 according to the plat thereof recorded May 2, 1979, as
25 Document Number R79-017119, in Will County, Illinois, bearings

1 and distances based on the Illinois State Plane Coordinate
2 System, East Zone, NAD83 (2011 adjustment), with a combined
3 factor of 0.999956901, described as follows:

4 Beginning at the northwest corner of said Lot 9; thence North
5 88 degrees 04 minutes 14 seconds East along the north line of
6 said Lot 9 a distance of 347.21 feet, to the east line of said
7 Lot 9; thence South 01 degrees 48 minutes 38 seconds East along
8 said east line a distance of 10.00 feet, to a line 10.00 feet
9 south of and parallel with said north line of Lot 9; thence
10 South 88 degrees 04 minutes 14 seconds West along said
11 parallel line a distance of 313.46 feet; thence South 43
12 degrees 10 minutes 06 seconds West a distance of 47.73 feet, to
13 the west line of said Lot 9; thence North 01 degrees 49 minutes
14 35 seconds West along said west line a distance of 43.69 feet,
15 to the Point of Beginning.

16 Said parcel containing 0.093 acres, more or less or 4,041
17 square feet, more or less.

18 Route: County Highway #37 (143rd Street)

19 Section: 08-00169-18-LA

20 County: Will

21 Job No.:

22 Parcel: 0171TE

23 Station: 258+82.52 to 259+99.94

24 Index No.: 16-05-11-103-001-0000

25 That part of Lot 9 in Old Oak Subdivision Unit 4A of part of

1 the East Half of the Northwest Quarter of Section 11, Township
2 36 North, Range 11 East of the Third Principal Meridian,
3 according to the plat thereof recorded May 2, 1979, as
4 Document Number R79-017119, in Will County, Illinois, bearings
5 and distances based on the Illinois State Plane Coordinate
6 System, East Zone, NAD83 (2011 adjustment), with a combined
7 factor of 0.999956901, described as follows:

8 Commencing at the northwest corner of said Lot 9; thence North
9 88 degrees 04 minutes 14 seconds East along the north line of
10 said Lot 9 a distance of 347.21 feet, to the east line of said
11 Lot 9; thence South 01 degrees 48 minutes 38 seconds East along
12 said east line a distance of 10.00 feet, to a line 10.00 feet
13 south of and parallel with said north line of Lot 9; thence
14 South 88 degrees 04 minutes 14 seconds West along said
15 parallel line a distance of 201.05 feet, to the Point of
16 Beginning; thence continuing South 88 degrees 04 minutes 14
17 seconds West along said parallel line a distance of 112.41
18 feet; thence South 43 degrees 10 minutes 06 seconds West a
19 distance of 7.08 feet, to a line 15.00 feet south of and
20 parallel with said north line of Lot 9; thence North 88 degrees
21 04 minutes 14 seconds East along said parallel line a distance
22 of 117.42 feet; thence North 01 degrees 55 minutes 46 seconds
23 West a distance of 5.00 feet, to the Point of Beginning.

24 Said parcel containing 0.013 acres, more or less or 574 square
25 feet, more or less.

1 Route: County Highway #37 (143rd Street)

2 Section: 08-00169-18-LA

3 County: Will

4 Job No.:

5 Parcel: 0172

6 Station: 262+01.00 to 262+91.03

7 Index No.: 16-05-11-103-002-0000

8 That part of Lot 8 in Old Oak Subdivision Unit 4A of part of
9 the East Half of the Northwest Quarter of Section 11, Township
10 36 North, Range 11 East of the Third Principal Meridian,
11 according to the plat thereof recorded May 2, 1979, as
12 Document Number R79-017119, in Will County, Illinois, bearings
13 and distances based on the Illinois State Plane Coordinate
14 System, East Zone, NAD83 (2011 adjustment), with a combined
15 factor of 0.999956901, described as follows:

16 Beginning at the northwest corner of said Lot 8; thence North
17 88 degrees 04 minutes 14 seconds East along said north line a
18 distance of 90.00 feet, to the east line of said Lot 8; thence
19 South 01 degrees 48 minutes 38 seconds East along said east
20 line a distance of 10.00 feet, to a line 10.00 feet south of
21 and parallel with said north line; thence South 88 degrees 04
22 minutes 14 seconds West along said parallel line a distance of
23 90.00 feet, to the west line of said Lot 8; thence North 01
24 degrees 48 minutes 38 seconds West along said west line a
25 distance of 10.00 feet, to the Point of Beginning.

26 Said parcel containing 0.021 acres, more or less or 900 square

1 feet, more or less.

2 Route: County Highway #37 (143rd Street)

3 Section: 08-00169-18-LA

4 County: Will

5 Job No.:

6 Parcel: 0173TE

7 Station: 262+91.00 to 263+81.03

8 Index No.: 16-05-11-103-003-0000

9 That part of Lot 7 in Old Oak Subdivision Unit 4A of part of
10 the East Half of the Northwest Quarter of Section 11, Township
11 36 North, Range 11 East of the Third Principal Meridian,
12 according to the plat thereof recorded May 2, 1979, as
13 Document Number R79-017119, in Will County, Illinois, bearings
14 and distances based on the Illinois State Plane Coordinate
15 System, East Zone, NAD83 (2011 adjustment), with a combined
16 factor of 0.999956901, described as follows:

17 Beginning at the northwest corner of said Lot 7; thence North
18 88 degrees 04 minutes 14 seconds East along said north line a
19 distance of 90.00 feet, to the east line of said Lot 7; thence
20 South 01 degrees 48 minutes 38 seconds East along said east
21 line a distance of 10.00 feet, to a line 10.00 feet south of
22 and parallel with said north line; thence South 88 degrees 04
23 minutes 14 seconds West along said parallel line a distance of
24 90.00 feet, to the west line of said Lot 7; thence North 01
25 degrees 48 minutes 38 seconds West along said west line a

1 distance of 10.00 feet, to the Point of Beginning.

2 Said parcel containing 0.021 acres, more or less or 900 square
3 feet, more or less.

4 Route: County Highway #37 (143rd Street)

5 Section: 08-00169-18-LA

6 County: Will

7 Job No.:

8 Parcel: 0175TE

9 Station: 264+71.00 to 267+00.03

10 Index No.: 16-05-11-103-058-0000

11 16-05-11-103-059-0000

12 That part of Lot 3 in Old Oak Subdivision Unit 4A of part of
13 the East Half of the Northwest Quarter of Section 11, Township
14 36 North, Range 11 East of the Third Principal Meridian,
15 according to the plat thereof recorded May 2, 1979, as
16 Document Number R79-017119, in Will County, Illinois, bearings
17 and distances based on the Illinois State Plane Coordinate
18 System, East Zone, NAD83 (2011 adjustment), with a combined
19 factor of 0.999956901, described as follows:

20 Beginning at the northwest corner of said Lot 3; thence North
21 88 degrees 04 minutes 14 seconds East along said north line a
22 distance of 229.00 feet; thence South 01 degrees 55 minutes 46
23 seconds East a distance of 3.00 feet, to a line 3.00 feet south
24 of and parallel with said north line; thence South 88 degrees
25 04 minutes 14 seconds West along said parallel line a distance

1 of 169.00 feet; thence South 01 degrees 55 minutes 46 seconds
2 East a distance of 7.00 feet, to a line 10.00 feet south of and
3 parallel with said north line of Lot 3; thence South 88 degrees
4 04 minutes 14 seconds West along said parallel line a distance
5 of 60.02 feet, to the west line of said Lot 3; thence North 01
6 degrees 48 minutes 38 seconds West along said west line a
7 distance of 10.00 feet, to the Point of Beginning.

8 Said parcel containing 0.025 acres, more or less or 1,107
9 square feet, more or less.

10 Route: County Highway #37 (143rd Street)

11 Section: 08-00169-18-LA

12 County: Will

13 Job No.:

14 Parcel: 0177

15 Station: 268+47.51 to 269+97.53

16 Index No.: 16-05-11-200-027-0000

17 That part of the North 324.18 feet of the West 150 feet of the
18 Northeast Quarter of Section 11, Township 36 North, Range 11
19 East of the Third Principal Meridian in Will County, Illinois,
20 bearings and distances based on the Illinois State Plane
21 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
22 combined factor of 0.999956901, described as follows:

23 Beginning at the northwest corner of said Northeast Quarter;
24 thence North 88 degrees 08 minutes 10 seconds East along the
25 north line of said Northeast Quarter a distance of 150.00

1 feet, to the east line of said West 150 feet of the Northeast
2 Quarter; thence South 01 degrees 48 minutes 15 seconds East
3 along said east line a distance of 55.11 feet, to the south
4 line of 143rd Street per Dedication Of Right Of Way For Public
5 Road Purposes per Document Number 457942; thence South 88
6 degrees 01 minutes 07 seconds West along said south line a
7 distance of 125.00 feet, to the northeast corner of Dedication
8 Of Right Of Way For Public Road Purposes per Document Number
9 R2007-115636; thence South 43 degrees 06 minutes 26 seconds
10 West along the southeasterly line of said dedication a
11 distance of 35.41 feet, to the west line of said Northeast
12 Quarter; thence North 01 degrees 48 minutes 15 seconds West
13 along said west line a distance of 80.42 feet, to the Point of
14 Beginning.

15 Said parcel containing 0.197 acres, more or less or 8,602
16 square feet, more or less, of which 0.197 acres, more or less
17 or 8,602 square feet, more or less, was previously dedicated
18 or used for highway purposes.

19 Route: County Highway #37 (143rd Street)

20 Section: 08-00169-18-LA

21 County: Will

22 Job No.:

23 Parcel: 0177TE-A

24 Station: 269+76.52 to 269+97.53

25 Index No.: 16-05-11-200-027-0000

1 That part of the North 324.18 feet of the West 150 feet of the
2 Northeast Quarter of Section 11, Township 36 North, Range 11
3 East of the Third Principal Meridian in Will County, Illinois,
4 bearings and distances based on the Illinois State Plane
5 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
6 combined factor of 0.999956901, described as follows:

7 Commencing at the northwest corner of said Northeast Quarter;
8 thence North 88 degrees 08 minutes 10 seconds East along the
9 north line of said Northeast Quarter a distance of 150.00
10 feet, to the east line of said West 150 feet of the Northeast
11 Quarter; thence South 01 degrees 48 minutes 15 seconds East
12 along said east line a distance of 55.11 feet, to the south
13 line of 143rd Street per Dedication Of Right Of Way For Public
14 Road Purposes per Document Number 457942 and the Point of
15 Beginning; thence South 88 degrees 01 minutes 07 seconds West
16 along said south line a distance of 21.00 feet; thence South 01
17 degrees 48 minutes 15 seconds East a distance of 10.00 feet;
18 thence North 88 degrees 01 minutes 07 seconds East a distance
19 of 21.00 feet, to said east line of the West 150 feet of the
20 Northeast Quarter; thence North 01 degrees 48 minutes 15
21 seconds West along said east line a distance of 10.00 feet, to
22 the Point of Beginning.

23 Said parcel containing 0.005 acres, more or less or 210 square
24 feet, more or less.

25 Route: County Highway #37 (143rd Street)

1 Section: 08-00169-18-LA

2 County: Will

3 Job No.:

4 Parcel: 0177TE-B

5 Station: 268+47.51 to 268+92.53

6 Index No.: 16-05-11-200-027-0000

7 That part of the North 324.18 feet of the West 150 feet of the
8 Northeast Quarter of Section 11, Township 36 North, Range 11
9 East of the Third Principal Meridian in Will County, Illinois,
10 bearings and distances based on the Illinois State Plane
11 Coordinate System, East Zone, NAD83 (2011 adjustment), with a
12 combined factor of 0.999956901, described as follows:

13 Commencing at the northwest corner of said Northeast Quarter;
14 thence North 88 degrees 08 minutes 10 seconds East along the
15 north line of said Northeast Quarter a distance of 150.00
16 feet, to the east line of said West 150 feet of the Northeast
17 Quarter; thence South 01 degrees 48 minutes 15 seconds East
18 along said east line a distance of 55.11 feet, to the south
19 line of 143rd Street per Dedication Of Right Of Way For Public
20 Road Purposes per Document Number 457942; thence South 88
21 degrees 01 minutes 07 seconds West along said south line a
22 distance of 105.00 feet, to the Point of Beginning; thence
23 continuing South 88 degrees 01 minutes 07 seconds West along
24 said south line a distance of 20.00 feet, to the northeast
25 corner of Dedication Of Right Of Way For Public Road Purposes
26 per Document Number R2007-115636; thence South 43 degrees 06

1 minutes 26 seconds West along the southeasterly line of said
2 dedication a distance of 35.41 feet, to the west line of said
3 Northeast Quarter; thence South 01 degrees 48 minutes 15
4 seconds East along said west line a distance of 153.85 feet;
5 thence North 88 degrees 11 minutes 22 seconds East a distance
6 of 20.00 feet; thence North 01 degrees 48 minutes 15 seconds
7 West a distance of 44.00 feet; thence South 88 degrees 11
8 minutes 22 seconds West a distance of 15.00 feet; thence North
9 01 degrees 48 minutes 15 seconds West a distance of 78.61 feet;
10 thence North 88 degrees 11 minutes 22 seconds East a distance
11 of 15.00 feet; thence North 01 degrees 48 minutes 15 seconds
12 West a distance of 20.14 feet, to a line 22.00 feet
13 southeasterly of and parallel with said southeasterly line of
14 Dedication Of Right Of Way For Public Road Purposes per
15 Document Number R2007-115636; thence North 43 degrees 06
16 minutes 26 seconds East along said parallel line a distance of
17 35.41 feet; thence North 01 degrees 48 minutes 15 seconds West
18 a distance of 11.16 feet, to the Point of Beginning.

19 Said parcel containing 0.061 acres, more or less or 2,677
20 square feet, more or less.

21 Route: County Highway #37 (143rd Street)

22 Section: 08-00169-18-LA

23 County: Will

24 Job No.:

25 Parcel: 0178

1 Station: 269+97.53 to 275+08.48

2 Index No.: 16-05-11-200-028-0000

3 16-05-11-200-029-0000

4 16-05-11-200-030-0000

5 16-05-11-200-032-0000

6 That part of the Northeast Quarter of Section 11, Township 36
7 North, Range 11 East of the Third Principal Meridian in Will
8 County, Illinois, bearings and distances based on the Illinois
9 State Plane Coordinate System, East Zone, NAD83 (2011
10 adjustment), with a combined factor of 0.999956901, described
11 as follows:

12 Beginning at the intersection of the north line of said
13 Northeast Quarter with the east line of the West 150.00 feet of
14 said Northeast Quarter; thence South 01 degrees 48 minutes 15
15 seconds East along said east line a distance of 55.11 feet, to
16 the south line of 143rd Street per Dedication Of Right Of Way
17 For Public Road Purposes per Document Number 457942; thence
18 North 88 degrees 01 minutes 07 seconds East along said south
19 line and along the south line of 143rd Street per Dedication Of
20 Right Of Way For Public Road Purposes per Document Number
21 457943 a distance of 510.99 feet, to the east line of the West
22 Half of the West Half of said Northeast Quarter; thence North
23 01 degrees 47 minutes 45 seconds West along said east line a
24 distance of 54.07 feet, to said north line of the Northeast
25 Quarter; thence South 88 degrees 08 minutes 10 seconds West
26 along said north line a distance of 510.99 feet, to the Point

1 of Beginning.

2 Said parcel containing 0.640 acres, more or less or 27,897
3 square feet, more or less, of which 0.640 acres, more or less
4 or 27,897 square feet, more or less, was previously dedicated
5 or used for highway purposes.

6 Route: County Highway #37 (143rd Street)

7 Section: 08-00169-18-LA

8 County: Will

9 Job No.:

10 Parcel: 0178TE

11 Station: 269+97.53 to 271+92.53

12 Index No.: 16-05-11-200-029-0000

13 16-05-11-200-030-0000

14 That part of the Northeast Quarter of Section 11, Township 36
15 North, Range 11 East of the Third Principal Meridian in Will
16 County, Illinois, bearings and distances based on the Illinois
17 State Plane Coordinate System, East Zone, NAD83 (2011
18 adjustment), with a combined factor of 0.999956901, described
19 as follows:

20 Commencing at the intersection of the north line of said
21 Northeast Quarter with the east line of the West 150.00 feet of
22 said Northeast Quarter; thence South 01 degrees 48 minutes 15
23 seconds East along said east line a distance of 55.11 feet, to
24 the south line of 143rd Street per Dedication Of Right Of Way
25 For Public Road Purposes per Document Number 457942 and the

1 Point of Beginning; thence North 88 degrees 01 minutes 07
2 seconds East along said south line and along the south line of
3 143rd Street per Dedication Of Right Of Way For Public Road
4 Purposes per Document Number 457943 a distance of 195.00 feet,
5 to the east line of the West 345.00 feet of said Northeast
6 Quarter; thence South 01 degrees 48 minutes 15 seconds East
7 along said east line a distance of 38.00 feet; thence South 88
8 degrees 01 minutes 07 seconds West a distance of 164.00 feet;
9 thence North 01 degrees 48 minutes 15 seconds West a distance
10 of 28.00 feet; thence South 88 degrees 01 minutes 07 seconds
11 West a distance of 31.00 feet, to said east line of the West
12 150.00 feet of the Northeast Quarter; thence North 01 degrees
13 48 minutes 15 seconds West along said east line a distance of
14 10.00 feet, to the Point of Beginning.

15 Said parcel containing 0.150 acres, more or less or 6,542
16 square feet, more or less.

17 (b) This Section is repealed December 12, 2028 (3 years
18 after the effective date of Public Act 104-442) ~~this~~
19 ~~amendatory Act of the 104th General Assembly.~~

20 (Source: P.A. 104-442, eff. 12-12-25; revised 1-12-26.)

21 (735 ILCS 30/15-5-46 rep.)

22 (735 ILCS 30/15-5-47 rep.)

23 (735 ILCS 30/15-5-48 rep.)

24 Section 1056. The Eminent Domain Act is amended by
25 repealing Sections 15-5-46, 15-5-47, and 15-5-48.

1 Section 1060. The Crime Victims Compensation Act is
2 amended by changing Section 2 as follows:

3 (740 ILCS 45/2)

4 Sec. 2. Definitions. As used in this Act, unless the
5 context otherwise requires:

6 (a) "Applicant" means any of the following claiming
7 compensation under this Act:

8 (1) A victim.

9 (2) If the victim was a guardian or primary caregiver
10 to an adult who is physically or mentally incapacitated,
11 that adult who is physically or mentally incapacitated.

12 (3) A guardian of a minor or of a person under legal
13 disability.

14 (4) A person who, at the time the crime occurred,
15 resided in the same dwelling as the victim, solely for the
16 purpose of compensating for any of the following:

17 (A) Pecuniary loss incurred for psychological
18 treatment of a mental or emotional condition caused or
19 aggravated by the crime.

20 (B) Loss of earnings under paragraph (14.5) of
21 subsection (h) for time off from work necessary to
22 provide full time care for the injured victim.

23 (C) Relocation expenses.

24 (5) A person who assumes a legal obligation or

1 voluntarily pays for a victim's medical or funeral or
2 burial expenses.

3 (6) Any other person the Court of Claims or the
4 Attorney General finds is entitled to compensation.

5 The changes made to this subsection by Public Act 101-652
6 apply to actions commenced or pending on or after January 1,
7 2022.

8 (b) "Court of Claims" means the Court of Claims created by
9 the Court of Claims Act.

10 (c) "Crime of violence" means and includes any offense
11 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
12 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
13 11-11, 11-20.1, 11-23, 11-23.5, 12-1, 12-2, 12-3, 12-3.05,
14 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-5, 12-7.1, 12-7.3, 12-7.4,
15 12-20.5, 20-1 or 20-1.1, or Section 12-3.05 except for
16 subdivision (a)(4) or (g)(1), or subdivision (a)(4) of Section
17 11-14.4, of the Criminal Code of 1961 or the Criminal Code of
18 2012, Sections 1(a) and 1(a-5) of the Cemetery Protection Act,
19 Section 125 of the Stalking No Contact Order Act, Section 219
20 of the Civil No Contact Order Act, driving under the influence
21 as defined in Section 11-501 of the Illinois Vehicle Code, a
22 violation of Section 11-401 of the Illinois Vehicle Code,
23 provided the victim was a pedestrian or was operating a
24 vehicle moved solely by human power or a mobility device at the
25 time of contact, and a violation of Section 11-204.1 of the
26 Illinois Vehicle Code; so long as the offense did not occur

1 during a civil riot, insurrection or rebellion. "Crime of
2 violence" does not include any other offense or crash
3 involving a motor vehicle except those vehicle offenses
4 specifically provided for in this paragraph. "Crime of
5 violence" does include all of the offenses specifically
6 provided for in this paragraph that occur within this State
7 but are subject to federal jurisdiction and crimes involving
8 terrorism as defined in 18 U.S.C. 2331.

9 (d) "Victim" means (1) a person killed or injured in this
10 State as a result of a crime of violence perpetrated or
11 attempted against him or her, (2) the spouse, parent, or child
12 of a person killed or injured in this State as a result of a
13 crime of violence perpetrated or attempted against the person,
14 or anyone living in the dwelling of a person killed or injured
15 in a relationship that is substantially similar to that of a
16 parent, spouse, or child, (3) a person killed or injured in
17 this State while attempting to assist a person against whom a
18 crime of violence is being perpetrated or attempted, if that
19 attempt of assistance would be expected of a reasonable person
20 under the circumstances, (4) a person killed or injured in
21 this State while assisting a law enforcement official
22 apprehend a person who has perpetrated a crime of violence or
23 prevent the perpetration of any such crime if that assistance
24 was in response to the express request of the law enforcement
25 official, (5) a person who personally witnessed a violent
26 crime, (5.05) a person who will be called as a witness by the

1 prosecution to establish a necessary nexus between the
2 offender and the violent crime, (5.1) any person who is the
3 grandparent, grandchild, brother, sister, half brother, or
4 half sister of a person killed or injured in this State as a
5 result of a crime of violence, applying solely for the purpose
6 of compensating for pecuniary loss incurred for psychological
7 treatment of a mental or emotional condition caused or
8 aggravated by the crime, loss of earnings under paragraph
9 (14.5) of subsection (h) for time off from work necessary to
10 provide full time care for the injured victim, or relocation
11 if the crime occurred within the dwelling of the applicant,
12 (5.2) any person who was in a dating relationship with a person
13 killed in this State as a result of a crime of violence, solely
14 for the purpose of compensating for pecuniary loss incurred
15 for psychological treatment of a mental or emotional condition
16 caused or aggravated by the crime, (6) an Illinois resident
17 who is a victim of a "crime of violence" as defined in this Act
18 except, if the crime occurred outside this State, the resident
19 has the same rights under this Act as if the crime had occurred
20 in this State upon a showing that the state, territory,
21 country, or political subdivision of a country in which the
22 crime occurred does not have a compensation of victims of
23 crimes law for which that Illinois resident is eligible, (7)
24 the parent, spouse, or child of a deceased person whose body is
25 dismembered or whose remains are desecrated as the result of a
26 crime of violence, (8) (blank), or (9) an individual who is

1 injured or killed in an incident in which a law enforcement
2 officer's use of force caused bodily harm or death to that
3 individual.

4 (e) "Dependent" means a relative of a deceased victim who
5 was wholly or partially dependent upon the victim's income at
6 the time of his or her death and shall include the child of a
7 victim born after his or her death.

8 (f) "Relative" means a spouse, parent, grandparent,
9 stepfather, stepmother, child, grandchild, brother,
10 brother-in-law, sister, sister-in-law, half brother, half
11 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
12 living in the dwelling of a person killed or injured in a
13 relationship that is substantially similar to that of a
14 parent, spouse, or child.

15 (g) "Child" means a son or daughter and includes a
16 stepchild, an adopted child or a child born out of wedlock.

17 (h) "Pecuniary loss" means:

18 (1) in the case of injury, appropriate medical
19 expenses and hospital expenses including expenses of
20 medical examinations, rehabilitation, medically required
21 nursing care expenses, appropriate psychiatric care or
22 psychiatric counseling expenses, appropriate expenses for
23 care or counseling by a licensed clinical psychologist,
24 licensed clinical social worker, licensed professional
25 counselor, or licensed clinical professional counselor and
26 expenses for treatment by Christian Science practitioners

1 and nursing care appropriate thereto;

2 (2) transportation expenses to and from medical and
3 counseling treatment facilities;

4 (3) prosthetic appliances, eyeglasses, and hearing
5 aids necessary or damaged as a result of the crime;

6 (4) expenses incurred for the towing and storage of a
7 victim's vehicle in connection with a crime of violence,
8 to a maximum of \$1,000;

9 (5) costs associated with trafficking tattoo removal
10 by a person authorized or licensed to perform the specific
11 removal procedure; for victims of offenses defined in
12 Section 10-9 of the Criminal Code of 2012, the victim
13 shall submit a statement under oath on a form prescribed
14 by the Attorney General attesting that the removed tattoo
15 was applied in connection with the commission of the
16 offense;

17 (6) replacement costs for clothing and bedding used as
18 evidence;

19 (7) costs associated with temporary lodging or
20 relocation necessary as a result of the crime, including,
21 but not limited to, the first 2 months' rent and security
22 deposit of the dwelling that the claimant relocated to and
23 other reasonable relocation expenses incurred as a result
24 of the violent crime;

25 (8) locks, doors, or windows necessary or damaged as a
26 result of the crime;

1 (9) the purchase, lease, or rental of equipment
2 necessary to create usability of and accessibility to the
3 victim's real and personal property, or the real and
4 personal property which is used by the victim, necessary
5 as a result of the crime; "real and personal property"
6 includes, but is not limited to, vehicles, houses,
7 apartments, townhouses, or condominiums;

8 (10) the costs of appropriate crime scene clean-up;

9 (11) replacement services loss, to a maximum of \$1,250
10 per month, with this amount to be divided in proportion to
11 the amount of the actual loss among those entitled to
12 compensation;

13 (12) dependents replacement services loss, to a
14 maximum of \$1,250 per month, with this amount to be
15 divided in proportion to the amount of the actual loss
16 among those entitled to compensation;

17 (13) loss of tuition paid to attend grammar school or
18 high school when the victim had been enrolled as a student
19 prior to the injury, or college or graduate school when
20 the victim had been enrolled as a day or night student
21 prior to the injury when the victim becomes unable to
22 continue attendance at school as a result of the crime of
23 violence perpetrated against him or her;

24 (14) loss of earnings, loss of future earnings because
25 of disability resulting from the injury. Loss of future
26 earnings shall be reduced by any income from substitute

1 work actually performed by the victim or by income the
2 victim would have earned in available appropriate
3 substitute work the victim was capable of performing but
4 unreasonably failed to undertake; loss of earnings and
5 loss of future earnings shall be determined on the basis
6 of the victim's average net monthly earnings for the 6
7 months immediately preceding the date of the injury or on
8 \$2,400 per month, whichever is less, or, in cases where
9 the absences commenced more than 3 years from the date of
10 the crime, on the basis of the net monthly earnings for the
11 6 months immediately preceding the date of the first
12 absence, not to exceed \$2,400 per month;

13 (14.5) loss of earnings for applicants or loss of
14 future earnings for applicants. The applicant must
15 demonstrate that the loss of earnings is a direct result
16 of circumstances attributed to the crime including, but
17 not limited to, court appearances, funeral preparation and
18 bereavement, receipt of medical or psychological care;
19 loss of earnings and loss of future earnings shall be
20 determined on the basis of the applicant's average net
21 monthly earnings for the 6 months immediately preceding
22 the date of the injury or on \$2,400 per month, whichever is
23 less, or, in cases where the absences commenced more than
24 3 years from the date of the crime, on the basis of the net
25 monthly earnings for the 6 months immediately preceding
26 the date of the first absence, not to exceed \$2,400 per

1 month;

2 (15) loss of support of the dependents of the victim.
3 Loss of support shall be determined on the basis of the
4 victim's average net monthly earnings for the 6 months
5 immediately preceding the date of the injury or on \$2,400
6 per month, whichever is less, or, in cases where the
7 absences commenced more than 3 years from the date of the
8 crime, on the basis of the net monthly earnings for the 6
9 months immediately preceding the date of the first
10 absence, not to exceed \$2,400 per month. If a divorced or
11 legally separated applicant is claiming loss of support
12 for a minor child of the deceased, the amount of support
13 for each child shall be based either on the amount of
14 support pursuant to the judgment prior to the date of the
15 deceased victim's injury or death, or, if the subject of
16 pending litigation filed by or on behalf of the divorced
17 or legally separated applicant prior to the injury or
18 death, on the result of that litigation. Loss of support
19 for minors shall be divided in proportion to the amount of
20 the actual loss among those entitled to such compensation;

21 (16) in the case of death, expenses for reasonable
22 funeral, burial, headstone, cremation, and travel and
23 transport for survivors of homicide victims to secure
24 bodies of deceased victims and to transport bodies for
25 burial all of which may be awarded up to a maximum of
26 \$10,000 for each victim. Other individuals that have paid

1 or become obligated to pay funeral, cremation, or burial
2 expenses, including a headstone, for the deceased shall
3 share a maximum award of \$10,000, with the award divided
4 in proportion to the amount of the actual loss among those
5 entitled to compensation;

6 (17) in the case of dismemberment or desecration of a
7 body, expenses for reasonable funeral, burial, headstone,
8 and cremation, all of which may be awarded up to a maximum
9 of \$10,000 for each victim. Other individuals that have
10 paid or become obligated to pay funeral, cremation, or
11 burial expenses, including a headstone, for the deceased
12 shall share a maximum award of \$10,000, with the award
13 divided in proportion to the amount of the actual loss
14 among those entitled to compensation; and

15 (18) ~~(19)~~ legal fees resulting from proceedings that
16 became necessary solely because of the crime, including,
17 but not limited to, establishing a legal guardian for the
18 minor victim or the minor child of a victim, or obtaining a
19 restraining order, no contact order, or order of
20 protection, awarded up to a maximum of \$3,500.

21 "Pecuniary loss" does not include pain and suffering or
22 property loss or damage.

23 The changes made to this subsection by Public Act 101-652
24 apply to actions commenced or pending on or after January 1,
25 2022.

26 (i) "Replacement services loss" means expenses reasonably

1 incurred in obtaining ordinary and necessary services in lieu
2 of those the injured person would have performed, not for
3 income, but for the benefit of himself or herself or his or her
4 family, if he or she had not been injured.

5 (j) "Dependents replacement services loss" means loss
6 reasonably incurred by dependents or private legal guardians
7 of minor dependents after a victim's death in obtaining
8 ordinary and necessary services in lieu of those the victim
9 would have performed, not for income, but for their benefit,
10 if he or she had not been fatally injured.

11 (k) "Survivor" means immediate family including a parent,
12 stepfather, stepmother, child, brother, sister, or spouse.

13 (l) "Parent" means a natural parent, adopted parent,
14 stepparent, or permanent legal guardian of another person.

15 (m) "Trafficking tattoo" is a tattoo which is applied to a
16 victim in connection with the commission of a violation of
17 Section 10-9 of the Criminal Code of 2012.

18 (n) "Dwelling" means a person's primary home. A person may
19 be required to provide verification or proof of residence
20 including, but not limited to, a lease agreement, utility
21 bill, license registration, document showing the mailing
22 address, pay stub, tax form, or notarized statement.

23 (o) "Dating relationship" means a current, continuous,
24 romantic, courtship, or engagement relationship, often
25 characterized by actions of an intimate or sexual nature or an
26 expectation of affection. "Dating relationship" does not

1 include a casual acquaintanceship or ordinary fraternization
2 between persons in a business or social context.

3 (p) "Medical facility" means a facility for the delivery
4 of health services. "Medical facility" includes, but is not
5 limited to, a hospital, public health center, outpatient
6 medical facility, federally qualified health center, migrant
7 health center, community health center, or State correctional
8 institution.

9 (q) "Mental health provider" means a licensed clinical
10 psychologist, a licensed clinical social worker, a licensed
11 professional counselor, or a licensed clinical professional
12 counselor as defined in the Mental Health and Developmental
13 Disabilities Code.

14 (r) "Independent medical evaluation" means an assessment
15 by a mental health provider who is not currently providing
16 treatment to the applicant and will not seek reimbursement
17 from the program for continuing treatment after the
18 assessment. A provider may seek reimbursement for the
19 assessment.

20 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
21 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-564, eff.
22 11-17-23; 103-1037, eff. 1-1-25; revised 6-23-25.)

23 Section 1065. The Trafficking Victims Protection Act is
24 amended by changing Section 10 as follows:

1 (740 ILCS 128/10)

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

3 "Human trafficking" means a violation or attempted
4 violation of subsection (d) of Section 10-9 of the Criminal
5 Code of 2012.

6 "Involuntary servitude" means a violation or attempted
7 violation of subsection (b) of Section 10-9 of the Criminal
8 Code of 2012.

9 "Sex trade" means a violation or attempted violation of
10 any of the following Sections of the Criminal Code of 1961 or
11 the Criminal Code of 2012: 11-14.3 (promoting prostitution);
12 11-14.4 (promoting commercial sexual exploitation of a child);
13 11-15 (soliciting for a person engaged in the sex trade);
14 11-15.1 (soliciting for a sexually exploited child); 11-16
15 (pandering); 11-17 (keeping a place of prostitution); 11-17.1
16 (keeping a place of commercial sexual exploitation of a
17 child); 11-19 (pimping); 11-19.1 (juvenile pimping and
18 aggravated juvenile pimping); 11-19.2 (exploitation of a
19 child); 11-20 (obscenity); 11-20.1 (child sexual abuse
20 material); 11-20.1B or 11-20.3 (aggravated child pornography);
21 or subsection (c) of Section 10-9 (involuntary sexual
22 servitude of a minor).

23 "Sex trade" activity may involve adults and youth of all
24 genders and sexual orientations.

25 "Victim of the sex trade" means, for the following sex
26 trade acts, the person or persons indicated:

1 (1) soliciting for a person engaged in the sex trade:
2 the person engaged in the sex trade who is the object of
3 the solicitation;

4 (2) soliciting for a sexually exploited child: the
5 sexually exploited child, or person with a severe or
6 profound intellectual disability, who is the object of the
7 solicitation;

8 (3) promoting prostitution as described in subdivision
9 (a) (2) (A) or (a) (2) (B) of Section 11-14.3 of the Criminal
10 Code of 1961 or the Criminal Code of 2012, or pandering:
11 the person intended or compelled to act as a person
12 engaged in the sex trade;

13 (4) keeping a place of prostitution: any person
14 intended or compelled to act as a person engaged in the sex
15 trade, while present at the place, during the time period
16 in question;

17 (5) keeping a place of commercial sexual exploitation
18 of a child: any juvenile intended or compelled to act as a
19 person engaged in the sex trade, while present at the
20 place, during the time period in question;

21 (6) promoting prostitution as described in subdivision
22 (a) (2) (C) of Section 11-14.3 of the Criminal Code of 1961
23 or the Criminal Code of 2012, or pimping: the person
24 engaged in the sex trade from whom anything of value is
25 received;

26 (7) promoting commercial sexual exploitation of a

1 child as described in subdivision (a)(2) or (a)(3) of
2 Section 11-14.4 of the Criminal Code of 1961 or the
3 Criminal Code of 2012, or juvenile pimping and aggravated
4 juvenile pimping: the juvenile, or person with a severe or
5 profound intellectual disability, from whom anything of
6 value is received for that person's act of prostitution;

7 (8) promoting commercial sexual exploitation of a
8 child as described in subdivision (a)(4) of Section
9 11-14.4 of the Criminal Code of 1961 or the Criminal Code
10 of 2012, or exploitation of a child: the juvenile, or
11 person with a severe or profound intellectual disability,
12 intended or compelled to act as a person engaged in the sex
13 trade or from whom anything of value is received for that
14 person's act of prostitution;

15 (9) obscenity: any person who appears in or is
16 described or depicted in the offending conduct or
17 material;

18 (10) child sexual abuse material or aggravated child
19 pornography: any child, or person with a severe or
20 profound intellectual disability, who appears in or is
21 described or depicted in the offending conduct or
22 material; or

23 (11) involuntary sexual servitude of a minor as
24 defined in subsection (c) of Section 10-9 of the Criminal
25 Code of 1961 or the Criminal Code of 2012.

26 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;

revised 11-21-25.)

Section 1070. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 106 as follows:

(750 ILCS 5/106) (from Ch. 40, par. 106)

Sec. 106. Employment of administrative aides
~~Administrative Aides.~~ The employment of qualified administrative aides to assist the court of any county in the administration of proceedings hereunder may be provided for by such county as the case may be. All such aides shall be appointed by the authority which provided for them, subject to the approval of a majority of the judges of each court involved, and shall serve for such terms and shall receive such compensation as provided by ordinance.

(a) The administrative aides shall perform such nonjudicial duties with respect to proceedings hereunder and matters ancillary thereto as the court shall direct.

(b) Any county may make such appropriations as may be necessary to provide for the expense and compensation of the administrative aides.

(Source: P.A. 80-923; revised 6-23-25.)

Section 1075. The Gestational Surrogacy Act is amended by changing Section 25 as follows:

1 (750 ILCS 47/25)

2 Sec. 25. Requirements for a gestational surrogacy
3 agreement.

4 (a) (Blank).

5 (b) A gestational surrogacy agreement shall meet the
6 following requirements:

7 (1) it shall be in writing;

8 (2) it shall be executed prior to the commencement of
9 any medical procedures (other than medical or mental
10 health evaluations necessary to determine eligibility of
11 the parties pursuant to Section 20 of this Act) in
12 furtherance of the gestational surrogacy:

13 (i) by a gestational surrogate meeting the
14 eligibility requirements of subsection (a) of Section
15 20 of this Act and, if married, the gestational
16 surrogate's spouse; and

17 (ii) by the intended parent or parents meeting the
18 eligibility requirements of subsection (b) of Section
19 20 of this Act. In the event an intended parent is
20 married, both the intended parent and spouse must
21 execute the gestational surrogacy agreement;

22 (3) each of the gestational surrogate and the intended
23 parent or parents shall have been represented by
24 independent legal counsel licensed in Illinois regarding
25 the terms of the gestational surrogacy agreement and the
26 potential legal consequences of the gestational surrogacy;

1 (3.5) it shall indicate that each party has received
2 information about the legal, financial, and contractual
3 rights, expectations, penalties, and obligations of the
4 surrogacy agreement;

5 (4) it shall require the intended parent or parents to
6 pay for independent legal representation for the
7 surrogate;

8 (5) if the gestational surrogacy agreement provides
9 for the payment of compensation to the gestational
10 surrogate, the compensation shall have been placed in
11 escrow with an escrow agent that is independent of and is
12 not affiliated with either the intended parents' attorney
13 or the gestational surrogate's attorney and that is bonded
14 prior to the gestational surrogate's commencement of any
15 medical procedure (other than medical or mental health
16 evaluations necessary to determine the gestational
17 surrogate's eligibility pursuant to subsection (a) of
18 Section 20 of this Act). The independent escrow agent must
19 hold a minimum bond of no less than \$1,000,000; and

20 (6) it shall be witnessed by 2 competent adults or
21 shall be notarized consistent with Illinois law.

22 (b-5) A gestational surrogacy agreement may provide for
23 the payment of compensation and reasonable expenses.

24 (c) A gestational surrogacy agreement shall provide for:

25 (1) the express written agreement of the gestational
26 surrogate to:

1 (i) undergo pre-embryo transfer and attempt to
2 become pregnant and give birth to the child; and

3 (ii) surrender custody of the child to the
4 intended parent or parents immediately upon the birth
5 of the child;

6 (2) if the gestational surrogate is married, the
7 express agreement of the gestational surrogate's spouse
8 to:

9 (i) undertake the obligations imposed on the
10 gestational surrogate pursuant to the terms of the
11 gestational surrogacy agreement;

12 (ii) surrender custody of the child to the
13 intended parent or parents immediately upon the birth
14 of the child;

15 (3) the right of the gestational surrogate to utilize
16 the services of a physician of the gestational surrogate's
17 choosing to provide the gestational surrogate with care
18 during the pregnancy;

19 (4) the express written agreement of the intended
20 parent or parents to:

21 (i) accept custody of the child immediately upon
22 the child's birth; and

23 (ii) assume sole responsibility for the support of
24 the child immediately upon the child's birth;

25 (5) the right of the gestational surrogate to make all
26 health and welfare decisions regarding the surrogate and

1 the pregnancy, except that this Act does not enlarge or
2 diminish the surrogate's right to terminate their
3 pregnancy, and any written or oral agreement purporting to
4 waive or limit these rights shall be void as against
5 public policy;

6 (6) the disclosure of all intended parent's financial
7 obligations with regard to the gestational surrogate,
8 including compensation and expenses; and

9 (7) the inclusion of information about each party's
10 right under this Act to terminate the surrogacy agreement.

11 (d) (Blank).

12 (e) (Blank).

13 (Source: P.A. 104-403, eff. 1-1-26; 104-448, eff. 12-12-25;
14 revised 1-7-26.)

15 Section 1080. The Adoption Act is amended by changing
16 Section 4.1 as follows:

17 (750 ILCS 50/4.1) (from Ch. 40, par. 1506)

18 Sec. 4.1. Adoption between multiple jurisdictions. It is
19 the public policy of this State to promote child welfare in
20 adoption between multiple jurisdictions by implementing
21 standards that foster permanency for children in an
22 expeditious manner while considering the best interests of the
23 child as paramount. Ensuring that standards for
24 interjurisdictional adoption are clear and applied

1 consistently, efficiently, and reasonably will promote the
2 best interests of the child in finding a permanent home.

3 (a) The Department of Children and Family Services shall
4 promulgate rules regarding the approval and regulation of
5 agencies providing, in this State, adoption services, as
6 defined in Section 2.24 of the Child Care Act of 1969, which
7 shall include, but not be limited to, a requirement that any
8 agency shall be licensed in this State as a child welfare
9 agency as defined in Section 2.08 of the Child Care Act of
10 1969. Any out-of-state agency, if not licensed in this State
11 as a child welfare agency, must obtain the approval of the
12 Department in order to act as a sending agency, as defined in
13 Section 1 of the Interstate Compact on Placement of Children
14 Act, seeking to place a child into this State through a
15 placement subject to the Interstate Compact on the Placement
16 of Children. An out-of-state agency, if not licensed in this
17 State as a child welfare agency, is prohibited from providing
18 in this State adoption services, as defined by Section 2.24 of
19 the Child Care Act of 1969; shall comply with Section 12C-70 of
20 the Criminal Code of 2012; and shall provide all of the
21 following to the Department:

22 (1) A copy of the agency's current license or other
23 form of authorization from the approving authority in the
24 agency's state. If no license or authorization is issued,
25 the agency must provide a reference statement, from the
26 approving authority, stating that the agency is authorized

1 to place children in foster care or adoption or both in its
2 jurisdiction.

3 (2) A description of the program, including home
4 studies, placements, and supervisions, that the child
5 welfare agency conducts within its geographic ~~geographical~~
6 area, and, if applicable, adoptive placements and the
7 finalization of adoptions. The child welfare agency must
8 accept continued responsibility for placement planning and
9 replacement if the placement fails.

10 (3) Notification to the Department of any significant
11 child welfare agency changes after approval.

12 (4) Any other information the Department may require.

13 The rules shall also provide that any agency that places
14 children for adoption in this State may not, in any policy or
15 practice relating to the placement of children for adoption,
16 discriminate against any child or prospective adoptive parent
17 on the basis of race.

18 (a-5) (Blank).

19 (b) Interstate adoptions.

20 (1) All interstate adoption placements under this Act
21 shall comply with the Child Care Act of 1969 and the
22 Interstate Compact on the Placement of Children. The
23 placement of children with relatives by the Department of
24 Children and Family Services shall also comply with
25 subsections (b) and (b-5) of Section 7 of the Children and
26 Family Services Act. The Department may promulgate rules

1 to implement interstate adoption placements, including
2 those requirements set forth in this Section.

3 (2) If an adoption is finalized prior to bringing or
4 sending a child to this State, compliance with the
5 Interstate Compact on the Placement of Children is not
6 required.

7 (3) Approval requirements. The Department shall
8 promulgate procedures for interstate adoption placements
9 of children under this Act. No later than September 24,
10 2017 (30 days after the effective date of Public Act
11 100-344), the Department shall distribute a written list
12 of all preadoption approval requirements to all Illinois
13 licensed child welfare agencies performing adoption
14 services, and all out-of-state agencies approved under
15 this Section, and shall post the requirements on the
16 Department's website. The Department may not require any
17 further preadoption requirements other than those set
18 forth in the procedures required under this paragraph. The
19 procedures shall reflect the standard of review as stated
20 in the Interstate Compact on the Placement of Children and
21 approval shall be given by the Department if the placement
22 appears not to be contrary to the best interests of the
23 child.

24 (4) Time for review and decision. In all cases where
25 the child to be placed is not a youth in care in Illinois
26 or any other state, a provisional or final approval for

1 placement shall be provided in writing from the Department
2 in accordance with the Interstate Compact on the Placement
3 of Children. Approval or denial of the placement must be
4 given by the Department as soon as practicable, but in no
5 event more than 3 business days of the receipt of the
6 completed referral packet by the Department's Interstate
7 Compact Administrator. Receipt of the packet shall be
8 evidenced by the packet's arrival at the address
9 designated by the Department to receive such referrals.
10 The written decision to approve or deny the placement
11 shall be communicated in an expeditious manner, including,
12 but not limited to, electronic means referenced in
13 paragraph (b)(7) of this Section, and shall be provided to
14 all Illinois licensed child welfare agencies involved in
15 the placement, all out-of-state child placing agencies
16 involved in the placement, and all attorneys representing
17 the prospective adoptive parent or biological parent. If,
18 during its initial review of the packet, the Department
19 believes there are any incomplete or missing documents, or
20 missing information, as required in paragraph (b)(3), the
21 Department shall, as soon as practicable, but in no event
22 more than 2 business days of receipt of the packet,
23 communicate a list of any incomplete or missing documents
24 and information to all Illinois licensed child welfare
25 agencies involved in the placement, all out-of-state child
26 placing agencies involved in the placement, and all

1 attorneys representing the adoptive parent or biological
2 parent. This list shall be communicated in an expeditious
3 manner, including, but not limited to, electronic means
4 referenced in paragraph (b)(7) of this Section.

5 (5) Denial of approval. In all cases where the child
6 to be placed is not a youth in the care of any state, if
7 the Department denies approval of an interstate placement,
8 the written decision referenced in paragraph (b)(4) of
9 this Section shall set forth the reason or reasons why the
10 placement was not approved and shall reference which
11 requirements under paragraph (b)(3) of this Section were
12 not met. The written decision shall be communicated in an
13 expeditious manner, including, but not limited to,
14 electronic means referenced in paragraph (b)(7) of this
15 Section, to all Illinois licensed child welfare agencies
16 involved in the placement, all out-of-state child placing
17 agencies involved in the placement, and all attorneys
18 representing the prospective adoptive parent or biological
19 parent.

20 (6) Provisional approval. Nothing in paragraphs (b)(3)
21 through (b)(5) of this Section shall preclude the
22 Department from issuing provisional approval of the
23 placement pending receipt of any missing or incomplete
24 documents or information.

25 (7) Electronic communication. All communications
26 concerning an interstate placement made between the

1 Department and an Illinois licensed child welfare agency,
2 an out-of-state child placing agency, and attorneys
3 representing the prospective adoptive parent or biological
4 parent, including the written communications referenced in
5 this Section, may be made through any type of electronic
6 means, including, but not limited to, electronic mail.

7 (c) Intercountry adoptions. The adoption of a child, if
8 the child is a habitual resident of a country other than the
9 United States and the petitioner is a habitual resident of the
10 United States, or, if the child is a habitual resident of the
11 United States and the petitioner is a habitual resident of a
12 country other than the United States, shall comply with the
13 Intercountry Adoption Act of 2000, as amended, and the
14 Immigration and Nationality Act, as amended. In the case of an
15 intercountry adoption that requires oversight by the adoption
16 services governed by the Intercountry Adoption Universal
17 Accreditation Act of 2012, this State shall not impose any
18 additional preadoption requirements.

19 (d) (Blank).

20 (e) Re-adoption after an intercountry adoption.

21 (1) Any time after a minor child has been adopted in a
22 foreign country and has immigrated to the United States,
23 the adoptive parent or parents of the child may petition
24 the court for a judgment of adoption to re-adopt the child
25 and confirm the foreign adoption decree.

26 (2) The petitioner must submit to the court one or

1 more of the following to verify the foreign adoption:

2 (i) an immigrant visa for the child issued by
3 United States Citizenship and Immigration Services of
4 the U.S. Department of Homeland Security that was
5 valid at the time of the child's immigration;

6 (ii) a decree, judgment, certificate of adoption,
7 adoption registration, or equivalent court order,
8 entered or issued by a court of competent jurisdiction
9 or administrative body outside the United States,
10 establishing the relationship of parent and child by
11 adoption; or

12 (iii) such other evidence deemed satisfactory by
13 the court.

14 (3) The child's immigrant visa shall be prima facie
15 proof that the adoption was established in accordance with
16 the laws of the foreign jurisdiction and met United States
17 requirements for immigration.

18 (4) If the petitioner submits documentation that
19 satisfies the requirements of paragraph (2), the court
20 shall not appoint a guardian ad litem for the minor who is
21 the subject of the proceeding, shall not require any
22 further termination of parental rights of the child's
23 biological parents, nor shall it require any home study,
24 investigation, post-placement visit, or background check
25 of the petitioner.

26 (5) The petition may include a request for change of

1 the child's name and any other request for specific relief
2 that is in the best interests of the child. The relief may
3 include a request for a revised birth date for the child if
4 supported by evidence from a medical or dental
5 professional attesting to the appropriate age of the child
6 or other collateral evidence.

7 (6) Two adoptive parents who adopted a minor child
8 together in a foreign country while married to one another
9 may file a petition for adoption to re-adopt the child
10 jointly, regardless of whether their marriage has been
11 dissolved. If either parent whose marriage was dissolved
12 has subsequently remarried or entered into a civil union
13 with another person, the new spouse or civil union partner
14 shall not join in the petition to re-adopt the child,
15 unless the new spouse or civil union partner is seeking to
16 adopt the child. If either adoptive parent does not join
17 in the petition, he or she must be joined as a party
18 defendant. The defendant parent's failure to participate
19 in the re-adoption proceeding shall not affect the
20 existing parental rights or obligations of the parent as
21 they relate to the minor child, and the parent's name
22 shall be placed on any subsequent birth record issued for
23 the child as a result of the re-adoption proceeding.

24 (7) An adoptive parent who adopted a minor child in a
25 foreign country as an unmarried person may file a petition
26 for adoption to re-adopt the child as a sole petitioner,

1 even if the adoptive parent has subsequently married or
2 entered into a civil union.

3 (8) If one of the adoptive parents who adopted a minor
4 child dies prior to a re-adoption proceeding, the deceased
5 parent's name shall be placed on any subsequent birth
6 record issued for the child as a result of the re-adoption
7 proceeding.

8 (Source: P.A. 103-501, eff. 1-1-24; 103-1061, eff. 7-1-25;
9 revised 6-23-25.)

10 Section 1085. The Illinois Living Will Act is amended by
11 changing Sections 2, 7, and 8 as follows:

12 (755 ILCS 35/2) (from Ch. 110 1/2, par. 702)

13 Sec. 2. Definitions. In this Act:

14 (a) "Attending physician" means the physician selected by,
15 or assigned to, the patient who has primary responsibility for
16 the treatment and care of the patient.

17 (b) "Declaration" means a witnessed document in writing,
18 in a hard copy or electronic format, voluntarily executed by
19 the declarant in accordance with the requirements of Section
20 3.

21 (c) "Health care ~~"Health-care~~ provider" means a person who
22 is licensed, certified or otherwise authorized by the law of
23 this State to administer health care in the ordinary course of
24 business or practice of a profession.

1 (d) "Death delaying procedure" means any medical procedure
2 or intervention which, when applied to a qualified patient, in
3 the judgement of the attending physician would serve only to
4 postpone the moment of death. In appropriate circumstances,
5 such procedures include, but are not limited to, assisted
6 ventilation, artificial kidney treatments, intravenous feeding
7 or medication, blood transfusions, tube feeding and other
8 procedures of greater or lesser magnitude that serve only to
9 delay death. However, this Act does not affect the
10 responsibility of the attending physician or other health care
11 provider to provide treatment for a patient's comfort care or
12 alleviation of pain. Nutrition and hydration shall not be
13 withdrawn or withheld from a qualified patient if the
14 withdrawal or withholding would result in death solely from
15 dehydration or starvation rather than from the existing
16 terminal condition.

17 (e) "Person" means an individual, corporation, business
18 trust, estate, trust, partnership, association, government,
19 governmental subdivision or agency, or any other legal entity.

20 (f) "Physician" means a person licensed to practice
21 medicine in all its branches.

22 (g) "Qualified patient" means a patient who has executed a
23 declaration in accordance with this Act and who has been
24 diagnosed and verified in writing to be afflicted with a
25 terminal condition by his or her attending physician who has
26 personally examined the patient. A qualified patient has the

1 right to make decisions regarding death delaying procedures as
2 long as he or she is able to do so.

3 (h) "Terminal condition" means an incurable and
4 irreversible condition which is such that death is imminent
5 and the application of death delaying procedures serves only
6 to prolong the dying process.

7 (Source: P.A. 101-163, eff. 1-1-20; revised 6-23-25.)

8 (755 ILCS 35/7) (from Ch. 110 1/2, par. 707)

9 Sec. 7. Immunity. The desires of a qualified patient shall
10 at all times supersede the effect of the declaration.

11 A physician or other health care ~~health care~~ provider may
12 presume, in the absence of knowledge to the contrary, that a
13 declaration complies with this Act and is valid.

14 No physician, health care provider or employee thereof who
15 in good faith and pursuant to reasonable medical standards
16 causes or participates in the withholding or withdrawing of
17 death delaying procedures from a qualified patient pursuant to
18 a declaration which purports to have been made in accordance
19 with this Act shall as a result thereof, be subject to criminal
20 or civil liability, or be found to have committed an act of
21 unprofessional conduct.

22 (Source: P.A. 85-860; revised 7-18-25.)

23 (755 ILCS 35/8) (from Ch. 110 1/2, par. 708)

24 Sec. 8. Penalties.

1 (a) Any person who willfully conceals, cancels, defaces,
2 obliterates, or damages the declaration of another without
3 such declarant's consent or who falsifies or forges a
4 revocation of the declaration of another or who willfully
5 fails to comply with Section 6 shall be civilly liable.

6 (b) Any person who coerces or fraudulently induces another
7 to execute a declaration or falsifies or forges the
8 declaration of another, or willfully conceals or withholds
9 personal knowledge of a revocation as provided in Section 5
10 with the intent to cause a withholding or withdrawal of death
11 delaying procedures contrary to the wishes of the qualified
12 patient and thereby, because of such act, directly causes
13 death delaying procedures to be withheld or withdrawn and
14 death to another thereby be hastened, shall be subject to
15 prosecution for involuntary manslaughter.

16 (c) A physician or other health care ~~health care~~ provider
17 who willfully fails to notify the health care facility or
18 fails to comply with Section 6 is guilty of engaging in
19 unethical and unprofessional conduct in violation of paragraph
20 (A) (5) of Section 22 of the Medical Practice Act of 1987.

21 (d) A physician who willfully fails to record the
22 determination of terminal condition in accordance with Section
23 4, without giving the notice required by Section 6 of his
24 unwillingness to comply with the provisions of the patient's
25 declaration, is guilty of willfully omitting to file or record
26 medical reports as required by law in violation of paragraph

1 (A) (22) of Section 22 of the Medical Practice Act of 1987.

2 (e) A person who requires or prohibits the execution of a
3 declaration as a condition for being insured for, or
4 receiving, health care ~~health-care~~ services is guilty of a
5 class A misdemeanor.

6 (f) The penalties provided in this Section do not displace
7 any penalty applicable under other law.

8 (Source: P.A. 90-14, eff. 7-1-97; revised 7-18-25.)

9 Section 1090. The Principal and Income Act is amended by
10 changing Section 15 as follows:

11 (760 ILCS 15/15) (from Ch. 30, par. 515)

12 Sec. 15. Nontrust ~~Non-trust~~ estates.

13 (a) The provisions of this Act, as far as applicable,
14 shall apply to nontrust estates subject to any agreement of
15 the parties or any specific direction by statute or otherwise,
16 and the references to trusts and trustees shall be read as
17 applying to nontrust estates and to legal tenants (including
18 life tenants, tenants for terms of years, or any other period
19 of tenancy) and remaindermen as the context requires; except
20 that if either a legal tenant or a remainderman has incurred a
21 charge for his benefit without the consent or agreement of the
22 other, he shall pay that charge in full.

23 (b) If the costs of an improvement, including special
24 taxes or assessments, representing an addition to value of

1 property forming part of the principal cannot reasonably be
2 expected to outlast the legal tenancy, the costs shall be paid
3 by the legal tenant. If the improvement can reasonably be
4 expected to outlast the legal tenancy, only a portion of the
5 costs shall be paid by the legal tenant and the balance by the
6 remainderman. The portion payable by the legal tenant shall be
7 that fraction of the total found by dividing the present value
8 of the legal tenancy by the present value of an estate of the
9 same form as that of the legal tenancy but limited to a period
10 corresponding to the reasonably expected duration of the
11 improvement. The computation of present value of the legal
12 tenancy shall be computed on the basis of two-thirds of the
13 value determined by use of the tables set forth under Section
14 7520 of the Internal Revenue Code of 1986 and the regulations
15 thereunder for the calculation of the values of annuities,
16 life estates, and terms for years, and no other evidence of
17 duration or expectancy shall be considered, except that any
18 legal tenancy or remainder interest acquired for consideration
19 based on those tables shall be computed on the basis of the
20 tables in effect at the time acquired. The method of computing
21 the present value of a legal tenancy established in this
22 subsection shall apply to all legal tenancies and remainders
23 created after January 1, 1992 and to all legal tenancies and
24 remainders which were acquired for consideration if the amount
25 of the consideration was based on the tables set forth under
26 Section 2031 or 7520 of the Internal Revenue Code then in

1 effect.

2 (c) If a legal tenant has leased any lands for
3 agricultural or farming operations and his legal tenancy
4 terminates on or after the day any rent has become due and
5 payable, he or his representative is entitled to recover that
6 rent from the lessee; and if a legal tenancy terminates before
7 the rent under the lease is fully paid, the legal tenant or his
8 representative is entitled to recover from the lessee:

9 (1) that portion of the rent not due which the number
10 of days from the beginning of the period for which the rent
11 is not due to the date of the termination of the legal
12 tenancy bears to the total number of days in the period for
13 which the rent is unpaid; and

14 (2) that portion of the landlord's share of actual
15 expenses paid before the termination of the legal tenancy
16 and not previously recovered by him, which the number of
17 days in the lease period on and after the termination
18 bears to the total number of days in the lease period.

19 (d) (Blank).

20 (Source: P.A. 100-519, eff. 6-1-18; 100-761, eff. 1-1-19;
21 revised 6-23-25.)

22 Section 1095. The Prohibition of Unfair Service Agreements
23 Act is amended by changing Section 20 as follows:

24 (765 ILCS 175/20)

1 Sec. 20. Unfair service agreements unenforceable. If a
2 service agreement is unfair under this Act, it is
3 unenforceable and shall not create a contractual obligation.

4 (Source: P.A. 103-993, eff. 8-9-24; revised 6-23-25.)

5 Section 1100. The Illinois Coordinate System Act of 2024
6 is amended by changing Section 10 as follows:

7 (765 ILCS 226/10)

8 Sec. 10. Illinois Coordinate System Committee.

9 (a) The Illinois Coordinate System Committee is hereby
10 created. The Committee is created for the purpose of creating,
11 reviewing, and revising the Guide to the Illinois Coordinate
12 System. The Committee shall meet at the call of any designated
13 member of the Committee. The Committee shall adopt an
14 organizational structure as necessary for the fulfillment of
15 its purpose.

16 (b) The Committee shall consist of the following members:

17 (1) the Secretary of Transportation, or the
18 Secretary's designee, who shall serve as Chair;

19 (2) the Director of the Illinois Center for Geographic
20 Information, or the Director's designee;

21 (3) the Director of Natural Resources, or the
22 Director's designee;

23 (4) the Executive Director of the Illinois State Toll
24 Highway Authority, or the Executive Director's designee;

1 (5) the Director of Agriculture, or the Director's
2 designee;

3 (6) one member of a statewide organization
4 representing land surveyors, appointed by the Governor;

5 (7) one member of a statewide organization made up of
6 professionals who work with geographic information
7 systems, appointed by the Governor;

8 (8) the Director of the Illinois State Police or the
9 Director's designee; and

10 (9) one member of a statewide organization
11 representing professional engineers appointed by the
12 Governor.

13 (c) The Committee shall engage with interested
14 stakeholders throughout the State representing local,
15 regional, State, and federal agencies; professional
16 associations; academic institutions; and private sector
17 companies, enterprises, and businesses.

18 (d) The Committee shall create, review, and revise the
19 Guide to the Illinois Coordinate System. This Act shall not be
20 construed to prohibit the appropriate use of other datums,
21 geodetic reference networks or systems, or other coordinate
22 systems when made mathematically relatable to at least one
23 coordinate reference system outlined in the Guide to the
24 Illinois Coordinate System. The Guide to the Illinois
25 Coordinate System shall:

26 (1) define the various plane coordinate systems of the

1 Illinois Coordinate System;

2 (2) contain metadata to accompany the data from the
3 Illinois Coordinate System, the Illinois State Plane
4 Coordinate System, or ~~from~~ any other datum, network, or
5 system intended to be a part of a public record; and

6 (3) be made available to the public through the
7 Illinois Geospatial Data Clearinghouse, or other public
8 source approved by the Committee.

9 (Source: P.A. 103-1029, eff. 1-1-25; revised 6-26-25.)

10 Section 1105. The Condominium Property Act is amended by
11 changing Section 9.1 as follows:

12 (765 ILCS 605/9.1) (from Ch. 30, par. 309.1)

13 Sec. 9.1. (a) Other liens; attachment and satisfaction.
14 Subsequent to the recording of the declaration, no liens of
15 any nature shall be created or arise against any portion of the
16 property except against an individual unit or units. No labor
17 performed or materials furnished with the consent or at the
18 request of a particular unit owner shall be the basis for the
19 filing of a mechanics' lien claim against any other unit. If
20 the performance of the labor or furnishing of the materials is
21 expressly authorized by the board of managers, each unit owner
22 shall be deemed to have expressly authorized it and consented
23 thereto, and shall be liable for the payment of his unit's
24 proportionate share of any due and payable indebtedness as set

1 forth in this Section.

2 Each mortgage and other lien, including mechanics liens,
3 securing a debt incurred in the development of the land
4 submitted to the provisions of this Act for the sale of units
5 shall be subject to the provisions of this Act, subsequent to
6 the conveyance of a unit to the purchaser.

7 In the event any lien exists against 2 or more units and
8 the indebtedness secured by such lien is due and payable, the
9 unit owner of any such unit so affected may remove such unit
10 and the undivided interest in the common elements appertaining
11 thereto from such lien by payment of the proportional amount
12 of such indebtedness attributable to such unit. In the event
13 such lien exists against the units or against the property,
14 the amount of such proportional payment shall be computed on
15 the basis of the percentages set forth in the declaration.
16 Upon payment as herein provided, it is the duty of the
17 encumbrancer to execute and deliver to the unit owner a
18 release of such unit and the undivided interest in the common
19 elements appertaining thereto from such lien, except that such
20 proportional payment and release shall not prevent the
21 encumbrancer from proceeding to enforce his rights against any
22 unit or interest with respect to which such lien has not been
23 so paid or released.

24 The owner of a unit shall not be liable for any claims,
25 damages, or judgments, including, but not limited to, State or
26 local government fees or fines, entered as a result of any

1 action or inaction of the board of managers of the association
2 other than for mechanics' liens as set forth in this Section.
3 Unit owners other than the developer, members of the board of
4 managers other than the developer or developer
5 representatives, and the association of unit owners shall not
6 be liable for any claims, damages, or judgments, including,
7 but not limited to, State or local government fees or fines,
8 entered as a result of any action or inaction of the developer
9 other than for mechanics' liens as set forth in this Section.
10 Each unit owner's liability for any judgment entered against
11 the board of managers or the association, if any, shall be
12 limited to his proportionate share of the indebtedness as set
13 forth in this Section, whether collection is sought through
14 assessment or otherwise. A unit owner shall be liable for any
15 claim, damage or judgment entered as a result of the use or
16 operation of his unit, or caused by his own conduct. Before
17 conveying a unit, a developer shall record and furnish
18 purchaser releases of all liens affecting that unit and its
19 common element interest which the purchaser does not expressly
20 agree to take subject to or assume, and the developer shall
21 provide a surety bond or substitute collateral for or
22 insurance against liens for which a release is not provided.
23 After conveyance of such unit, no mechanics lien shall be
24 created against such unit or its common element interest by
25 reason of any subsequent contract by the developer to improve
26 or make additions to the property.

1 Each mortgagee or other lienholder of the unit of a common
2 interest community or of a unit subject to the Condominium
3 Property Act shall provide an address to the unit owners'
4 association at the time the lien or mortgage is recorded at
5 which address such unit owners' association shall send notice
6 to such mortgagee or lienholder of any eminent domain
7 proceeding to which the association thereafter becomes a
8 party. If the mortgagee or lienholder has not provided an
9 address for notice purposes to the association, then such
10 notice shall be sent to all mortgagees or lienholders which
11 are named insureds on the master policy of insurance which
12 exists or may exist on the common interest community or unit
13 subject to the Condominium Property Act.

14 (b) Board of Managers' standing and capacity. The board of
15 managers shall have standing and capacity to act in a
16 representative capacity in relation to matters involving the
17 common elements or more than one unit, on behalf of the unit
18 owners, as their interests may appear.

19 (Source: P.A. 91-616, eff. 8-19-99; revised 6-26-25.)

20 Section 1110. The Illinois Human Rights Act is amended by
21 changing Section 7A-102 as follows:

22 (775 ILCS 5/7A-102) (from Ch. 68, par. 7A-102)

23 Sec. 7A-102. Procedures.

24 (A) Charge.

1 (1) Within 2 years after the date that a civil rights
2 violation allegedly has been committed, a charge in
3 writing under oath or affirmation may be filed with the
4 Department by an aggrieved party or issued by the
5 Department itself under the signature of the Director.

6 (2) The charge shall be in such detail as to
7 substantially apprise any party properly concerned as to
8 the time, place, and facts surrounding the alleged civil
9 rights violation.

10 (3) Charges deemed filed with the Department pursuant
11 to subsection (A-1) of this Section shall be deemed to be
12 in compliance with this subsection.

13 (A-1) Equal Employment Opportunity Commission Charges.

14 (1) If a charge is filed with the Equal Employment
15 Opportunity Commission (EEOC) within 300 calendar days
16 after the date of the alleged civil rights violation, the
17 charge shall be deemed filed with the Department on the
18 date filed with the EEOC. If the EEOC is the governmental
19 agency designated to investigate the charge first, the
20 Department shall take no action until the EEOC makes a
21 determination on the charge and after the complainant
22 notifies the Department of the EEOC's determination. In
23 such cases, after receiving notice from the EEOC that a
24 charge was filed, the Department shall notify the parties
25 that (i) a charge has been received by the EEOC and has
26 been sent to the Department for dual filing purposes; (ii)

1 the EEOC is the governmental agency responsible for
2 investigating the charge and that the investigation shall
3 be conducted pursuant to the rules and procedures adopted
4 by the EEOC; (iii) it will take no action on the charge
5 until the EEOC issues its determination; (iv) the
6 complainant must submit a copy of the EEOC's determination
7 within 30 days after service of the determination by the
8 EEOC on the complainant; and (v) that the time period to
9 investigate the charge contained in subsection (G) of this
10 Section is tolled from the date on which the charge is
11 filed with the EEOC until the EEOC issues its
12 determination.

13 (2) If the EEOC finds reasonable cause to believe that
14 there has been a violation of federal law and if the
15 Department is timely notified of the EEOC's findings by
16 the complainant, the Department shall notify the
17 complainant that the Department has adopted the EEOC's
18 determination of reasonable cause and that the complainant
19 has the right, within 90 days after receipt of the
20 Department's notice, to either file the complainant's own
21 complaint with the Illinois Human Rights Commission or
22 commence a civil action in the appropriate circuit court
23 or other appropriate court of competent jurisdiction. This
24 notice shall be provided to the complainant within 10
25 business days after the Department's receipt of the EEOC's
26 determination. The Department's notice to the complainant

1 that the Department has adopted the EEOC's determination
2 of reasonable cause shall constitute the Department's
3 Report for purposes of subparagraph (D) of this Section.

4 (3) For those charges alleging violations within the
5 jurisdiction of both the EEOC and the Department and for
6 which the EEOC either (i) does not issue a determination,
7 but does issue the complainant a notice of a right to sue,
8 including when the right to sue is issued at the request of
9 the complainant, or (ii) determines that it is unable to
10 establish that illegal discrimination has occurred and
11 issues the complainant a right to sue notice, and if the
12 Department is timely notified of the EEOC's determination
13 by the complainant, the Department shall notify the
14 parties, within 10 business days after receipt of the
15 EEOC's determination, that the Department will adopt the
16 EEOC's determination as a dismissal for lack of
17 substantial evidence unless the complainant requests in
18 writing within 35 days after receipt of the Department's
19 notice that the Department review the EEOC's
20 determination.

21 (a) If the complainant does not file a written
22 request with the Department to review the EEOC's
23 determination within 35 days after receipt of the
24 Department's notice, the Department shall notify the
25 complainant, within 10 business days after the
26 expiration of the 35-day period, that the decision of

1 the EEOC has been adopted by the Department as a
2 dismissal for lack of substantial evidence and that
3 the complainant has the right, within 90 days after
4 receipt of the Department's notice, to commence a
5 civil action in the appropriate circuit court or other
6 appropriate court of competent jurisdiction. The
7 Department's notice to the complainant that the
8 Department has adopted the EEOC's determination shall
9 constitute the Department's report for purposes of
10 subparagraph (D) of this Section.

11 (b) If the complainant does file a written request
12 with the Department to review the EEOC's
13 determination, the Department shall review the EEOC's
14 determination and any evidence obtained by the EEOC
15 during its investigation. If, after reviewing the
16 EEOC's determination and any evidence obtained by the
17 EEOC, the Department determines there is no need for
18 further investigation of the charge, the Department
19 shall issue a report and the Director shall determine
20 whether there is substantial evidence that the alleged
21 civil rights violation has been committed pursuant to
22 subsection (D) of this Section. If, after reviewing
23 the EEOC's determination and any evidence obtained by
24 the EEOC, the Department determines there is a need
25 for further investigation of the charge, the
26 Department may conduct any further investigation it

1 deems necessary. After reviewing the EEOC's
2 determination, the evidence obtained by the EEOC, and
3 any additional investigation conducted by the
4 Department, the Department shall issue a report and
5 the Director shall determine whether there is
6 substantial evidence that the alleged civil rights
7 violation has been committed pursuant to subsection
8 (D) of this Section.

9 (4) Pursuant to this Section, if the EEOC dismisses
10 the charge or a portion of the charge of discrimination
11 because, under federal law, the EEOC lacks jurisdiction
12 over the charge, and if, under this Act, the Department
13 has jurisdiction over the charge of discrimination, the
14 Department shall investigate the charge or portion of the
15 charge dismissed by the EEOC for lack of jurisdiction
16 pursuant to subsections (A), (A-1), (B), (B-1), (C), (D),
17 (E), (F), (G), (H), (I), (J), and (K) of this Section.

18 (5) The time limit set out in subsection (G) of this
19 Section is tolled from the date on which the charge is
20 filed with the EEOC to the date on which the EEOC issues
21 its determination.

22 (6) The failure of the Department to meet the
23 10-business-day notification deadlines set out in
24 paragraph (2) of this subsection shall not impair the
25 rights of any party.

26 (B) Notice and Response to Charge. The Department shall,

1 within 10 days of the date on which the charge was filed, serve
2 a copy of the charge on the respondent and provide all parties
3 with a notice of the complainant's right to opt out of the
4 investigation within 60 days as set forth in subsection (C-1).
5 This period shall not be construed to be jurisdictional. The
6 charging party and the respondent may each file a position
7 statement and other materials with the Department regarding
8 the charge of alleged discrimination within 60 days of receipt
9 of the notice of the charge. The position statements and other
10 materials filed shall remain confidential unless otherwise
11 agreed to by the party providing the information and shall not
12 be served on or made available to the other party during the
13 pendency of a charge with the Department. The Department may
14 require the respondent to file a response to the allegations
15 contained in the charge. Upon the Department's request, the
16 respondent shall file a response to the charge within 60 days
17 and shall serve a copy of its response on the complainant or
18 the complainant's representative. Notwithstanding any request
19 from the Department, the respondent may elect to file a
20 response to the charge within 60 days of receipt of notice of
21 the charge, provided the respondent serves a copy of its
22 response on the complainant or the complainant's
23 representative. All allegations contained in the charge not
24 denied by the respondent within 60 days of the Department's
25 request for a response may be deemed admitted, unless the
26 respondent states that it is without sufficient information to

1 form a belief with respect to such allegation. The Department
2 may issue a notice of default directed to any respondent who
3 fails to file a response to a charge within 60 days of receipt
4 of the Department's request, unless the respondent can
5 demonstrate good cause as to why such notice should not issue.
6 The term "good cause" shall be defined by rule promulgated by
7 the Department. Within 30 days of receipt of the respondent's
8 response, the complainant may file a reply to said response
9 and shall serve a copy of said reply on the respondent or the
10 respondent's representative. A party shall have the right to
11 supplement the party's response or reply at any time that the
12 investigation of the charge is pending. The Department shall,
13 within 10 days of the date on which the charge was filed, and
14 again no later than 335 days thereafter, send by certified or
15 registered mail, or electronic mail if elected by the party,
16 written notice to the complainant and to the respondent
17 informing the complainant of the complainant's rights to
18 either file a complaint with the Human Rights Commission or
19 commence a civil action in the appropriate circuit court under
20 subparagraph (2) of paragraph (G), including in such notice
21 the dates within which the complainant may exercise these
22 rights. In the notice the Department shall notify the
23 complainant that the charge of civil rights violation will be
24 dismissed with prejudice and with no right to further proceed
25 if a written complaint is not timely filed with the Commission
26 or with the appropriate circuit court by the complainant

1 pursuant to subparagraph (2) of paragraph (G) or by the
2 Department pursuant to subparagraph (1) of paragraph (G).

3 (B-1) Mediation. The complainant and respondent may agree
4 to voluntarily submit the charge to mediation without waiving
5 any rights that are otherwise available to either party
6 pursuant to this Act and without incurring any obligation to
7 accept the result of the mediation process. Nothing occurring
8 in mediation shall be disclosed by the Department or
9 admissible in evidence in any subsequent proceeding unless the
10 complainant and the respondent agree in writing that such
11 disclosure be made.

12 (C) Investigation.

13 (1) The Department shall conduct an investigation
14 sufficient to determine whether the allegations set forth
15 in the charge are supported by substantial evidence unless
16 the complainant elects to opt out of an investigation
17 pursuant to subsection (C-1).

18 (2) The Director or the Director's designated
19 representatives shall have authority to request any member
20 of the Commission to issue subpoenas to compel the
21 attendance of a witness or the production for examination
22 of any books, records or documents whatsoever.

23 (3) If any witness whose testimony is required for any
24 investigation resides outside the State, or through
25 illness or any other good cause as determined by the
26 Director is unable to be interviewed by the investigator

1 or appear at a fact finding conference, the witness'
2 testimony or deposition may be taken, within or without
3 the State, in the same manner as is provided for in the
4 taking of depositions in civil cases in circuit courts.

5 (4) Upon reasonable notice to the complainant and the
6 respondent, the Department in its discretion may conduct a
7 fact finding conference. If the complainant and respondent
8 both submit a written request for a fact finding
9 conference prior to 90 days after the date on which the
10 charge was filed, the Department shall conduct a fact
11 finding conference unless prior to the Department's
12 receipt of both requests, the Department has issued its
13 report. Any request for a fact finding conference must
14 include the party's written agreement to grant an
15 extension of 120 days to the time period if requested by
16 the Department to issue its report. If the Department
17 conducts a fact finding conference, a complainant or
18 respondent's failure to attend the conference without good
19 cause shall result in dismissal or default. The term "good
20 cause" shall be defined by rule promulgated by the
21 Department. A notice of dismissal or default shall be
22 issued by the Director. The notice of default issued by
23 the Director shall notify the respondent that a request
24 for review may be filed in writing with the Commission
25 within 30 days of receipt of notice of default. The notice
26 of dismissal issued by the Director shall give the

1 complainant notice of the complainant's right to seek
2 review of the dismissal before the Human Rights Commission
3 or commence a civil action in the appropriate circuit
4 court. If the complainant chooses to have the Human Rights
5 Commission review the dismissal order, the complainant
6 shall file a request for review with the Commission within
7 90 days after receipt of the Director's notice. If the
8 complainant chooses to file a request for review with the
9 Commission, the complainant may not later commence a civil
10 action in a circuit court. If the complainant chooses to
11 commence a civil action in a circuit court, the
12 complainant must do so within 90 days after receipt of the
13 Director's notice.

14 (C-1) Opt out of Department's investigation. At any time
15 within 60 days after receipt of notice of the right to opt out,
16 a complainant may submit a written request seeking notice from
17 the Director indicating that the complainant has opted out of
18 the investigation and may commence a civil action in the
19 appropriate circuit court or other appropriate court of
20 competent jurisdiction. Within 10 business days of receipt of
21 the complainant's request to opt out of the investigation, the
22 Director shall issue a notice to the parties stating that: (i)
23 the complainant has exercised the right to opt out of the
24 investigation; (ii) the complainant has 90 days after receipt
25 of the Director's notice to commence an action in the
26 appropriate circuit court or other appropriate court of

1 competent jurisdiction; and (iii) the Department has ceased
2 its investigation and is administratively closing the charge.
3 The complainant shall notify the Department that a complaint
4 has been filed with the appropriate circuit court by serving a
5 copy of the complaint on the chief legal counsel of the
6 Department within 21 days from the date that the complaint is
7 filed with the appropriate circuit court. This 21-day period
8 for service on the chief legal counsel shall not be construed
9 to be jurisdictional. Once a complainant has opted out of the
10 investigation under this subsection, the complainant may not
11 file or refile a substantially similar charge with the
12 Department arising from the same incident of unlawful
13 discrimination or harassment.

14 (D) Report.

15 (1) Each charge investigated under subsection (C)
16 shall be the subject of a report to the Director. The
17 report shall be a confidential document subject to review
18 by the Director, authorized Department employees, the
19 parties, and, where indicated by this Act, members of the
20 Commission or their designated hearing officers.

21 (2) Upon review of the report, the Director shall
22 determine whether there is substantial evidence that the
23 alleged civil rights violation has been committed. The
24 determination of substantial evidence is limited to
25 determining the need for further consideration of the
26 charge pursuant to this Act and includes, but is not

1 limited to, findings of fact and conclusions, as well as
2 the reasons for the determinations on all material issues.
3 Substantial evidence is evidence which a reasonable mind
4 accepts as sufficient to support a particular conclusion
5 and which consists of more than a mere scintilla but may be
6 somewhat less than a preponderance.

7 (3) If the Director determines that there is no
8 substantial evidence, the charge shall be dismissed by the
9 Director and the Director shall give the complainant
10 notice of the complainant's right to seek review of the
11 notice of dismissal before the Commission or commence a
12 civil action in the appropriate circuit court. If the
13 complainant chooses to have the Human Rights Commission
14 review the notice of dismissal, the complainant shall file
15 a request for review with the Commission within 90 days
16 after receipt of the Director's notice. If the complainant
17 chooses to file a request for review with the Commission,
18 the complainant may not later commence a civil action in a
19 circuit court. If the complainant chooses to commence a
20 civil action in a circuit court, the complainant must do
21 so within 90 days after receipt of the Director's notice.
22 The complainant shall notify the Department that a
23 complaint has been filed by serving a copy of the
24 complaint on the chief legal counsel of the Department
25 within 21 days from the date that the complaint is filed in
26 circuit court. This 21-day period for service on the chief

1 legal counsel shall not be construed to be jurisdictional.

2 (4) If the Director determines that there is
3 substantial evidence, the Director shall notify the
4 complainant and respondent of that determination. The
5 Director shall also notify the parties that the
6 complainant has the right to either commence a civil
7 action in the appropriate circuit court or request that
8 the Department of Human Rights file a complaint with the
9 Human Rights Commission on the complainant's behalf. Any
10 such complaint shall be filed within 90 days after receipt
11 of the Director's notice. If the complainant chooses to
12 have the Department file a complaint with the Human Rights
13 Commission on the complainant's behalf, the complainant
14 must, within 30 days after receipt of the Director's
15 notice, request in writing that the Department file the
16 complaint. If the complainant timely requests that the
17 Department file the complaint, the Department shall file
18 the complaint on the complainant's behalf. If the
19 complainant fails to timely request that the Department
20 file the complaint, the complainant may file the
21 complainant's complaint with the Commission or commence a
22 civil action in the appropriate circuit court. If the
23 complainant files a complaint with the Human Rights
24 Commission, the complainant shall notify the Department
25 that a complaint has been filed by serving a copy of the
26 complaint on the chief legal counsel of the Department

1 within 21 days from the date that the complaint is filed
2 with the Human Rights Commission. This 21-day period for
3 service on the chief legal counsel shall not be construed
4 to be jurisdictional.

5 (E) Conciliation.

6 (1) When there is a finding of substantial evidence,
7 the Department may designate a Department employee who is
8 an attorney licensed to practice in Illinois to endeavor
9 to eliminate the effect of the alleged civil rights
10 violation and to prevent its repetition by means of
11 conference and conciliation.

12 (2) When the Department determines that a formal
13 conciliation conference is necessary, the complainant and
14 respondent shall be notified of the time and place of the
15 conference by registered or certified mail at least 10
16 days prior thereto and either or both parties shall appear
17 at the conference in person or by attorney.

18 (3) The place fixed for the conference shall be within
19 35 miles of the place where the civil rights violation is
20 alleged to have been committed.

21 (4) Nothing occurring at the conference shall be
22 disclosed by the Department unless the complainant and
23 respondent agree in writing that such disclosure be made.

24 (5) The Department's efforts to conciliate the matter
25 shall not stay or extend the time for filing the complaint
26 with the Commission or the circuit court.

1 (F) Complaint.

2 (1) When the complainant requests that the Department
3 file a complaint with the Commission on the complainant's
4 behalf, the Department shall prepare a written complaint,
5 under oath or affirmation, stating the nature of the civil
6 rights violation substantially as alleged in the charge
7 previously filed and the relief sought on behalf of the
8 aggrieved party. The Department shall file the complaint
9 with the Commission.

10 (1.5) If the complainant chooses to file a complaint
11 with the Commission without the Department's assistance,
12 the complainant shall notify the Department that a
13 complaint has been filed by serving a copy of the
14 complaint on the chief legal counsel of the Department
15 within 21 days from the date that the complaint is filed
16 with the Human Rights Commission. This 21-day period for
17 service on the chief legal counsel shall not be construed
18 to be jurisdictional.

19 (2) If the complainant chooses to commence a civil
20 action in a circuit court:

21 (i) The complainant shall file the civil action in
22 the circuit court in the county wherein the civil
23 rights violation was allegedly committed.

24 (ii) The form of the complaint in any such civil
25 action shall be in accordance with the Code of Civil
26 Procedure.

1 (iii) The complainant shall notify the Department
2 that a complaint has been filed by serving a copy of
3 the complaint on the chief legal counsel of the
4 Department within 21 days from the date that the
5 complaint is filed in circuit court. This 21-day
6 period for service on the chief legal counsel shall
7 not be construed to be jurisdictional.

8 (G) Time Limit.

9 (1) When a charge of a civil rights violation has been
10 properly filed, the Department, within 365 days thereof or
11 within any extension of that period agreed to in writing
12 by all parties, shall issue its report as required by
13 subparagraph (D). Any such report shall be duly served
14 upon both the complainant and the respondent.

15 (2) If the Department has not issued its report within
16 365 days after the charge is filed, or any such longer
17 period agreed to in writing by all the parties, the
18 complainant shall have 90 days to either file the
19 complainant's own complaint with the Human Rights
20 Commission or commence a civil action in the appropriate
21 circuit court. If the complainant files a complaint with
22 the Commission, the form of the complaint shall be in
23 accordance with the provisions of paragraph (F)(1). If the
24 complainant commences a civil action in a circuit court,
25 the form of the complaint shall be in accordance with the
26 Code of Civil Procedure. The aggrieved party shall notify

1 the Department that a complaint has been filed by serving
2 a copy of the complaint on the chief legal counsel of the
3 Department within ~~with~~ 21 days from the date that the
4 complaint is filed with the Commission or in circuit
5 court. This 21-day period for service on the chief legal
6 counsel shall not be construed to be jurisdictional. If
7 the complainant files a complaint with the Commission, the
8 complainant may not later commence a civil action in
9 circuit court.

10 (3) If an aggrieved party files a complaint with the
11 Human Rights Commission or commences a civil action in
12 circuit court pursuant to paragraph (2) of this
13 subsection, or if the time period for filing a complaint
14 has expired, the Department shall immediately cease its
15 investigation and dismiss the charge of civil rights
16 violation. Any final order entered by the Commission under
17 this Section is appealable in accordance with paragraph
18 (B)(1) of Section 8-111. Failure to immediately cease an
19 investigation and dismiss the charge of civil rights
20 violation as provided in this paragraph (3) constitutes
21 grounds for entry of an order by the circuit court
22 permanently enjoining the investigation. The Department
23 may also be liable for any costs and other damages
24 incurred by the respondent as a result of the action of the
25 Department.

26 (4) (Blank).

1 (H) Public Act 89-370 applies to causes of action filed on
2 or after January 1, 1996.

3 (I) Public Act 89-520 applies to causes of action filed on
4 or after January 1, 1996.

5 (J) The changes made to this Section by Public Act 95-243
6 apply to charges filed on or after the effective date of those
7 changes.

8 (K) The changes made to this Section by Public Act 96-876
9 apply to charges filed on or after the effective date of those
10 changes.

11 (L) The changes made to this Section by Public Act
12 100-1066 apply to charges filed on or after August 24, 2018
13 (the effective date of Public Act 100-1066).

14 (M) The changes made to this Section by Public Act 104-425
15 ~~this amendatory Act of the 104th General Assembly~~ apply to
16 charges pending or filed on or after January 1, 2026 (the
17 effective date of Public Act 104-425) ~~this amendatory Act of~~
18 ~~the 104th General Assembly~~.

19 (Source: P.A. 103-335, eff. 1-1-24; 103-973, eff. 1-1-25;
20 104-425, eff. 1-1-26; revised 12-12-25.)

21 Section 1115. The Business Corporation Act of 1983 is
22 amended by changing Section 8.12 as follows:

23 (805 ILCS 5/8.12)

24 Sec. 8.12. Female, minority, and LGBTQ directors.

1 (a) Findings and purpose. The General Assembly finds that
2 women, minorities, and LGBTQ people are still largely
3 underrepresented nationally in positions of corporate
4 authority, such as serving as a director on a corporation's
5 board of directors. This low representation could be
6 contributing to the disparity seen in wages made by females
7 and minorities versus their white male counterparts. Increased
8 representation of these individuals as directors on boards of
9 directors for corporations may boost the Illinois economy,
10 improve opportunities for women, minorities, and LGBTQ people
11 in the workplace, and foster an environment in Illinois where
12 the business community is representative of our residents.
13 Therefore, it is the intent of the General Assembly to gather
14 more data and study this issue within the State so that
15 effective policy changes may be implemented to eliminate this
16 disparity.

17 (b) As used in this Section:

18 "Annual report" means the report submitted annually to the
19 Secretary of State pursuant to this Act.

20 "Female" means a person who is a citizen or lawful
21 permanent resident of the United States and who
22 self-identifies as a woman, without regard to the individual's
23 designated sex at birth.

24 "Minority person" means a person who is a citizen or
25 lawful permanent resident of the United States and who is any
26 of the following races or ethnicities:

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

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

10 (3) Black or African American (a person having origins
11 in any of the black racial groups of Africa). Terms such as
12 "Haitian" or "Negro" can be used in addition to "Black" or
13 "African American".

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

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

20 ~~(6)~~ "Publicly held domestic or foreign corporation" means
21 a corporation with outstanding shares listed on a major United
22 States stock exchange.

23 (c) Reporting to the Secretary of State. As soon as
24 practical after August 27, 2019 (the effective date of Public
25 Act 101-589), but no later than January 1, 2021, the following
26 information shall be provided in a corporation's annual report

1 submitted to the Secretary of State under this Act and made
2 available by the Secretary of State to the public online as it
3 is received:

4 (1) Whether the corporation is a publicly held
5 domestic or foreign corporation with its principal
6 executive office located in Illinois.

7 (2) Where the corporation is a publicly held domestic
8 or foreign corporation with its principal executive office
9 located in Illinois, data on specific qualifications,
10 skills, and experience that the corporation considers for
11 its board of directors, nominees for the board of
12 directors, and executive officers.

13 (3) Where the corporation is a publicly held domestic
14 or foreign corporation with its principal executive office
15 located in Illinois, the self-identified gender of each
16 member of its board of directors.

17 (4) Where the corporation is a publicly held domestic
18 or foreign corporation with its principal executive office
19 located in Illinois, whether each member of its board of
20 directors self-identifies as a minority person and, if so,
21 which race or ethnicity to which the member belongs.

22 (5) Where the corporation is a publicly held domestic
23 or foreign corporation with its principal executive office
24 located in Illinois, the self-identified sexual
25 orientation of each member of its board of directors.

26 (6) Where the corporation is a publicly held domestic

1 or foreign corporation with its principal executive office
2 located in Illinois, the self-identified gender identity
3 of each member of its board of directors.

4 (7) Where the corporation is a publicly held domestic
5 or foreign corporation with its principal executive office
6 located in Illinois, a description of the corporation's
7 process for identifying and evaluating nominees for the
8 board of directors, including whether and, if so, how
9 demographic diversity is considered.

10 (8) Where the corporation is a publicly held domestic
11 or foreign corporation with its principal executive office
12 located in Illinois, a description of the corporation's
13 process for identifying and appointing executive officers,
14 including whether and, if so, how demographic diversity is
15 considered.

16 (9) Where the corporation is a publicly held domestic
17 or foreign corporation with its principal executive office
18 located in Illinois, a description of the corporation's
19 policies and practices for promoting diversity, equity,
20 and inclusion among its board of directors and executive
21 officers.

22 Information reported under this subsection shall be
23 updated in each annual report filed with the Secretary of
24 State thereafter.

25 (d) Beginning no later than March 1, 2021, and every March
26 1 thereafter, the University of Illinois Systems shall review

1 the information reported and published under subsection (c)
2 and shall publish on its website a report that provides
3 aggregate data on the demographic characteristics of the
4 boards of directors and executive officers of corporations
5 filing an annual report for the preceding year along with an
6 individualized rating for each corporation. The report shall
7 also identify strategies for promoting diversity and inclusion
8 among boards of directors and corporate executive officers.

9 (e) The University of Illinois System shall establish a
10 rating system assessing the representation of women,
11 minorities, and LGBTQ people on corporate boards of directors
12 of those corporations that are publicly held domestic or
13 foreign corporations with their principal executive office
14 located in Illinois based on the information gathered under
15 this Section. The rating system shall consider, among other
16 things: compliance with the demographic reporting obligations
17 in subsection (c); the corporation's policies and practices
18 for encouraging diversity in recruitment, board membership,
19 and executive appointments; and the demographic diversity of
20 board seats and executive positions.

21 (Source: P.A. 101-589, eff. 8-27-19; 102-223, eff. 1-1-22;
22 102-813, eff. 5-13-22; revised 6-26-25.)

23 Section 1120. The Uniform Limited Partnership Act (2001)
24 is amended by changing Section 1101 as follows:

(805 ILCS 215/1101)

Sec. 1101. Definitions. In this Article:

(1) "Constituent limited partnership" means a constituent organization that is a limited partnership.

(2) "Constituent organization" means an organization that is party to a merger.

(3) (Blank).

(4) (Blank).

(5) (Blank). u

(6) "General partner" means a general partner of a limited partnership.

(7) "Governing statute" of an organization means the statute that governs the organization's internal affairs.

(8) "Organization" means a general partnership, including a limited liability partnership; limited partnership, including a limited liability limited partnership; limited liability company; business trust; corporation; or any other person having a governing statute. The term includes domestic and foreign organizations whether or not organized for profit.

(9) "Organizational documents" means:

(A) for a domestic or foreign general partnership, its partnership agreement;

(B) for a limited partnership or foreign limited partnership, its certificate of limited partnership and partnership agreement;

(C) for a domestic or foreign limited liability

1 company, its articles of organization and operating
2 agreement, or comparable records as provided in its
3 governing statute;

4 (D) for a business trust, its agreement of trust and
5 declaration of trust;

6 (E) for a domestic or foreign corporation for profit,
7 its articles of incorporation, bylaws, and other
8 agreements among its shareholders which are authorized by
9 its governing statute, or comparable records as provided
10 in its governing statute; and

11 (F) for any other organization, the basic records that
12 create the organization and determine its internal
13 governance and the relations among the persons that own
14 it, have an interest in it, or are members of it.

15 (10) "Personal liability" means personal liability for a
16 debt, liability, or other obligation of an organization which
17 is imposed on a person that co-owns, has an interest in, or is
18 a member of the organization:

19 (A) by the organization's governing statute solely by
20 reason of the person co-owning, having an interest in, or
21 being a member of the organization; or

22 (B) by the organization's organizational documents
23 under a provision of the organization's governing statute
24 authorizing those documents to make one or more specified
25 persons liable for all or specified debts, liabilities,
26 and other obligations of the organization solely by reason

1 of the person or persons co-owning, having an interest in,
2 or being a member of the organization.

3 (11) "Surviving organization" means an organization into
4 which one or more other organizations are merged. A surviving
5 organization may preexist the merger or be created by the
6 merger.

7 (Source: P.A. 100-561, eff. 7-1-18; revised 6-26-25.)

8 Section 1125. The Consumer Legal Funding Act is amended by
9 changing Section 100 as follows:

10 (815 ILCS 121/100)

11 Sec. 100. Secretary of Financial and Professional
12 Regulation; functions and powers. The functions and powers of
13 the Secretary shall include the following:

14 (1) to issue or refuse to issue any license as
15 provided by this Act;

16 (2) to revoke or suspend for cause any license issued
17 under this Act;

18 (3) to keep records of all licenses issued under this
19 Act;

20 (4) to receive, consider, investigate, and act upon
21 complaints made by any person in connection with any
22 licensed consumer legal funding company in this State or
23 unlicensed consumer legal funding activity;

24 (5) to prescribe the forms of and receive:

1 (A) applications for licenses; and

2 (B) all reports and all books and records required
3 to be made by any licensee under this Act, including
4 annual audited financial statements and annual reports
5 of consumer legal funding activity;

6 (6) to subpoena documents and witnesses and compel
7 their attendance and production, to administer oaths, and
8 to require the production of any books, papers, or other
9 materials relevant to any inquiry authorized by this Act;

10 (7) to issue orders against any person:

11 (A) if the Secretary has reasonable cause to
12 believe that an unsafe, unsound, or unlawful practice
13 has occurred, is occurring, or is about to occur;

14 (B) if any person has violated, is violating, or
15 is about to violate any law, rule, or written
16 agreement with the Secretary; or

17 (C) for the purpose of administering the
18 provisions of this Act and any rule adopted in
19 accordance with this Act;

20 (8) to address any inquiries to any licensee, or the
21 officers of the licensee, in relation to the licensee's
22 activities and conditions or any other matter connected
23 with its affairs, and it shall be the duty of any licensee
24 or person so addressed to promptly reply in writing to
25 those inquiries; the Secretary may also require reports
26 from any licensee at any time the Secretary chooses;

1 (9) to examine the books and records of every licensee
2 under this Act;

3 (10) to enforce the provisions of this Act;

4 (11) to levy fees, fines, and charges for services
5 performed in administering this Act; the aggregate of all
6 fees collected by the Secretary on and after the effective
7 date of this Act shall be paid promptly after receipt,
8 accompanied by a detailed statement of fees paid, into the
9 Financial Institution ~~Institutions~~ Fund; the amounts
10 deposited into that Fund shall be used for the ordinary
11 and contingent expenses of the Department; nothing in this
12 Act shall prevent the continuation of the practice of
13 paying expenses involving salaries, retirement, social
14 security, and State-paid insurance of State officers by
15 appropriation from the General Revenue Fund or any other
16 fund;

17 (12) to appoint examiners, supervisors, experts, and
18 special assistants as needed to effectively and
19 efficiently administer this Act;

20 (13) to conduct hearings for the purpose of:

21 (A) appeals of orders of the Secretary;

22 (B) suspensions or revocations of licenses;

23 (C) fining of licensees or unlicensed persons or
24 entities;

25 (D) investigating:

26 (i) complaints against licensees or unlicensed

1 persons or entities; or

2 (ii) annual gross delinquency rates; and

3 (E) carrying out the purposes of this Act;

4 (14) to exercise visitorial power over a licensee;

5 (15) to enter into cooperative agreements with state
6 regulatory authorities of other states to provide for
7 examination of corporate offices or branches of those
8 states and to accept reports of those examinations;

9 (16) to assign an examiner or examiners to monitor the
10 affairs of a licensee with whatever frequency the
11 Secretary determines appropriate and to charge the
12 licensee for reasonable and necessary expenses of the
13 Secretary if in the opinion of the Secretary an emergency
14 exists or appears likely to occur;

15 (17) to impose civil penalties of up to \$50 per day
16 against a licensee for failing to respond to a regulatory
17 request or reporting requirement; and

18 (18) to enter into agreements in connection with the
19 Nationwide Multistate Licensing System and Registry.

20 (Source: P.A. 102-987, eff. 5-27-22; revised 12-12-25.)

21 Section 1130. The Payday Loan Reform Act is amended by
22 changing Section 2-10 as follows:

23 (815 ILCS 122/2-10)

24 Sec. 2-10. Permitted fees.

1 (a) If there are insufficient funds to pay a check,
2 Automated ~~Automatic~~ Clearing House (ACH) debit, or any other
3 item described in the definition of payday loan under Section
4 1-10 on the day of presentment and only after the lender has
5 incurred an expense, a lender may charge a fee not to exceed
6 \$25. Only one such fee may be collected by the lender with
7 respect to a particular check, ACH debit, or item even if it
8 has been deposited and returned more than once. A lender shall
9 present the check, ACH debit, or other item described in the
10 definition of payday loan under Section 1-10 for payment not
11 more than twice. A fee charged under this subsection (a) is a
12 lender's exclusive charge for late payment.

13 (a-5) A lender may charge a borrower a fee not to exceed \$1
14 for the verification required under Section 2-15 of this Act
15 in connection with a payday loan. In no event may a fee be
16 greater than the amount charged by the certified consumer
17 reporting service. Only one such fee may be collected by the
18 lender with respect to a particular loan.

19 (b) Except for the finance charges described in Section
20 2-5 and as specifically allowed by this Section, a lender may
21 not impose on a consumer any additional finance charges,
22 interest, fees, or charges of any sort for any purpose.

23 (Source: P.A. 100-1168, eff. 6-1-19; 101-658, eff. 3-23-21;
24 revised 12-12-25.)

25 Section 1135. The Strengthening Community Media Act is

1 amended by changing Sections 10 and 15 as follows:

2 (815 ILCS 412/10)

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

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

6 "Local news organization" means an entity that:

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

12 (2) has at least one employee employed full-time for
13 30 hours a week or more dedicated to providing coverage of
14 Illinois or local Illinois community news and living
15 within 50 miles of the coverage area, who gathers,
16 prepares, collects, photographs, writes, edits, reports,
17 or publishes original local or State community news for
18 dissemination to the local or State community;

19 (3) in the case of print publications, has published
20 at least one print publication per month over the previous
21 12 months, and either holds a valid United States Postal
22 Service periodical permit or has at least 25% of its
23 content dedicated to local news;

24 (4) in the case of digital-only entities, has
25 published one piece about the community per week over the

1 previous 12 months and has at least 33% of its digital
2 audience in Illinois, averaged over a 12-month period;

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

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

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

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

20 (Source: P.A. 103-1021, eff. 1-1-25; revised 6-26-25.)

21 (815 ILCS 412/15)

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

1 (1) affected employees and representatives of affected
2 employees;

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

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

7 (Source: P.A. 103-1021, eff. 1-1-25; revised 6-26-25.)

8 Section 1140. The Travel Promotion Consumer Protection Act
9 is amended by changing Section 2 as follows:

10 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

11 Sec. 2. Definitions. In this Act:

12 (a) "Travel promoter" means a person, including a tour
13 operator, who sells, provides, furnishes, contracts for,
14 arranges or advertises that he or she will arrange wholesale
15 or retail transportation by air, land, sea or navigable
16 stream, either separately or in conjunction with other
17 services. "Travel promoter" does not include (1) an air
18 carrier; (2) a sea carrier; (3) an officially appointed agent
19 of an air carrier who is a member in good standing of the
20 Airline Reporting Corporation; (4) a travel promoter who has
21 in force \$1,000,000 or more of liability insurance coverage
22 for professional errors and omissions and a surety bond or
23 equivalent surety in the amount of \$100,000 or more for the
24 benefit of consumers in the event of a bankruptcy on the part

1 of the travel promoter; or (5) a riverboat subject to
2 regulation under the Illinois Gambling Act.

3 (b) "Advertise" means to make any representation in the
4 solicitation of passengers and includes communication with
5 other members of the same partnership, corporation, joint
6 venture, association, organization, group or other entity.

7 (c) "Passenger" means a person on whose behalf money or
8 other consideration has been given or is to be given to
9 another, including another member of the same partnership,
10 corporation, joint venture, association, organization, group
11 or other entity, for travel.

12 (d) "Ticket or voucher" means a writing or combination of
13 writings which is itself good and sufficient to obtain
14 transportation and other services for which the passenger has
15 contracted.

16 (Source: P.A. 101-31, eff. 6-28-19; revised 6-26-25.)

17 Section 1145. The Consumer Fraud and Deceptive Business
18 Practices Act is amended by changing Section 2DDD and by
19 setting forth and renumbering multiple versions of Section
20 2HHHH as follows:

21 (815 ILCS 505/2DDD)

22 Sec. 2DDD. Alternative gas suppliers.

23 (a) Definitions. In this Section:

24 (1) "Alternative gas supplier" has the same meaning as

1 in Section 19-105 of the Public Utilities Act.

2 (2) "Gas utility" has the same meaning as in Section
3 19-105 of the Public Utilities Act.

4 (b) It is an unfair or deceptive act or practice within the
5 meaning of Section 2 of this Act for any person to violate any
6 provision of this Section.

7 (c) Solicitation.

8 (1) An alternative gas supplier shall not utilize the
9 name of a public utility in any manner that is deceptive or
10 misleading, including, but not limited to, implying or
11 otherwise leading a customer to believe that an
12 alternative gas supplier is soliciting on behalf of or is
13 an agent of a utility. An alternative gas supplier shall
14 not utilize the name, or any other identifying insignia,
15 graphics, or wording, that has been used at any time to
16 represent a public utility company or its services or to
17 identify, label, or define any of its natural gas supply
18 offers and shall not misrepresent the affiliation of any
19 alternative supplier with the gas utility, governmental
20 bodies, or consumer groups.

21 (2) If any sales solicitation, agreement, contract, or
22 verification is translated into another language and
23 provided to a customer, all of the documents must be
24 provided to the customer in that other language.

25 (2.3) An alternative gas supplier shall state that it
26 represents an independent seller of gas certified by the

1 Illinois Commerce Commission and that he or she is not
2 employed by, representing, endorsed by, or acting on
3 behalf of a utility, or a utility program.

4 (2.5) All in-person and telephone solicitations shall
5 be conducted in, translated into, and provided in a
6 language in which the consumer subject to the marketing or
7 solicitation is able to understand and communicate. An
8 alternative gas supplier shall terminate a solicitation if
9 the consumer subject to the marketing or communication is
10 unable to understand and communicate in the language in
11 which the marketing or solicitation is being conducted. An
12 alternative gas supplier shall comply with Section 2N of
13 this Act.

14 (3) An alternative gas supplier shall clearly and
15 conspicuously disclose the following information to all
16 customers:

17 (A) the prices, terms, and conditions of the
18 products and services being sold to the customer;

19 (B) where the solicitation occurs in person,
20 including through door-to-door solicitation, the
21 salesperson's name;

22 (C) the alternative gas supplier's contact
23 information, including the address, phone number, and
24 website;

25 (D) contact information for the Illinois Commerce
26 Commission, including the toll-free number for

1 consumer complaints and website;

2 (E) a statement of the customer's right to rescind
3 the offer within 10 business days of the date on the
4 utility's notice confirming the customer's decision to
5 switch suppliers, as well as phone numbers for the
6 supplier and utility that the consumer may use to
7 rescind the contract;

8 (F) the amount of the early termination fee, if
9 any; and

10 (G) the utility gas supply cost rates per therm
11 price available from the Illinois Commerce Commission
12 website applicable at the time the alternative gas
13 supplier is offering or selling the products or
14 services to the customer and shall disclose the
15 following statement:

16 "(Name of the alternative gas supplier) is not the
17 same entity as your gas delivery company. You are not
18 required to enroll with (name of alternative retail
19 gas supplier). Beginning on (effective date), the
20 utility gas supply cost rate per therm is (cost). The
21 utility gas supply cost will expire on (expiration
22 date). For more information go to the Illinois
23 Commerce Commission's free website at
24 www.icc.illinois.gov/ags/consumereducation.aspx."

25 (4) Except as provided in paragraph (5) of this
26 subsection (c), an alternative gas supplier shall send the

1 information described in paragraph (3) of this subsection
2 (c) to all customers within one business day of the
3 authorization of a switch.

4 (5) An alternative gas supplier engaging in
5 door-to-door solicitation of consumers shall provide the
6 information described in paragraph (3) of this subsection
7 (c) during all door-to-door solicitations that result in a
8 customer deciding to switch his or her supplier.

9 (d) Customer Authorization. An alternative gas supplier
10 shall not submit or execute a change in a customer's selection
11 of a natural gas provider unless and until: (i) the
12 alternative gas supplier first discloses all material terms
13 and conditions of the offer to the customer; (ii) the
14 alternative gas supplier has obtained the customer's express
15 agreement to accept the offer after the disclosure of all
16 material terms and conditions of the offer; and (iii) the
17 alternative gas supplier has confirmed the request for a
18 change in accordance with one of the following procedures:

19 (1) The alternative gas supplier has obtained the
20 customer's written or electronically signed authorization
21 in a form that meets the following requirements:

22 (A) An alternative gas supplier shall obtain any
23 necessary written or electronically signed
24 authorization from a customer for a change in natural
25 gas service by using a letter of agency as specified in
26 this Section. Any letter of agency that does not

1 conform with this Section is invalid.

2 (B) The letter of agency shall be a separate
3 document (or an easily separable document containing
4 only the authorization language described in item (E)
5 of this paragraph (1)) whose sole purpose is to
6 authorize a natural gas provider change. The letter of
7 agency must be signed and dated by the customer
8 requesting the natural gas provider change.

9 (C) The letter of agency shall not be combined
10 with inducements of any kind on the same document.

11 (D) Notwithstanding items (A) and (B) of this
12 paragraph (1), the letter of agency may be combined
13 with checks that contain only the required letter of
14 agency language prescribed in item (E) of this
15 paragraph (1) and the necessary information to make
16 the check a negotiable instrument. The letter of
17 agency check shall not contain any promotional
18 language or material. The letter of agency check shall
19 contain in easily readable, bold face type on the face
20 of the check, a notice that the consumer is
21 authorizing a natural gas provider change by signing
22 the check. The letter of agency language also shall be
23 placed near the signature line on the back of the
24 check.

25 (E) At a minimum, the letter of agency must be
26 printed with a print of sufficient size to be clearly

1 legible, and must contain clear and unambiguous
2 language that confirms:

3 (i) the customer's billing name and address;

4 (ii) the decision to change the natural gas
5 provider from the current provider to the
6 prospective alternative gas supplier;

7 (iii) the terms, conditions, and nature of the
8 service to be provided to the customer, including,
9 but not limited to, the rates for the service
10 contracted for by the customer; and

11 (iv) that the customer understands that any
12 natural gas provider selection the customer
13 chooses may involve a charge to the customer for
14 changing the customer's natural gas provider.

15 (F) Letters of agency shall not suggest or require
16 that a customer take some action in order to retain the
17 customer's current natural gas provider.

18 (G) If any portion of a letter of agency is
19 translated into another language, then all portions of
20 the letter of agency must be translated into that
21 language.

22 (2) An appropriately qualified independent third party
23 has obtained, in accordance with the procedures set forth
24 in this paragraph (2), the customer's oral authorization
25 to change natural gas providers that confirms and includes
26 appropriate verification data. The independent third party

1 must: (i) not be owned, managed, controlled, or directed
2 by the alternative gas supplier or the alternative gas
3 supplier's marketing agent; (ii) not have any financial
4 incentive to confirm provider change requests for the
5 alternative gas supplier or the alternative gas supplier's
6 marketing agent; and (iii) operate in a location
7 physically separate from the alternative gas supplier or
8 the alternative gas supplier's marketing agent. Automated
9 third-party verification systems and 3-way conference
10 calls may be used for verification purposes so long as the
11 other requirements of this paragraph (2) are satisfied. An
12 alternative gas supplier or alternative gas supplier's
13 sales representative initiating a 3-way conference call or
14 a call through an automated verification system must drop
15 off the call once the 3-way connection has been
16 established. All third-party verification methods shall
17 elicit, at a minimum, the following information:

18 (A) the identity of the customer;

19 (B) confirmation that the person on the call is
20 authorized to make the provider change;

21 (C) confirmation that the person on the call wants
22 to make the provider change;

23 (D) the names of the providers affected by the
24 change;

25 (E) the service address of the service to be
26 switched; and

1 (F) the price of the service to be provided and the
2 material terms and conditions of the service being
3 offered, including whether any early termination fees
4 apply.

5 Third-party verifiers may not market the alternative
6 gas supplier's services. All third-party verifications
7 shall be conducted in the same language that was used in
8 the underlying sales transaction and shall be recorded in
9 their entirety. Submitting alternative gas suppliers shall
10 maintain and preserve audio records of verification of
11 customer authorization for a minimum period of 2 years
12 after obtaining the verification. Automated systems must
13 provide customers with an option to speak with a live
14 person at any time during the call. Each disclosure made
15 during the third-party verification must be made
16 individually to obtain clear acknowledgment of each
17 disclosure. The alternative gas supplier must be in a
18 location where he or she cannot hear the customer while
19 the third-party verification is conducted. The alternative
20 gas supplier shall not contact the customer after the
21 third-party verification for a period of 24 hours unless
22 the customer initiates the contact.

23 (3) The alternative gas supplier has obtained the
24 customer's electronic authorization to change natural gas
25 service via telephone. Such authorization must elicit the
26 information in subparagraphs (A) through (F) of paragraph

1 (2) of this subsection (d). Alternative gas suppliers
2 electing to confirm sales electronically shall establish
3 one or more toll-free telephone numbers exclusively for
4 that purpose. Calls to the number or numbers shall connect
5 a customer to a voice response unit, or similar mechanism,
6 that makes a date-stamped, time-stamped recording of the
7 required information regarding the alternative gas
8 supplier change.

9 The alternative gas supplier shall not use such
10 electronic authorization systems to market its services.

11 (4) When a consumer initiates the call to the
12 prospective alternative gas supplier, in order to enroll
13 the consumer as a customer, the prospective alternative
14 gas supplier must, with the consent of the customer, make
15 a date-stamped, time-stamped audio recording that elicits,
16 at a minimum, the following information:

17 (A) the identity of the customer;

18 (B) confirmation that the person on the call is
19 authorized to make the provider change;

20 (C) confirmation that the person on the call wants
21 to make the provider change;

22 (D) the names of the providers affected by the
23 change;

24 (E) the service address of the service to be
25 switched; and

26 (F) the price of the service to be supplied and the

1 material terms and conditions of the service being
2 offered, including whether any early termination fees
3 apply.

4 Submitting alternative gas suppliers shall maintain
5 and preserve the audio records containing the information
6 set forth above for a minimum period of 2 years.

7 (5) In the event that a customer enrolls for service
8 from an alternative gas supplier via an Internet website,
9 the alternative gas supplier shall obtain an
10 electronically signed letter of agency in accordance with
11 paragraph (1) of this subsection (d) and any customer
12 information shall be protected in accordance with all
13 applicable statutes and rules. In addition, an alternative
14 gas supplier shall provide the following when marketing
15 via an Internet website:

16 (A) The Internet enrollment website shall, at a
17 minimum, include:

18 (i) a copy of the alternative gas supplier's
19 customer contract, which clearly and conspicuously
20 discloses all terms and conditions; and

21 (ii) a conspicuous prompt for the customer to
22 print or save a copy of the contract.

23 (B) Any electronic version of the contract shall
24 be identified by version number, in order to ensure
25 the ability to verify the particular contract to which
26 the customer assents.

1 (C) Throughout the duration of the alternative gas
2 supplier's contract with a customer, the alternative
3 gas supplier shall retain and, within 3 business days
4 of the customer's request, provide to the customer an
5 email, paper, or facsimile of the terms and conditions
6 of the numbered contract version to which the customer
7 assents.

8 (D) The alternative gas supplier shall provide a
9 mechanism by which both the submission and receipt of
10 the electronic letter of agency are recorded by time
11 and date.

12 (E) After the customer completes the electronic
13 letter of agency, the alternative gas supplier shall
14 disclose conspicuously through its website that the
15 customer has been enrolled and the alternative gas
16 supplier shall provide the customer an enrollment
17 confirmation number.

18 (6) When a customer is solicited in person by the
19 alternative gas supplier's sales agent, the alternative
20 gas supplier may only obtain the customer's authorization
21 to change natural gas service through the method provided
22 for in paragraph (2) of this subsection (d).

23 Alternative gas suppliers must be in compliance with the
24 provisions of this subsection (d) within 90 days after April
25 10, 2009 (the effective date of Public Act 95-1051).

26 (e) Early Termination.

1 (1) Beginning January 1, 2020, consumers shall have
2 the right to terminate their contract with an alternative
3 gas supplier at any time without any termination fees or
4 penalties.

5 (2) In any agreement that contains an early
6 termination clause, an alternative gas supplier shall
7 provide the customer the opportunity to terminate the
8 agreement without any termination fee or penalty within 10
9 business days after the date of the first bill issued to
10 the customer for products or services provided by the
11 alternative gas supplier. The agreement shall disclose the
12 opportunity and provide a toll-free phone number that the
13 customer may call in order to terminate the agreement.

14 (f) The alternative gas supplier shall provide each
15 customer the opportunity to rescind its agreement without
16 penalty within 10 business days after the date on the gas
17 utility notice to the customer. The alternative gas supplier
18 shall disclose to the customer all of the following:

19 (1) that the gas utility shall send a notice
20 confirming the switch;

21 (2) that from the date the utility issues the notice
22 confirming the switch, the customer shall have 10 business
23 days before the switch will become effective;

24 (3) that the customer may contact the gas utility or
25 the alternative gas supplier to rescind the switch within
26 10 business days; and

1 (4) the contact information for the gas utility and
2 the alternative gas supplier.

3 The alternative gas supplier disclosure shall be included
4 in its sales solicitations, contracts, and all applicable
5 sales verification scripts.

6 (f-5)(1) Beginning January 1, 2020, an alternative gas
7 supplier shall not sell or offer to sell any products or
8 services to a consumer pursuant to a contract in which the
9 contract automatically renews, unless an alternative gas
10 supplier provides to the consumer at the outset of the offer,
11 in addition to other disclosures required by law, a separate
12 written statement titled "Automatic Contract Renewal" that
13 clearly and conspicuously discloses in bold lettering in at
14 least 12-point font the terms and conditions of the automatic
15 contract renewal provision, including: (i) the estimated bill
16 cycle on which the initial contract term expires and a
17 statement that it could be later based on when the utility
18 accepts the initial enrollment; (ii) the estimated bill cycle
19 on which the new contract term begins and a statement that it
20 will immediately follow the last billing cycle of the current
21 term; (iii) the procedure to terminate the contract before the
22 new contract term applies; and (iv) the cancellation
23 procedure. If the alternative gas supplier sells or offers to
24 sell the products or services to a consumer during an
25 in-person solicitation or telemarketing solicitation, the
26 disclosures described in this paragraph (1) shall also be made

1 to the consumer verbally during the solicitation. Nothing in
2 this paragraph (1) shall be construed to apply to contracts
3 entered into before January 1, 2020.

4 (2) At least 30 days before, but not more than 60 days
5 prior, to the end of the initial contract term, in any and all
6 contracts that automatically renew after the initial term, the
7 alternative gas supplier shall send, in addition to other
8 disclosures required by law, a separate written notice of the
9 contract renewal to the consumer that clearly and
10 conspicuously discloses the following:

11 (A) a statement printed or visible from the outside of
12 the envelope or in the subject line of the email, if the
13 customer has agreed to receive official documents by
14 email, that states "Contract Renewal Notice";

15 (B) a statement in bold lettering, in at least
16 12-point font, that the contract will automatically renew
17 unless the customer cancels it;

18 (C) the billing cycle in which service under the
19 current term will expire;

20 (D) the billing cycle in which service under the new
21 term will begin;

22 (E) the process and options available to the consumer
23 to reject the new contract terms;

24 (F) the cancellation process if the consumer's
25 contract automatically renews before the consumer rejects
26 the new contract terms;

1 (G) the terms and conditions of the new contract term;

2 (H) for a fixed rate or flat bill contract, a
3 side-by-side comparison of the current fixed rate or flat
4 bill to the new fixed rate or flat bill; for a variable
5 rate contract or time-of-use product in which the first
6 month's renewal price can be determined, a side-by-side
7 comparison of the current price and the price for the
8 first month of the new variable or time-of-use price; or
9 for a variable or time-of-use contract based on a publicly
10 available index, a side-by-side comparison of the current
11 formula and the new formula; and

12 (I) the phone number and Internet address to submit a
13 consumer inquiry or complaint to the Illinois Commerce
14 Commission and the Office of the Attorney General.

15 (3) An alternative gas supplier shall not automatically
16 renew a consumer's enrollment after the current term of the
17 contract expires when the current term of the contract
18 provides that the consumer will be charged a fixed rate and the
19 renewed contract provides that the consumer will be charged a
20 variable rate, unless: (i) the alternative gas supplier
21 complies with paragraphs (1) and (2); and (ii) the customer
22 expressly consents to the contract renewal in writing or by
23 electronic signature at least 30 days, but no more than 60
24 days, before the contract expires.

25 (4) An alternative gas supplier shall not submit a change
26 to a customer's gas service provider in violation of Section

1 19-116 of the Public Utilities Act.

2 (g) The provisions of this Section shall apply only to
3 alternative gas suppliers serving or seeking to serve
4 residential and small commercial customers and only to the
5 extent such alternative gas suppliers provide services to
6 residential and small commercial customers.

7 (h) Complaints may be filed with the Commission under this
8 Section by a consumer whose gas service has been provided by an
9 alternative retail gas supplier in a manner not in compliance
10 with this Section or by the Commission on its own motion when
11 it appears to the Commission that an alternative retail gas
12 supplier has provided service in a manner not in compliance
13 with this Section. If, after notice and hearing, the
14 Commission finds that an alternative retail gas supplier has
15 violated this Section, the Commission may in its discretion do
16 any one or more of the following:

17 (1) require the alternative retail gas supplier to
18 refund to the consumer charges collected in excess of
19 those that would have been charged by the consumer's
20 authorized gas service provider;

21 (2) require the alternative retail gas supplier to pay
22 to the consumer's authorized gas service provider the
23 amount the authorized gas service provider would have
24 collected for the gas service. The Commission is
25 authorized to reduce this payment by any amount already
26 paid by the alternative retail gas to the consumer's

1 authorized provider for gas service;

2 (3) require the alternative retail electric supplier
3 to pay a fine of up to \$10,000 per occurrence into the
4 Public Utility Fund for each violation of this Section;

5 (4) issue a cease and desist order; and

6 (5) for a pattern of violation of this Section or for
7 violations that continue after a cease and desist order,
8 revoke the alternative retail gas supplier's certificate
9 of service authority.

10 (Source: P.A. 101-590, eff. 1-1-20; 102-558, eff. 8-20-21;
11 102-958, eff. 1-1-23; revised 6-26-25.)

12 (815 ILCS 505/2HHHH)

13 Sec. 2HHHH. Disruptive changes to a nursing home resident.
14 It is an unlawful practice within the meaning of this Act for a
15 nursing home or long-term care facility to make substantive
16 changes likely to be disruptive to a resident or move a
17 resident's place of living without prior approval from a
18 family member, guardian, or power of attorney of the resident
19 if the resident suffers from dementia or suffers from a
20 medical condition that reduces the resident's capacity to make
21 informed decisions independently.

22 (Source: P.A. 104-55, eff. 1-1-26.)

23 (815 ILCS 505/2IIII)

24 Sec. 2IIII ~~2HHHH~~. Violations of the Complex Rehabilitation

1 Technology Act. A person who violates the Complex
2 Rehabilitation Technology Act commits an unlawful practice
3 within the meaning of this Act.

4 (Source: P.A. 104-324, eff. 1-1-26; revised 11-5-25.)

5 (815 ILCS 505/2JJJJ)

6 Sec. 2JJJJ ~~2HHHH~~. Violations of the Micromobility Fire
7 Safety Act. A person who violates the Micromobility Fire
8 Safety Act commits an unlawful practice within the meaning of
9 this Act.

10 (Source: P.A. 104-414, eff. 1-1-26; revised 11-5-25.)

11 (815 ILCS 505/2LLLL)

12 Sec. 2LLLL ~~2HHHH~~. Violations of the Digital Assets and
13 Consumer Protection Act. Any person who violates Article 5 of
14 the Digital Assets and Consumer Protection Act commits an
15 unlawful practice within the meaning of this Act.

16 (Source: P.A. 104-428, eff. 8-18-25; revised 11-5-25.)

17 Section 1150. The Dance Studio Act is amended by changing
18 Section 2 as follows:

19 (815 ILCS 610/2) (from Ch. 29, par. 50-2)

20 Sec. 2. Definitions. In this Act:

21 (a) "Dance studio" or "studio" means any person or
22 business entity which contracts with members of the general

1 public to provide dance studio services.

2 (b) "Dance studio services" includes instruction, training
3 or assistance in dancing, the use of studio facilities,
4 membership in any group formed by a dance studio, and
5 participation in dance competitions or showcases, and related
6 travel arrangements.

7 (Source: P.A. 82-346; revised 6-26-25.)

8 Section 1155. The Job Referral and Job Listing Services
9 Consumer Protection Act is amended by changing Section 2 as
10 follows:

11 (815 ILCS 630/2) (from Ch. 121 1/2, par. 2002)

12 Sec. 2. Definitions. In this Act:

13 (a) "Employer" means a person seeking to obtain employees
14 to perform services, tasks, or labor for which a salary, wage,
15 or other compensation or benefits are to be paid.

16 (b) "Job listing service", "job referral service", or
17 "Service" means any person who by advertisement or otherwise
18 offers to provide job seekers with a list of employers or list
19 of job referrals, openings or like publications, or prepares
20 resumes or lists of job seekers for distribution to potential
21 employers, where a fee is charged to or collected from the job
22 seeker, either directly or indirectly, for such service.

23 (c) "Prepaid computer job matching service" means any
24 person, who is engaged in the business of matching job seekers

1 with employment opportunities, pursuant to an arrangement
2 under which the job seeker is required to pay a fee in advance
3 of, or contemporaneously with, the supplying of the matching,
4 but which does not otherwise involve services for the
5 procurement of employment by the person conducting the
6 service.

7 (d) "Job seeker" means any individual seeking employment,
8 career guidance, counseling, or employment-related ~~employment~~
9 ~~related~~ services or products.

10 (e) "Job listing authorization" means an oral or written
11 communication from an employer authorizing a Service to list a
12 currently available position.

13 (f) "Person" means any individual, firm, association,
14 partnership, or corporation.

15 (Source: P.A. 85-1367; revised 7-10-25.)

16 Section 1160. The Physical Fitness Services Act is amended
17 by changing Section 2 as follows:

18 (815 ILCS 645/2) (from Ch. 29, par. 52)

19 Sec. 2. Definitions. In this Act:

20 (a) "Physical fitness center" or "center" means any person
21 or business entity offering physical fitness services to the
22 public.

23 (b) "Physical fitness services" or "services" includes
24 instruction, training or assistance in physical culture,

1 bodybuilding, exercising, weight reducing, figure development,
2 judo, karate, self-defense training, or any similar activity;
3 use of the facilities of a physical fitness center for any of
4 the above activities; or membership in any group formed by a
5 physical fitness center for any of the above purposes.

6 (c) "Basic physical fitness services" means access or
7 membership to the physical fitness center and the use of the
8 equipment and facilities as well as any classes, programs, or
9 physical fitness services offered by the physical fitness
10 center as provided under subsection (b) of this Section, which
11 are allowed for or provided as part of the membership fee or
12 package, and excluding optional physical fitness services and
13 any non-physical fitness services which may be offered by the
14 physical fitness center.

15 (d) "Optional physical fitness services" means additional
16 goods or physical fitness services offered by the physical
17 fitness center which are not part of the membership package or
18 contract but are available for additional cost and includes,
19 but is ~~are~~ not limited to, personal training services,
20 physical fitness, wellness or exercise classes, nutritional
21 counseling, weight reduction, court time, privileges to use
22 other physical fitness centers, and use of specialized
23 physical fitness equipment or facilities such as rock climbing
24 walls or aquatic facilities.

25 (e) "Personal training services" means services performed
26 for a fee by a personal trainer or fitness instructor for

1 individuals or groups relating to developing, monitoring, or
2 supervising physical training, exercise, or fitness programs,
3 education and instruction regarding the use of exercise
4 equipment or techniques, or rendering advice relating to any
5 of the aforementioned subjects or related issues such as diet.

6 (f) "Non-physical fitness services" means services or
7 amenities offered by the physical fitness center which are not
8 directly related to physical fitness activities and which are
9 not included in the price of membership to the physical
10 fitness center and includes, but is ~~are~~ not limited to, locker
11 fees, spa treatments, massage, tanning, personal grooming
12 services, laundry fees, room rental, parking, food and
13 beverage, vitamins, nutritional supplements, shoes, clothing,
14 clothing apparel, and sports or exercise equipment.

15 (Source: P.A. 94-663, eff. 1-1-06; 94-687, eff. 11-3-05;
16 revised 7-10-25.)

17 Section 1165. The Right to Privacy in the Workplace Act is
18 amended by changing Section 15 as follows:

19 (820 ILCS 55/15) (from Ch. 48, par. 2865)

20 Sec. 15. Administration and enforcement by the Department
21 and Attorney General.

22 (a) It shall be the duty of the Department to enforce the
23 provisions of this Act when, in the Department's judgment,
24 there is cause and sufficient resources for investigation. The

1 Department shall have the power to conduct investigations in
2 connection with the administration and enforcement of this
3 Act, and any investigator with the Department shall be
4 authorized to visit and inspect, at all reasonable times, any
5 places covered by this Act and shall be authorized to inspect,
6 at all reasonable times, records of the employer or
7 prospective employer related to its employees or prospective
8 employees and related to its activities under and in
9 compliance with this Act. The Department shall have the
10 authority to request the issuance of a search warrant or
11 subpoena to inspect the files of the employer or prospective
12 employer, if necessary. The Department shall conduct hearings
13 in accordance with the Illinois Administrative Procedure Act
14 upon written complaint by an investigator of the Department.
15 After the hearing, if supported by the evidence, the
16 Department may (i) issue and cause to be served on any party an
17 order to cease and desist from further violation of the Act,
18 (ii) take affirmative or other action as deemed reasonable to
19 eliminate the effect of the violation, and (iii) determine the
20 amount of any civil penalty allowed by the Act. The Director of
21 Labor or his or her representative may compel, by subpoena,
22 the attendance and testimony of witnesses and the production
23 of books, payrolls, records, papers, and other evidence in any
24 investigation or hearing and may administer oaths to
25 witnesses. The Director of Labor or his authorized
26 representative shall administer and enforce the provisions of

1 this Act. The Director of Labor may issue rules and
2 regulations necessary to administer and enforce the provisions
3 of this Act.

4 (a-5) If the Attorney General has reasonable cause to
5 believe that any person or entity has engaged in a practice
6 prohibited by this Act, the Attorney General may, pursuant to
7 the authority conferred by Section 6.3 of the Attorney General
8 Act, initiate or intervene in a civil action in the name of the
9 People of the State in any appropriate court to obtain
10 appropriate relief.

11 (b) If an employee or applicant for employment alleges
12 that he or she has been denied his or her rights under this
13 Act, he or she may file a complaint with the Department of
14 Labor. The Department shall investigate the complaint pursuant
15 to its authority under subsection (a). The Department shall
16 attempt to resolve the complaint by conference, conciliation,
17 or persuasion. If the complaint is not so resolved and the
18 Department finds the employer or prospective employer has
19 violated the Act, the Department may commence an action in the
20 circuit court to enforce the provisions of this Act including
21 an action to compel compliance. The circuit court for the
22 county in which the complainant resides or in which the
23 complainant is employed shall have jurisdiction in such
24 actions.

25 (c) (Blank).

26 (d) (Blank).

1 (e) (Blank).

2 (f) Any employer or prospective employer, or the officer
3 or agent of any employer or prospective employer, who
4 discharges or in any other manner discriminates against any
5 employee or applicant for employment because that employee or
6 applicant for employment has made a complaint to his employer,
7 or to the Director of Labor or his authorized representative,
8 or because that employee or applicant for employment has
9 caused to be instituted or is about to cause to be instituted
10 any proceeding under or related to this Act, or because that
11 employee or applicant for employment has testified or is about
12 to testify in an investigation or proceeding under this Act,
13 is guilty of a petty offense.

14 (g) No employer or prospective employer shall be subject
15 to concurrent or duplicative enforcement actions under this
16 Act based on the same set of facts or alleged violations
17 involving the same individual or individuals. Upon the
18 initiation of any action under this Act, any other action
19 arising from the same set of facts or alleged violations and
20 involving the same individual or individuals shall be barred.
21 For the purposes of this Section, an action is deemed to be
22 initiated upon the filing of a complaint in circuit court.

23 (Source: P.A. 103-879, eff. 1-1-25; 104-455, eff. 12-12-25;
24 revised 1-8-26.)

25 Section 1170. The Prevailing Wage Act is amended by

1 changing Sections 2 and 11 as follows:

2 (820 ILCS 130/2)

3 Sec. 2. This Act applies to the wages of laborers,
4 mechanics, and other workers employed in any public works, as
5 hereinafter defined, by any public body and to anyone under
6 contracts for public works. This includes any maintenance,
7 repair, assembly, or disassembly work performed on equipment
8 whether owned, leased, or rented.

9 As used in this Act, unless the context indicates
10 otherwise:

11 "Public works" means all fixed works constructed or
12 demolished by any public body, or paid for wholly or in part
13 out of public funds. "Public works" as defined herein includes
14 all projects financed in whole or in part with bonds, grants,
15 loans, or other funds made available by or through the State or
16 any of its political subdivisions, including, but not limited
17 to: bonds issued under the Industrial Project Revenue Bond Act
18 (Article 11, Division 74 of the Illinois Municipal Code), the
19 Industrial Building Revenue Bond Act, the Illinois Finance
20 Authority Act, the Illinois Sports Facilities Authority Act,
21 or the Build Illinois Bond Act; loans or other funds made
22 available pursuant to the Build Illinois Act; loans or other
23 funds made available pursuant to the Riverfront Development
24 Fund under Section 10-15 of the River Edge Redevelopment Zone
25 Act; or funds from the Fund for Illinois' Future under Section

1 6z-47 of the State Finance Act, funds for school construction
2 under Section 5 of the General Obligation Bond Act, funds
3 authorized under Section 3 of the School Construction Bond
4 Act, funds for school infrastructure under Section 6z-45 of
5 the State Finance Act, and funds for transportation purposes
6 under Section 4 of the General Obligation Bond Act. "Public
7 works" also includes all federal construction projects
8 administered or controlled by a public body if the prevailing
9 rate of wages is equal to or greater than the prevailing wage
10 determination by the United States Secretary of Labor for the
11 same locality for the same type of construction used to
12 classify the federal construction project. "Public works" also
13 includes (i) all projects financed in whole or in part with
14 funds from the Environmental Protection Agency under the
15 Illinois Renewable Fuels Development Program Act for which
16 there is no project labor agreement; (ii) all work performed
17 pursuant to a public private agreement under the Public
18 Private Agreements for the Illiana Expressway Act or the
19 Public-Private Agreements for the South Suburban Airport Act;
20 (iii) all projects undertaken under a public-private agreement
21 under the Public-Private Partnerships for Transportation Act
22 or the Department of Natural Resources World Shooting and
23 Recreational Complex Act; and (iv) all transportation
24 facilities undertaken under a design-build contract or a
25 Construction Manager/General Contractor contract under the
26 Innovations for Transportation Infrastructure Act. "Public

works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act. "Public works" also includes the construction of a new wind power facility by a business designated as a High Impact Business under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act, the construction of a new utility-scale solar power facility by a business designated as a High Impact Business under Section 5.5(a)(3)(E-5) of the Illinois Enterprise Zone Act, the construction of a new battery energy storage solution facility by a business designated as a High Impact Business under Section 5.5(a)(3)(I) of the Illinois Enterprise Zone Act, and the construction of a high voltage direct current converter station by a business designated as a High Impact Business under Section 5.5(a)(3)(J) of the Illinois Enterprise Zone Act. "Public works" also includes electric vehicle charging station projects financed pursuant to the Electric Vehicle Act and renewable energy projects required to pay the prevailing wage pursuant to the Illinois Power Agency Act. "Public works" also includes power washing projects by a public body or paid for wholly or in part out of public funds in which steam or pressurized water, with or without added abrasives or chemicals, is used to remove paint or other coatings, oils or grease, corrosion, or debris from a surface or to prepare a surface for a coating. "Public works" also includes all electric transmission systems projects subject to the Electric

1 Transmission Systems Construction Standards Act. "Public
2 works" does not include work done directly by any public
3 utility company, whether or not done under public supervision
4 or direction, or paid for wholly or in part out of public
5 funds. "Public works" also includes construction projects
6 performed by a third party contracted by any public utility,
7 as described in subsection (a) of Section 2.1, in public
8 rights-of-way, as defined in Section 21-201 of the Public
9 Utilities Act, whether or not done under public supervision or
10 direction, or paid for wholly or in part out of public funds.
11 "Public works" also includes construction projects that exceed
12 15 aggregate miles of new fiber optic cable, performed by a
13 third party contracted by any public utility, as described in
14 subsection (b) of Section 2.1, in public rights-of-way, as
15 defined in Section 21-201 of the Public Utilities Act, whether
16 or not done under public supervision or direction, or paid for
17 wholly or in part out of public funds. "Public works" also
18 includes any corrective action performed pursuant to Title XVI
19 of the Environmental Protection Act for which payment from the
20 Underground Storage Tank Fund is requested. "Public works"
21 also includes all construction projects involving fixtures or
22 permanent attachments affixed to light poles that are owned by
23 a public body, including street light poles, traffic light
24 poles, and other lighting fixtures, whether or not done under
25 public supervision or direction, or paid for wholly or in part
26 out of public funds, unless the project is performed by

1 employees employed directly by the public body. "Public works"
2 also includes work performed subject to the Mechanical
3 Insulation Energy and Safety Assessment Act. "Public works"
4 also includes the removal, hauling, and transportation of
5 biosolids, lime sludge, and lime residue from a water
6 treatment plant or facility and the disposal of biosolids,
7 lime sludge, and lime residue removed from a water treatment
8 plant or facility at a landfill. "Public works" also includes
9 sewer inspection projects that use a closed-circuit television
10 to identify issues in a sewer system, such as cracks in pipes,
11 root intrusion, blockages, or other structural damage. "Public
12 works" does not include projects undertaken by the owner at an
13 owner-occupied single-family residence or at an owner-occupied
14 unit of a multi-family residence. "Public works" does not
15 include work performed for soil and water conservation
16 purposes on agricultural lands, whether or not done under
17 public supervision or paid for wholly or in part out of public
18 funds, done directly by an owner or person who has legal
19 control of those lands.

20 "Construction" means all work on public works involving
21 laborers, workers or mechanics. This includes any maintenance,
22 repair, assembly, or disassembly work performed on equipment
23 whether owned, leased, or rented.

24 "Locality" means the county where the physical work upon
25 public works is performed, except (1) that if there is not
26 available in the county a sufficient number of competent

1 skilled laborers, workers and mechanics to construct the
2 public works efficiently and properly, "locality" includes any
3 other county nearest the one in which the work or construction
4 is to be performed and from which such persons may be obtained
5 in sufficient numbers to perform the work and (2) that, with
6 respect to contracts for highway work with the Department of
7 Transportation of this State, "locality" may at the discretion
8 of the Secretary of the Department of Transportation be
9 construed to include two or more adjacent counties from which
10 workers may be accessible for work on such construction.

11 "Public body" means the State or any officer, board or
12 commission of the State or any political subdivision or
13 department thereof, or any institution supported in whole or
14 in part by public funds, and includes every county, city,
15 town, village, township, school district, irrigation, utility,
16 reclamation improvement or other district and every other
17 political subdivision, district or municipality of the state
18 whether such political subdivision, municipality or district
19 operates under a special charter or not.

20 "Labor organization" means an organization that is the
21 exclusive representative of an employer's employees recognized
22 or certified pursuant to the National Labor Relations Act.

23 The terms "general prevailing rate of hourly wages",
24 "general prevailing rate of wages" or "prevailing rate of
25 wages" when used in this Act mean the hourly cash wages plus
26 full journeyman annualized fringe benefits for training and

1 apprenticeship programs registered with the Office of
2 Apprenticeship within the U.S. Department of Labor's
3 Employment and Training Administration with full journeymen
4 annualized fringe benefits for health and welfare, insurance,
5 vacations, and pensions paid generally, in the locality in
6 which the work is being performed, to employees engaged in
7 work of a similar character on public works.

8 (Source: P.A. 103-8, eff. 6-7-23; 103-327, eff. 1-1-24;
9 103-346, eff. 1-1-24; 103-359, eff. 7-28-23; 103-447, eff.
10 8-4-23; 103-605, eff. 7-1-24; 103-1066, eff. 2-20-25; 104-17,
11 eff. 7-1-26 (see Section 35-5 of P.A. 104-434 for effective
12 date of P.A. 104-17); 104-23, eff. 6-30-25; 104-160, eff.
13 8-14-25; revised 12-2-25.)

14 (820 ILCS 130/11) (from Ch. 48, par. 39s-11)

15 Sec. 11. No public works project shall be instituted
16 unless the provisions of this Act have been complied with. The
17 provisions of this Act shall not be applicable to federal
18 construction projects that require a prevailing wage
19 determination by the United States Secretary of Labor, except
20 as described in Section 2. The Illinois Department of Labor
21 represented by the Attorney General is empowered to sue for
22 injunctive relief against the awarding of any contract or the
23 continuation of work under any contract for public works at a
24 time when the prevailing wage prerequisites have not been met.
25 Any contract for public works awarded at a time when the

1 prevailing wage prerequisites had not been met shall be void
2 as against public policy and the contractor is prohibited from
3 recovering any damages for the voiding of the contract or
4 pursuant to the terms of the contract. The contractor is
5 limited to a claim for amounts actually paid for labor and
6 materials supplied to the public body. Where objections to a
7 determination of the prevailing rate of wages or a court
8 action relative thereto is pending, the public body shall not
9 continue work on the project unless sufficient funds are
10 available to pay increased wages if such are finally
11 determined or unless the Department of Labor certifies such
12 determination of the prevailing rate of wages as correct.

13 Any laborer, worker or mechanic employed by the contractor
14 or by any sub-contractor under him who is paid for his services
15 in a sum less than the prevailing rates for work done under
16 such contract, shall have a right of action for whatever
17 difference there may be between the amount so paid, and the
18 rates provided by the contract together with costs and such
19 reasonable attorney's fees as shall be allowed by the court.
20 Such contractor or subcontractor shall also be liable to the
21 Department of Labor for 20% of such underpayments and shall be
22 additionally liable to the laborer, worker or mechanic for
23 punitive damages in the amount of 2% of the amount of any such
24 penalty to the State for underpayments for each month
25 following the date of payment during which such underpayments
26 remain unpaid. Where a second or subsequent action to recover

1 underpayments is brought against a contractor or subcontractor
2 and the contractor or subcontractor is found liable for
3 underpayments to any laborer, worker, or mechanic, the
4 contractor or subcontractor shall also be liable to the
5 Department of Labor for 50% of the underpayments payable as a
6 result of the second or subsequent action, and shall be
7 additionally liable for 5% of the amount of any such penalty to
8 the State for underpayments for each month following the date
9 of payment during which the underpayments remain unpaid. The
10 Department shall also have a right of action on behalf of any
11 individual who has a right of action under this Section. An
12 action brought to recover same shall be deemed to be a suit for
13 wages, and any and all judgments entered therein shall have
14 the same force and effect as other judgments for wages. The
15 action shall be brought within 5 years from the date of the
16 failure to pay the wages or compensation. At the request of any
17 laborer, workman or mechanic employed by the contractor or by
18 any subcontractor under him who is paid less than the
19 prevailing wage rate required by this Act, the Department of
20 Labor may take an assignment of such wage claim in trust for
21 the assigning laborer, workman or mechanic and may bring any
22 legal action necessary to collect such claim, and the
23 contractor or subcontractor shall be required to pay the costs
24 incurred in collecting such claim.

25 All moneys owed to the Department under this Act shall be
26 remitted to the Employee Classification Fund, and the

1 Department may use those funds for the purposes identified in
2 Section 50 of the Employee Classification Act.

3 (Source: P.A. 103-48, eff. 1-1-24; 104-23, eff. 6-30-25;
4 104-160, eff. 8-14-25; revised 9-12-25.)

5 Section 1175. The Victims' Economic Security and Safety
6 Act is amended by changing Section 20 as follows:

7 (820 ILCS 180/20)

8 Sec. 20. Entitlement to leave due to domestic violence,
9 sexual violence, gender violence, or any other crime of
10 violence.

11 (a) Leave requirement.

12 (1) Basis. An employee who is a victim of domestic
13 violence, sexual violence, gender violence, or any other
14 crime of violence or an employee who has a family or
15 household member who is a victim of domestic violence,
16 sexual violence, gender violence, or any other crime of
17 violence whose interests are not adverse to the employee
18 as it relates to the domestic violence, sexual violence,
19 gender violence, or any other crime of violence may take
20 unpaid leave from work if the employee or employee's
21 family or household member is experiencing an incident of
22 domestic violence, sexual violence, gender violence, or
23 any other crime of violence or to address domestic
24 violence, sexual violence, gender violence, or any other

1 crime of violence by:

2 (A) seeking medical attention for, or recovering
3 from, physical or psychological injuries caused by
4 domestic violence, sexual violence, gender violence,
5 or any other crime of violence to the employee or the
6 employee's family or household member;

7 (B) obtaining services from a victim services
8 organization for the employee or the employee's family
9 or household member;

10 (C) obtaining psychological or other counseling
11 for the employee or the employee's family or household
12 member;

13 (D) participating in safety planning, temporarily
14 or permanently relocating, or taking other actions to
15 increase the safety of the employee or the employee's
16 family or household member from future domestic
17 violence, sexual violence, gender violence, or any
18 other crime of violence or ensure economic security;

19 (E) seeking legal assistance or remedies to ensure
20 the health and safety of the employee or the
21 employee's family or household member, including
22 preparing for or participating in any civil, criminal,
23 or military legal proceeding related to or derived
24 from domestic violence, sexual violence, gender
25 violence, or any other crime of violence;

26 (F) attending the funeral or alternative to a

1 funeral or wake of a family or household member who is
2 killed in a crime of violence;

3 (G) making arrangements necessitated by the death
4 of a family or household member who is killed in a
5 crime of violence; or

6 (H) grieving the death of a family or household
7 member who is killed in a crime of violence.

8 (2) Period. Subject to subsection (c) and except as
9 provided in paragraph (4) of this subsection, an employee
10 working for an employer that employs at least 50 employees
11 shall be entitled to a total of 12 workweeks of leave
12 during any 12-month period. Subject to subsection (c) and
13 except as provided in paragraph (4) of this subsection, an
14 employee working for an employer that employs at least 15
15 but not more than 49 employees shall be entitled to a total
16 of 8 workweeks of leave during any 12-month period.
17 Subject to subsection (c) and except as provided in
18 paragraph (4) of this subsection, an employee working for
19 an employer that employs at least one but not more than 14
20 employees shall be entitled to a total of 4 workweeks of
21 leave during any 12-month period. The total number of
22 workweeks to which an employee is entitled shall not
23 decrease during the relevant 12-month period. This Act
24 does not create a right for an employee to take unpaid
25 leave that exceeds the unpaid leave time allowed under, or
26 is in addition to the unpaid leave time permitted by, the

1 federal Family and Medical Leave Act of 1993 (29 U.S.C.
2 2601 et seq.).

3 (3) Schedule. Leave described in paragraph (1) may be
4 taken consecutively, intermittently, or on a reduced work
5 schedule.

6 (4) Exceptions. An employee shall be entitled to use a
7 cumulative total of not more than 2 workweeks (10 work
8 days) of unpaid leave for the purposes described in
9 subparagraph ~~subparagraphs~~ (F), (G), or (H) of paragraph
10 (1), which must be completed within 60 days after the date
11 on which the employee receives notice of the death of the
12 victim, and is subject to the following:

13 (A) Except as provided in paragraph ~~subparagraph~~
14 (2), if an employee is also entitled to taken unpaid
15 bereavement leave under the Family Bereavement Leave
16 Act as a result of the death of the victim, this Act
17 does not create a right for the employee to take unpaid
18 bereavement leave that exceeds, or is in addition to,
19 the unpaid bereavement leave the employee is entitled
20 to take under the Family Bereavement Leave Act.

21 (B) If an employee is also entitled to take unpaid
22 bereavement leave under the Family Bereavement Leave
23 Act as a result of the death of the victim, leave taken
24 under this Act for the purposes described in
25 subparagraph ~~subparagraphs~~ (F), (G), or (H) of
26 paragraph (1) or leave taken under the Family

1 Bereavement Leave Act shall be in addition to, and
2 shall not diminish, the total amount of leave time an
3 employee is entitled to under paragraph (2).

4 (C) If an employee is not entitled to unpaid
5 bereavement leave under the Family Bereavement Leave
6 Act as a result of the death of the victim, leave taken
7 for the purposes described in subparagraph
8 ~~subparagraphs~~ (F), (G), or (H) of paragraph (1) shall
9 be deducted from, and is not in addition to, the total
10 amount of leave time an employee is entitled to under
11 paragraph (2).

12 (D) Leave taken for the purposes described in
13 subparagraph ~~subparagraphs~~ (F), (G), or (H) of
14 paragraph (1) shall not otherwise limit or diminish
15 the total amount of leave time an employee is entitled
16 to take under paragraph (2).

17 (b) Notice. The employee shall provide the employer with
18 at least 48 hours' advance notice of the employee's intention
19 to take the leave, unless providing such notice is not
20 practicable. When an unscheduled absence occurs, the employer
21 may not take any action against the employee if the employee,
22 upon request of the employer and within a reasonable period
23 after the absence, provides certification under subsection
24 (c).

25 (c) Certification.

26 (1) In general. The employer may require the employee

1 to provide certification to the employer that:

2 (A) the employee or the employee's family or
3 household member is a victim of domestic violence,
4 sexual violence, gender violence, or any other crime
5 of violence; and

6 (B) the leave is for one of the purposes
7 enumerated in paragraph (1) of subsection (a) ~~(a) (1)~~.

8 The employee shall provide such certification to the
9 employer within a reasonable period after the employer
10 requests certification.

11 (2) Contents. An employee may satisfy the
12 certification requirement of paragraph (1) by providing to
13 the employer a sworn statement of the employee, and if the
14 employee has possession of such document, the employee
15 shall provide one of the following documents:

16 (A) documentation from an employee, agent, or
17 volunteer of a victim services organization, an
18 attorney, a member of the clergy, or a medical or other
19 professional from whom the employee or the employee's
20 family or household member has sought assistance in
21 addressing domestic violence, sexual violence, gender
22 violence, or any other crime of violence and the
23 effects of the violence;

24 (B) a police, court, or military record;

25 (B-5) a death certificate, published obituary, or
26 written verification of death, burial, or memorial

1 services from a mortuary, funeral home, burial
2 society, crematorium, religious institution, or
3 government agency, documenting that a victim was
4 killed in a crime of violence; or

5 (C) other corroborating evidence.

6 The employee shall choose which document to submit,
7 and the employer shall not request or require more than
8 one document to be submitted during the same 12-month
9 period leave is requested or taken if the reason for leave
10 is related to the same incident or incidents of violence
11 or the same perpetrator or perpetrators of the violence.

12 (d) Confidentiality. All information provided to the
13 employer pursuant to subsection (b) or (c), including a
14 statement of the employee or any other documentation, record,
15 or corroborating evidence, and the fact that the employee has
16 requested or obtained leave pursuant to this Section, shall be
17 retained in the strictest confidence by the employer, except
18 to the extent that disclosure is:

19 (1) requested or consented to in writing by the
20 employee; or

21 (2) otherwise required by applicable federal or State
22 law.

23 (e) Employment and benefits.

24 (1) Restoration to position.

25 (A) In general. Any employee who takes leave under
26 this Section for the intended purpose of the leave

1 shall be entitled, on return from such leave:

2 (i) to be restored by the employer to the
3 position of employment held by the employee when
4 the leave commenced; or

5 (ii) to be restored to an equivalent position
6 with equivalent employment benefits, pay, and
7 other terms and conditions of employment.

8 (B) Loss of benefits. The taking of leave under
9 this Section shall not result in the loss of any
10 employment benefit accrued prior to the date on which
11 the leave commenced.

12 (C) Limitations. Nothing in this subsection shall
13 be construed to entitle any restored employee to:

14 (i) the accrual of any seniority or employment
15 benefits during any period of leave; or

16 (ii) any right, benefit, or position of
17 employment other than any right, benefit, or
18 position to which the employee would have been
19 entitled had the employee not taken the leave.

20 (D) Construction. Nothing in this paragraph shall
21 be construed to prohibit an employer from requiring an
22 employee on leave under this Section to report
23 periodically to the employer on the status and
24 intention of the employee to return to work.

25 (2) Maintenance of health benefits.

26 (A) Coverage. Except as provided in subparagraph

1 (B), during any period that an employee takes leave
2 under this Section, the employer shall maintain
3 coverage for the employee and any family or household
4 member under any group health plan for the duration of
5 such leave at the level and under the conditions
6 coverage would have been provided if the employee had
7 continued in employment continuously for the duration
8 of such leave.

9 (B) Failure to return from leave. The employer may
10 recover the premium that the employer paid for
11 maintaining coverage for the employee and the
12 employee's family or household member under such group
13 health plan during any period of leave under this
14 Section if:

15 (i) the employee fails to return from leave
16 under this Section after the period of leave to
17 which the employee is entitled has expired; and

18 (ii) the employee fails to return to work for
19 a reason other than:

20 (I) the continuation, recurrence, or onset
21 of domestic violence, sexual violence, gender
22 violence, or any other crime of violence that
23 entitles the employee to leave pursuant to
24 this Section; or

25 (II) other circumstances beyond the
26 control of the employee.

1 (C) Certification.

2 (i) Issuance. An employer may require an
3 employee who claims that the employee is unable to
4 return to work because of a reason described in
5 subclause (I) or (II) of clause (ii) of
6 subparagraph (B) ~~(B) (ii)~~ to provide, within a
7 reasonable period after making the claim,
8 certification to the employer that the employee is
9 unable to return to work because of that reason.

10 (ii) Contents. An employee may satisfy the
11 certification requirement of clause (i) by
12 providing to the employer:

13 (I) a sworn statement of the employee;

14 (II) documentation from an employee,
15 agent, or volunteer of a victim services
16 organization, an attorney, a member of the
17 clergy, or a medical or other professional
18 from whom the employee has sought assistance
19 in addressing domestic violence, sexual
20 violence, gender violence, or any other crime
21 of violence and the effects of that violence;

22 (III) a police, court, or military record;

23 or

24 (IV) other corroborating evidence.

25 The employee shall choose which document to
26 submit, and the employer shall not request or require

1 more than one document to be submitted.

2 (D) Confidentiality. All information provided to
3 the employer pursuant to subparagraph (C), including a
4 statement of the employee or any other documentation,
5 record, or corroborating evidence, and the fact that
6 the employee is not returning to work because of a
7 reason described in subclause (I) or (II) of clause
8 (ii) of subparagraph (B) ~~(B) (ii)~~ shall be retained in
9 the strictest confidence by the employer, except to
10 the extent that disclosure is:

11 (i) requested or consented to in writing by
12 the employee; or

13 (ii) otherwise required by applicable federal
14 or State law.

15 (f) Prohibited acts.

16 (1) Interference with rights.

17 (A) Exercise of rights. It shall be unlawful for
18 any employer to interfere with, restrain, or deny the
19 exercise of or the attempt to exercise any right
20 provided under this Section.

21 (B) Employer discrimination. It shall be unlawful
22 for any employer to discharge or harass any
23 individual, or otherwise discriminate against any
24 individual with respect to compensation, terms,
25 conditions, or privileges of employment of the
26 individual (including retaliation in any form or

1 manner) because the individual:

2 (i) exercised any right provided under this
3 Section; or

4 (ii) opposed any practice made unlawful by
5 this Section.

6 (C) Public agency sanctions. It shall be unlawful
7 for any public agency to deny, reduce, or terminate
8 the benefits of, otherwise sanction, or harass any
9 individual, or otherwise discriminate against any
10 individual with respect to the amount, terms, or
11 conditions of public assistance of the individual
12 (including retaliation in any form or manner) because
13 the individual:

14 (i) exercised any right provided under this
15 Section; or

16 (ii) opposed any practice made unlawful by
17 this Section.

18 (2) Interference with proceedings or inquiries. It
19 shall be unlawful for any person to discharge or in any
20 other manner discriminate (as described in subparagraph
21 (B) or (C) of paragraph (1)) against any individual
22 because such individual:

23 (A) has filed any charge, or has instituted or
24 caused to be instituted any proceeding, under or
25 related to this Section;

26 (B) has given, or is about to give, any

1 information in connection with any inquiry or
2 proceeding relating to any right provided under this
3 Section; or

4 (C) has testified, or is about to testify, in any
5 inquiry or proceeding relating to any right provided
6 under this Section.

7 (Source: P.A. 102-487, eff. 1-1-22; 102-890, eff. 5-19-22;
8 103-314, eff. 1-1-24; revised 7-10-25.)

9 Section 1180. The Freelance Worker Protection Act is
10 amended by changing Section 25 as follows:

11 (820 ILCS 193/25)

12 Sec. 25. Complaint procedure.

13 (a) A freelance worker may file a complaint with the
14 Department alleging a violation of the Act by submitting a
15 completed form, provided by the Department, and by submitting
16 copies of all supporting documentation. The Department is
17 authorized to request or require any information the Director
18 deems relevant to the complaint or to its reporting
19 requirements under Section 50, including, but not limited to:

20 (1) the general sector or occupation of the freelance
21 worker submitting a claim under this Act;

22 (2) the county where the work by the freelance work
23 was performed, if in Illinois; and

24 (3) at the discretion of the freelance worker, the

1 demographic data of the freelance worker submitting a
2 claim under this Act.

3 (b) Complaints alleging violation of Section 10, 15, or 20
4 shall be filed within 2 years after the date the final
5 compensation was due. Complaints shall be reviewed by the
6 Department to determine whether there is cause for the
7 Department to initiate the process of facilitating the
8 exchange of information between the parties. The Department is
9 not required to initiate an information facilitation process
10 if either party to the contract has initiated a civil action in
11 a court of competent jurisdiction alleging a violation of this
12 chapter or a breach of contract arising out of the contract
13 that is the subject of the complaint filed under this Act,
14 unless such civil action has been dismissed without prejudice
15 to future claims; or either party to the contract has filed a
16 claim or complaint before any administrative agency under any
17 local, State, or federal law alleging a breach of contract
18 that is the subject of the complaint filed under this Act,
19 unless the administrative claim or complaint has been
20 withdrawn or dismissed without prejudice to future claims.
21 Failure of a contracting entity to keep adequate records or
22 provide written contract as required by this Act shall not
23 operate as a bar to a freelance worker filing a complaint.

24 (c) Each freelance worker who files a completed complaint
25 alleging a violation of this Act or a rule adopted thereunder
26 shall be provided with a written description of the

1 anticipated processing of the complaint, including
2 notification to the contracting entity and the contracting
3 entity's opportunity to respond.

4 (d) The Department shall, within 20 days of receiving a
5 complaint alleging a violation of this Act, initiate the
6 information facilitation process by sending the contracting
7 entity named in the complaint a written notice of the
8 complaint, or by notifying the freelance worker that the
9 Department lacks jurisdiction to initiate such process. When
10 the Department initiates this process, the notice of complaint
11 shall: (i) inform the contracting entity that a complaint has
12 been filed alleging a violation of this Act; (ii) detail the
13 civil remedies available to a freelance worker for violations
14 of this Act by a contracting entity; (iii) include a copy of
15 the complaint; and (iv) state that failure to respond to the
16 complaint by the deadline established in paragraph (1) of
17 subsection (e) creates a rebuttable presumption in any civil
18 action commenced in accordance with this Act that the
19 contracting entity committed the violations alleged in the
20 complaint. The Department shall send such notice by certified
21 mail.

22 (e) Response.

23 (1) Within 20 days of receiving the notice of
24 complaint, the contracting entity identified in the
25 complaint shall send the Director one of the following:

26 (A) For a complaint under Section 10, a written

1 statement that the freelance worker has been paid in
2 full and proof of such payment.

3 (B) For a complaint under Section 10, a written
4 statement that the freelance worker has not been paid
5 in full and the reasons for the failure to provide such
6 payment.

7 (C) For a complaint under Section 15 or 20, a
8 defense against the alleged violation.

9 (2) If the contracting entity identified in the
10 complaint does not respond to the notice within 20 days,
11 such failure to respond creates a rebuttable presumption
12 in any civil action commenced in accordance with this Act
13 that the contracting entity committed the violations
14 alleged in the complaint. Within 20 days of receiving a
15 written response, the Director shall send the freelance
16 worker a copy of:

17 (A) the contracting entity's response;

18 (B) any enclosures submitted with the response;

19 (C) materials informing the freelance worker about
20 the freelance worker's right to bring an action in a
21 court of competent jurisdiction; and

22 (D) any other information about the status of the
23 complaint.

24 (3) If the director receives no response to the notice
25 of complaint within the time provided by subsection (a),
26 the Director shall mail a notice of non-response to both

1 the freelance worker and the contracting entity by regular
2 mail and shall include with such notice proof that the
3 Director previously mailed the notice of complaint to the
4 contracting entity by certified mail. Upon satisfying the
5 requirements of this paragraph, the Director may close the
6 case.

7 (f) Attorney General powers.

8 (1) Whenever the Attorney General has reasonable cause
9 to believe that any person or entity is engaged in a
10 pattern and practice prohibited by this Act, the Attorney
11 General may initiate or intervene in a civil action in the
12 name of the People of the State of Illinois in any
13 appropriate court to obtain appropriate relief.

14 (2) Before initiating an action, the Attorney General
15 may conduct an investigation and may:

16 (A) require an individual or entity to file a
17 statement or report in writing under oath or
18 otherwise, as to all information the Attorney General
19 may consider necessary;

20 (B) examine under oath any person alleged to have
21 participated in or with knowledge of the alleged
22 violation; or

23 (C) issue subpoenas or conduct hearings in aid of
24 any investigation.

25 (3) Service by the Attorney General of any notice
26 requiring a person or entity to file a statement or

1 report, or of a subpoena upon any person or entity, shall
2 be made:

3 (A) personally by delivery of a duly executed copy
4 thereof to the person to be served or, if a person is
5 not a natural person, in the manner provided in the
6 Code of Civil Procedure when a complaint is filed; or

7 (B) by mailing by certified mail a duly executed
8 copy thereof to the person to be served at the person's
9 last known abode or principal place of business within
10 this State or, if a person is not a natural person, in
11 the manner provided in the Code of Civil Procedure
12 when a complaint is filed.

13 The Attorney General may compel compliance with
14 investigative demands under this Section through an order
15 by any court of competent jurisdiction.

16 (4) (A) In an action brought under this Act, the
17 Attorney General may obtain, as a remedy, monetary damages
18 to the State, restitution, and equitable relief, including
19 any permanent or preliminary injunction, temporary
20 restraining order, or other order, including an order
21 enjoining the defendant from engaging in a violation, or
22 order any action as may be appropriate. In addition, the
23 Attorney General may request and the court may impose a
24 civil penalty not to exceed \$5,000 for each violation or
25 \$10,000 for each repeat violation within a 5-year period.
26 For purposes of this Section, each violation of this Act

1 for each person who was subject to an agreement in
2 violation of this Act shall constitute a separate and
3 distinct violation.

4 (B) A civil penalty imposed under this subsection
5 shall be deposited into the Attorney General Court Ordered
6 and Voluntary Compliance Payment Projects Fund. Moneys in
7 the Fund shall be used, subject to appropriation, for the
8 performance of any function pertaining to the exercise of
9 the duties of the Attorney General, including, but not
10 limited to, enforcement of any law of this State and
11 conducting public education programs; however, any moneys
12 in the Fund that are required by the court or by an
13 agreement to be used for a particular purpose shall be
14 used for that purpose.

15 (g) Nothing in this Act shall be construed to prevent any
16 freelance worker from making a complaint or prosecuting his or
17 her own claim for compensation. Any freelance worker aggrieved
18 by a violation of this Act or any rule adopted under this Act
19 may file suit in circuit court of Illinois, in the county where
20 the alleged violation occurred or where any freelance worker
21 who is party to the action resides, without regard to
22 exhaustion of any alternative administrative remedies provided
23 in this Act. Actions may be brought by one or more freelance
24 workers for and on behalf of themselves and other freelance
25 workers similarly situated.

26 (h) Nothing in this Act shall be construed to limit the

1 authority of the State's Attorney of any county to prosecute
2 actions for violation of this Act or to enforce the provisions
3 thereof independently and without specific direction of the
4 Department.

5 (Source: P.A. 103-417, eff. 7-1-24; revised 7-10-25.)

6 Section 1185. The Child Labor Law of 2024 is amended by
7 changing Section 75 as follows:

8 (820 ILCS 206/75)

9 Sec. 75. Civil penalties.

10 (a) Any person employing, allowing, or permitting a minor
11 to work who violates any of the provisions of this Act or any
12 rule adopted under the Act shall be subject to civil penalties
13 as follows:

14 (1) if a minor dies while working for an employer who
15 is found by the Department to have been employing,
16 allowing, or permitting the minor to work in violation of
17 this Act, the employer is subject to a penalty not to
18 exceed \$60,000, payable to the Department;

19 (2) if a minor receives an illness or an injury that is
20 required to be reported to the Department under Section 35
21 while working for an employer who is found by the
22 Department to have been employing, allowing, or permitting
23 the minor to work in violation of this Act, the employer is
24 subject to a penalty not to exceed \$30,000, payable to the

1 Department;

2 (3) an employer who employs, allows, or permits a
3 minor to work in violation of Section 40 shall be subject
4 to a penalty not to exceed \$15,000, payable to the
5 Department;

6 (4) an employer who fails to post or provide the
7 required notice under subsection (g) of Section 35 shall
8 be subject to a penalty not to exceed \$500, payable to the
9 Department; and

10 (5) an employer who commits any other violation of
11 this Act shall be subject to a penalty not to exceed
12 \$10,000, payable to the Department.

13 In determining the amount of the penalty, the
14 appropriateness of the penalty to the size of the business of
15 the employer charged and the gravity of the violation shall be
16 considered.

17 Each day during which any violation of this Act continues
18 shall constitute a separate and distinct offense, and the
19 employment of any minor in violation of the Act shall, with
20 respect to each minor so employed, constitute a separate and
21 distinct offense.

22 (b) Any administrative determination by the Department of
23 the amount of each penalty shall be final unless reviewed as
24 provided in Section 70.

25 (c) The amount of the penalty, when finally determined,
26 may be recovered in a civil action brought by the Director in

1 any circuit court, in which litigation the Director shall be
2 represented by the Attorney General. In an action brought by
3 the Department, the Department may request, and the Court may
4 impose on a defendant employer, an additional civil penalty of
5 up to an amount equal to the penalties assessed by the
6 Department to be distributed to an impacted minor. In an
7 action concerning multiple minors, any such penalty imposed by
8 the Court shall be distributed equally among the minors
9 employed in violation of this Act by the defendant employer.

10 (d) Penalties recovered under this Section shall be paid
11 by certified check, money order, or by an electronic payment
12 system designated by the Department, and deposited into the
13 Child Labor and Day and Temporary Labor Services Enforcement
14 Fund, a special fund in the State treasury. Moneys in the Fund
15 shall be used, subject to appropriation, for exemplary
16 programs, demonstration projects, and other activities or
17 purposes related to the enforcement of this Act, and for the
18 activities or purposes related to the enforcement of the Day
19 and Temporary Labor Services Act, the Private Employment
20 Agency Act, ~~or~~ the Right to Privacy in the Workplace Act, ~~for~~
21 ~~the activities or purposes related to the enforcement of the~~
22 Job Opportunities for Qualified Applicants Act, and ~~for the~~
23 ~~activities or purposes related to the enforcement of the~~
24 Family Bereavement Leave Act.

25 (Source: P.A. 103-721, eff. 1-1-25; 104-2, eff. 6-16-25;
26 104-455, eff. 12-12-25; revised 1-8-26.)

1 Section 9995. No acceleration or delay. Where this Act
2 makes changes in a statute that is represented in this Act by
3 text that is not yet or no longer in effect (for example, a
4 Section represented by multiple versions), the use of that
5 text does not accelerate or delay the taking effect of (i) the
6 changes made by this Act or (ii) provisions derived from any
7 other Public Act.

8 Section 9996. No revival or extension. This Act does not
9 revive or extend any Section or Act otherwise repealed.

10 Section 9999. Effective date. This Act takes effect upon
11 becoming law.

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