

AN ACT concerning State government.

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

Section 5. The Illinois Administrative Procedure Act is amended by changing Sections 5-45.56 and 5-45.57 as follows:

(5 ILCS 100/5-45.56)

(Section scheduled to be repealed on June 5, 2025)

Sec. 5-45.56. Emergency rulemaking; Illinois Public Aid Code. To provide for the expeditious and timely implementation of the changes made to the Illinois Public Aid Code by this amendatory Act of the 103rd General Assembly, emergency rules implementing the changes made to that Code by this amendatory Act of the 103rd General Assembly may be adopted in accordance with Section 5-45 by the Department of Healthcare and Family Services, the Department of Human Services, or other departments essential to the implementation of the changes. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed on June 5, 2026 ~~one year after the effective date of this Section.~~

(Source: P.A. 103-588, eff. 6-5-24.)

(5 ILCS 100/5-45.57)

(Section scheduled to be repealed on June 5, 2025)

Sec. 5-45.57. Emergency rulemaking; rate increase for direct support personnel and all frontline personnel. To provide for the expeditious and timely implementation of the changes made to Section 74 of the Mental Health and Developmental Disabilities Administrative Act by this amendatory Act of the 103rd General Assembly, emergency rules implementing the changes made to Section 74 of the Mental Health and Developmental Disabilities Administrative Act by this amendatory Act of the 103rd General Assembly may be adopted in accordance with Section 5-45 by the Department of Human Services. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed on June 5, 2026 ~~one year after the effective date of this Section.~~

(Source: P.A. 103-588, eff. 6-5-24.)

Section 10. The Illinois Act on the Aging is amended by changing Sections 7.09 and 8.10 as follows:

(20 ILCS 105/7.09) (from Ch. 23, par. 6107.09)

Sec. 7.09. The Council shall have the following powers and duties:

- (1) review and comment upon reports of the Department

to the Governor and the General Assembly;

(2) prepare and submit to the Governor, the General Assembly and the Director an annual report evaluating the level and quality of all programs, services and facilities provided to the aging by State agencies;

(3) review and comment upon the comprehensive state plan prepared by the Department;

(4) review and comment upon disbursements by the Department of public funds to private agencies;

(5) recommend candidates to the Governor for appointment as Director of the Department;

(6) consult with the Director regarding the operations of the Department; and

(7) review and support implementation of the Commission's recommendations as identified in the Commission's final report ~~Second Report~~, which shall be issued no later than March 30, 2026 ~~2025~~.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 102-885, eff. 5-16-22.)

(Section scheduled to be repealed on May 16, 2025)

Sec. 8.10. The Illinois Commission on LGBTQ Aging.

(a) Commission purpose. The Commission is created to investigate, analyze, and study the health, housing, financial, psychosocial, home-and-community-based services, assisted living, and long-term care needs of LGBTQ older adults and their caregivers. The Commission shall make recommendations to improve access to benefits, services, and supports for LGBTQ older adults and their caregivers. The Commission, in formulating its recommendations, shall take into account the best policies and practices in other states and jurisdictions. Specifically, the Commission shall:

(1) Examine the impact of State and local laws, policies, and regulations on LGBTQ older adults and make recommendations to ensure equitable access, treatment, care and benefits, and overall quality of life.

(2) Examine best practices for increasing access, reducing isolation, preventing abuse and exploitation, promoting independence and self-determination, strengthening caregiving, eliminating disparities, and improving overall quality of life for LGBTQ older adults.

(3) Examine the impact of race, ethnicity, sex assigned at birth, socioeconomic status, disability, sexual orientation, gender identity, and other characteristics on access to services for LGBTQ older adults and make recommendations to ensure equitable

access, treatment, care, and benefits and overall quality of life.

(4) Examine the experiences and needs of LGBTQ older adults living with HIV/AIDS and make recommendations to ensure equitable access, treatment, care, benefits, and overall quality of life.

(5) Examine strategies to increase provider awareness of the needs of LGBTQ older adults and their caregivers and to improve the competence of and access to treatment, services, and ongoing care, including preventive care.

(6) Examine the feasibility of developing statewide training curricula to improve provider competency in the delivery of culturally responsive health, housing, and long-term support services to LGBTQ older adults and their caregivers.

(7) Assess the funding and programming needed to enhance services to the growing population of LGBTQ older adults.

(8) Examine whether certain policies and practices, or the absence thereof, promote the premature admission of LGBTQ older adults to institutional care, and examine whether potential cost-savings exist for LGBTQ older adults as a result of providing lower cost and culturally responsive home and community-based alternatives to institutional care.

(9) Examine outreach protocols to reduce apprehension

among LGBTQ older adults and caregivers of utilizing mainstream providers.

(10) Evaluate the implementation status of Public Act 101-325.

(11) Evaluate the implementation status of Public Act 102-543, examine statewide strategies for the collection of sexual orientation and gender identity data and the impact of these strategies on the provision of services to LGBTQ older adults, and conduct a statewide survey designed to approximate the number of LGBTQ older adults in the State and collect demographic information (if resources allow for the implementation of a survey instrument).

(b) Commission members.

(1) The Commission shall include at least all of the following persons who must be appointed by the Governor within 60 days after the effective date of this amendatory Act of the 102nd General Assembly:

(A) one member from a statewide organization that advocates for older adults;

(B) one member from a national organization that advocates for LGBTQ older adults;

(C) one member from a community-based, multi-site healthcare organization founded to serve LGBTQ people;

(D) the director of senior services from a community center serving LGBTQ people, or the

director's designee;

(E) one member from an HIV/AIDS service organization;

(F) one member from an organization that is a project incubator and think tank that is focused on action that leads to improved outcomes and opportunities for LGBTQ communities;

(G) one member from a labor organization that provides care and services for older adults in long-term care facilities;

(H) one member from a statewide association representing long-term care facilities;

(I) 5 members from organizations that serve Black, Asian-American, Pacific Islander, Indigenous, or Latinx LGBTQ people;

(J) one member from a statewide organization for people with disabilities; and

(K) 10 LGBTQ older adults, including at least:

(i) 3 members who are transgender or gender-expansive individuals;

(ii) 2 members who are older adults living with HIV;

(iii) one member who is Two-Spirit;

(iv) one member who is an African-American or Black individual;

(v) one member who is a Latinx individual;

(vi) one member who is an Asian-American or Pacific Islander individual; and

(vii) one member who is an ethnically diverse individual.

(2) The following State agencies shall each designate one representative to serve as an ex officio member of the Commission: the Department, the Department of Public Health, the Department of Human Services, the Department of Healthcare and Family Services, and the Department of Veterans' Affairs.

(3) Appointing authorities shall ensure, to the maximum extent practicable, that the Commission is diverse with respect to race, ethnicity, age, sexual orientation, gender identity, gender expression, and geography.

(4) Members of the Commission shall serve until this Section is repealed. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled by the appointing authority. Any vacancy occurring other than by the dissolution of the Commission shall be filled for the balance of the unexpired term. Members of the Commission shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties.

(c) Commission organization. The Commission shall provide for its organization and procedure, including selection of the chairperson and vice-chairperson. A majority of the Commission

shall constitute a quorum for the transaction of business. Administrative and other support for the Commission shall be provided by the Department. Any State agency under the jurisdiction of the Governor shall provide testimony and information as directed by the Commission.

(d) Meetings and reports. The Commission shall:

(1) Hold at least one public meeting per quarter. Public meetings may be virtually conducted.

(2) Prepare and ~~No later than March 30, 2023,~~ submit an annual report ~~a First Report~~ to the Governor, the Illinois General Assembly, the Director, and the Illinois Council on Aging that details the progress made toward achieving the Commission's stated objectives and that contains findings and recommendations, including any recommended legislation. The annual report ~~First Report~~ shall be made available to the public on the Department's publicly accessible website.

(3) Submit, by no later than March 30, 2026, ~~No later than March 30, 2025,~~ submit a final report ~~Second Report~~ in the same manner as an annual report, detailing the work the Commission has done since its inception and providing the First Report, containing updates to the findings and recommendations, including any recommended legislation contained in the First Report. The final report ~~Second Report~~ shall be made available to the public on the Department's publicly accessible website.

The Department and Commission may collaborate with an institution of higher education in Illinois to compile the reports required under this Section ~~First Report and Second Report.~~

(e) This Section is repealed May 16, 2026 ~~3 years after the effective date of this amendatory Act of the 102nd General Assembly.~~

(Source: P.A. 102-885, eff. 5-16-22.)

Section 15. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-1110 as follows:

(20 ILCS 605/605-1110)

(Section scheduled to be repealed on January 1, 2025)

Sec. 605-1110. Student Career Development Liability Insurance Advisory Committee.

(a) The Student Career Development Liability Insurance Advisory Committee is hereby created within the Department of Commerce and Economic Opportunity. The Committee shall issue a report to the Governor and the General Assembly containing recommendations for providing liability insurance to (i) public high school students who participate in a career development experience or apprenticeship program and community college students who participate in a career development experience or apprenticeship program and (ii) public school

teachers who participate in externship programs and community college faculty who participate in externship programs. The report shall be submitted to the Governor and the General Assembly no later than December 31, 2023. The Department of Commerce and Economic Opportunity shall provide administrative support to the Committee.

(b) The Student Career Development Liability Insurance Advisory Committee shall consist of the following members:

(1) the Director of Commerce and Economic Opportunity or his or her designee;

(2) one member representing the State Board of Education, appointed by the State Superintendent of Education;

(3) one member representing the Illinois Community College Board, appointed by the Chairman of the Illinois Community College Board;

(4) one member of the General Assembly, appointed by the Speaker of the House of Representatives;

(5) one member of the General Assembly, appointed by the House Minority Leader;

(6) one member of the General Assembly, appointed by the Senate President;

(7) one member of the General Assembly, appointed by the Senate Minority Leader;

(8) 2 members of a statewide association representing manufacturers, appointed by the Governor;

(9) 2 members of a statewide association representing the insurance industry, appointed by the Governor; and

(10) 2 members who represent unionized State employees, appointed by the Governor.

Members of the Committee shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties. Vacancies on the Committee shall be filled by the original appointing authority.

(c) This Section is repealed on January 1, 2026 ~~2025~~.

(Source: P.A. 103-353, eff. 7-28-23.)

Section 20. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-211 as follows:

(20 ILCS 2705/2705-211)

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

Sec. 2705-211. Zero Traffic Fatalities Task Force.

(a) On or before July 1, 2025 ~~2024~~, the Secretary of Transportation shall establish and convene the Zero Traffic Fatalities Task Force to develop a structured, coordinated process for early engagement of all parties to develop policies to reduce traffic fatalities to zero.

(b) The members of the Task Force shall include:

(1) the Secretary of Transportation, or the Secretary's designee, who shall serve as Chair of the Task

Force;

(2) the Director of State Police, or the Director's designee;

(3) the Secretary of State, or the Secretary's designee;

(4) the Director of Public Health, or the Director's designee;

(5) a member from 3 different public universities in this State, appointed by the Governor;

(6) a representative of a statewide motorcycle safety organization, appointed by the Governor;

(7) a representative of a statewide motorist service membership organization, appointed by the Governor;

(8) a representative of a statewide transportation advocacy organization, appointed by the Governor;

(9) a representative of a bicycle safety organization, appointed by the Governor;

(10) a representative of a statewide organization representing municipalities, appointed by the Governor;
and

(11) a representative of a statewide labor organization, appointed by the Governor.

(c) The Secretary of Transportation shall prepare and submit a report of findings based on the Zero Traffic Fatalities Task Force's efforts to the General Assembly on or before January 1, 2026 ~~2025~~. The report shall include, but is

not limited to, a detailed analysis of the following issues:

(1) The existing process for establishing speed limits, including a detailed discussion on where speed limits are allowed to deviate from the 85th percentile.

(2) Existing policies on how to reduce speeds on local streets and roads.

(3) A recommendation as to whether an alternative to the use of the 85th percentile as a method for determining speed limits should be considered, and if so, what alternatives should be looked at.

(4) Engineering recommendations on how to increase vehicular, pedestrian, and bicycle safety.

(5) Additional steps that can be taken to eliminate vehicular, pedestrian, and bicycle fatalities on the road.

(6) Existing reports and analyses on calculating the 85th percentile at the local, State, national, and international levels.

(7) Usage of the 85th percentile in urban and rural settings.

(8) How local bicycle and pedestrian plans affect the 85th percentile.

(d) This Section is repealed on January 1, 2027 ~~2026~~.

(Source: P.A. 103-295, eff. 7-28-23.)

Section 25. The Illinois Power Agency Act is amended by changing Section 1-130 as follows:

(20 ILCS 3855/1-130)

(Section scheduled to be repealed on January 1, 2025)

Sec. 1-130. Home rule preemption.

(a) The authorization to impose any new taxes or fees specifically related to the generation of electricity by, the capacity to generate electricity by, or the emissions into the atmosphere by electric generating facilities after the effective date of this Act is an exclusive power and function of the State. A home rule unit may not levy any new taxes or fees specifically related to the generation of electricity by, the capacity to generate electricity by, or the emissions into the atmosphere by electric generating facilities after the effective date of this Act. This Section is a denial and limitation on home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(b) This Section is repealed on January 1, 2026 ~~2025~~.

(Source: P.A. 102-671, eff. 11-30-21; 102-1109, eff. 12-21-22; 103-563, eff. 11-17-23.)

Section 30. The Illinois Income Tax Act is amended by changing Section 231 as follows:

(35 ILCS 5/231)

Sec. 231. Apprenticeship education expense credit.

(a) As used in this Section:

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

"Employer" means an Illinois taxpayer who is the employer of the qualifying apprentice.

"Qualifying apprentice" means an individual who: (i) is a resident of the State of Illinois; (ii) is at least 16 years old at the close of the school year for which a credit is sought; (iii) during the school year for which a credit is sought, was a full-time apprentice enrolled in an apprenticeship program which is registered with the United States Department of Labor, Office of Apprenticeship; and (iv) is employed in Illinois by the taxpayer who is the employer.

"Qualified education expense" means the amount incurred on behalf of a qualifying apprentice not to exceed \$3,500 for tuition, book fees, and lab fees at the school or community college in which the apprentice is enrolled during the regular school year.

"School" means any public or nonpublic secondary school in Illinois that is: (i) an institution of higher education that provides a program that leads to an industry-recognized postsecondary credential or degree; (ii) an entity that carries out programs registered under the federal National Apprenticeship Act; or (iii) another public or private provider of a program of training services, which may include a joint labor-management organization.

(b) For taxable years beginning on or after January 1,

2020, and beginning on or before January 1, 2026 ~~2025~~, the employer of one or more qualifying apprentices shall be allowed a credit against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act for qualified education expenses incurred on behalf of a qualifying apprentice. The credit shall be equal to 100% of the qualified education expenses, but in no event may the total credit amount awarded to a single taxpayer in a single taxable year exceed \$3,500 per qualifying apprentice. A taxpayer shall be entitled to an additional \$1,500 credit against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act if (i) the qualifying apprentice resides in an underserved area as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act during the school year for which a credit is sought by an employer or (ii) the employer's principal place of business is located in an underserved area, as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act. In no event shall a credit under this Section reduce the taxpayer's liability under this Act to less than zero. For taxable years ending before December 31, 2023, for partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the

determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. For taxable years ending on or after December 31, 2023, partners and shareholders of subchapter S corporations are entitled to a credit under this Section as provided in Section 251.

(c) The Department shall implement a program to certify applicants for an apprenticeship credit under this Section. Upon satisfactory review, the Department shall issue a tax credit certificate to an employer incurring costs on behalf of a qualifying apprentice stating the amount of the tax credit to which the employer is entitled. If the employer is seeking a tax credit for multiple qualifying apprentices, the Department may issue a single tax credit certificate that encompasses the aggregate total of tax credits for qualifying apprentices for a single employer.

(d) The Department, in addition to those powers granted under the Civil Administrative Code of Illinois, is granted and shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Section, including, but not limited to, power and authority to:

(1) Adopt rules deemed necessary and appropriate for the administration of this Section; establish forms for applications, notifications, contracts, or any other agreements; and accept applications at any time during the

year and require that all applications be submitted via the Internet. The Department shall require that applications be submitted in electronic form.

(2) Provide guidance and assistance to applicants pursuant to the provisions of this Section and cooperate with applicants to promote, foster, and support job creation within the State.

(3) Enter into agreements and memoranda of understanding for participation of and engage in cooperation with agencies of the federal government, units of local government, universities, research foundations or institutions, regional economic development corporations, or other organizations for the purposes of this Section.

(4) Gather information and conduct inquiries, in the manner and by the methods it deems desirable, including, without limitation, gathering information with respect to applicants for the purpose of making any designations or certifications necessary or desirable or to gather information in furtherance of the purposes of this Act.

(5) Establish, negotiate, and effectuate any term, agreement, or other document with any person necessary or appropriate to accomplish the purposes of this Section, and consent, subject to the provisions of any agreement with another party, to the modification or restructuring of any agreement to which the Department is a party.

(6) Provide for sufficient personnel to permit

administration, staffing, operation, and related support required to adequately discharge its duties and responsibilities described in this Section from funds made available through charges to applicants or from funds as may be appropriated by the General Assembly for the administration of this Section.

(7) Require applicants, upon written request, to issue any necessary authorization to the appropriate federal, State, or local authority or any other person for the release to the Department of information requested by the Department, including, but not be limited to, financial reports, returns, or records relating to the applicant or to the amount of credit allowable under this Section.

(8) Require that an applicant shall, at all times, keep proper books of record and account in accordance with generally accepted accounting principles consistently applied, with the books, records, or papers related to the agreement in the custody or control of the applicant open for reasonable Department inspection and audits, including, without limitation, the making of copies of the books, records, or papers.

(9) Take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation required under this Section or any agreement

entered into under this Section, including the power to sell, dispose of, lease, or rent, upon terms and conditions determined by the Department to be appropriate, real or personal property that the Department may recover as a result of these actions.

(e) The Department, in consultation with the Department of Revenue, shall adopt rules to administer this Section. The aggregate amount of the tax credits that may be claimed under this Section for qualified education expenses incurred by an employer on behalf of a qualifying apprentice shall be limited to \$5,000,000 per calendar year. If applications for a greater amount are received, credits shall be allowed on a first-come first-served basis, based on the date on which each properly completed application for a certificate of eligibility is received by the Department. If more than one certificate is received on the same day, the credits will be awarded based on the time of submission for that particular day.

(f) An employer may not sell or otherwise transfer a credit awarded under this Section to another person or taxpayer.

(g) The employer shall provide the Department such information as the Department may require, including but not limited to: (i) the name, age, and taxpayer identification number of each qualifying apprentice employed by the taxpayer during the taxable year; (ii) the amount of qualified education expenses incurred with respect to each qualifying

apprentice; and (iii) the name of the school at which the qualifying apprentice is enrolled and the qualified education expenses are incurred.

(h) On or before July 1 of each year, the Department shall report to the Governor and the General Assembly on the tax credit certificates awarded under this Section for the prior calendar year. The report must include:

(1) the name of each employer awarded or allocated a credit;

(2) the number of qualifying apprentices for whom the employer has incurred qualified education expenses;

(3) the North American Industry Classification System (NAICS) code applicable to each employer awarded or allocated a credit;

(4) the amount of the credit awarded or allocated to each employer;

(5) the total number of employers awarded or allocated a credit;

(6) the total number of qualifying apprentices for whom employers receiving credits under this Section incurred qualified education expenses; and

(7) the average cost to the employer of all apprenticeships receiving credits under this Section.

(Source: P.A. 102-558, eff. 8-20-21; 103-396, eff. 1-1-24.)

Section 35. The Counties Code is amended by changing

Section 3-4013 as follows:

(55 ILCS 5/3-4013)

(Section scheduled to be repealed on December 31, 2024)

Sec. 3-4013. Public Defender Quality Defense Task Force.

(a) The Public Defender Quality Defense Task Force is established to: (i) examine the current caseload and determine the optimal caseload for public defenders in the State; (ii) examine the quality of legal services being offered to defendants by public defenders of the State; (iii) make recommendations to improve the caseload of public defenders and quality of legal services offered by public defenders; and (iv) provide recommendations to the General Assembly and Governor on legislation to provide for an effective public defender system throughout the State and encourage the active and substantial participation of the private bar in the representation of accused people.

(b) The following members shall be appointed to the Task Force by the Governor no later than 30 days after the effective date of this amendatory Act of the 102nd General Assembly:

(1) 2 assistant public defenders from the Office of the Cook County Public Defender.

(2) 5 public defenders or assistant public defenders from 5 counties other than Cook County.

(3) One Cook County circuit judge experienced in the litigation of criminal law matters.

(4) One circuit judge from outside of Cook County experienced in the litigation of criminal law matters.

(5) One representative from the Office of the State Appellate Defender.

Task Force members shall serve without compensation but may be reimbursed for their expenses incurred in performing their duties. If a vacancy occurs in the Task Force membership, the vacancy shall be filled in the same manner as the original appointment for the remainder of the Task Force.

(c) The Task Force shall hold a minimum of 2 public hearings. At the public hearings, the Task Force shall take testimony of public defenders, former criminal defendants represented by public defenders, and any other person the Task Force believes would aid the Task Force's examination and recommendations under subsection (a). The Task may meet as such other times as it deems appropriate.

(d) The Office of the State Appellate Defender shall provide administrative and other support to the Task Force.

(e) The Task Force shall prepare a report that summarizes its work and makes recommendations resulting from its study. The Task Force shall submit the report of its findings and recommendations to the Governor and the General Assembly no later than December 31, 2023.

(f) This Section is repealed on January 1, 2026 ~~December 31, 2024~~.

(Source: P.A. 102-430, eff. 8-20-21; 102-1104, eff. 12-6-22.)

Section 40. The Park Commissioners Land Sale Act is amended by changing Section 20 as follows:

(70 ILCS 1235/20)

(Section scheduled to be repealed on January 1, 2025)

Sec. 20. Elliot Golf Course.

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

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

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

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

(c) The Public Works Department of the City of Rockford shall have the right to review any proposed development plan that is submitted to the Village of Cherry Valley for the properties described in this Section in order to confirm that the proposed development plan does not adversely impact drainage, water detention, or flooding on the property legally described in the perpetual flowage easement recorded as

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Document Number 9509260 in the Office of the Winnebago County Recorder on March 17, 1995. The Public Works Department of the City of Rockford shall complete its review of any proposed development plan under this subsection (c) within 45 days after its receipt of that plan from the Village of Cherry Valley.

(d) This Section is repealed January 1, 2026 ~~2025~~.

(Source: P.A. 102-923, eff. 5-27-22.)

Section 43. The Out-of-State Person Subject to Involuntary Admission on an Inpatient Basis Mental Health Treatment Act is amended by changing Section 45 as follows:

(405 ILCS 110/45)

(Section scheduled to be repealed on January 1, 2025)

Sec. 45. Repeal. This Act is repealed on January 1, 2026 ~~2025~~.

(Source: P.A. 100-12, eff. 7-1-17; 101-472, eff. 8-23-19.)

Section 45. The Reimagine Public Safety Act is amended by changing Section 35-25 as follows:

(430 ILCS 69/35-25)

Sec. 35-25. Integrated violence prevention and other services.

(a) Subject to appropriation, for municipalities with

1,000,000 or more residents, the Office of Firearm Violence Prevention shall make grants to violence prevention organizations for evidence-based violence prevention services. Approved technical assistance and training providers shall create learning communities for the exchange of information between community-based organizations in the same or similar fields. Firearm violence prevention organizations shall prioritize individuals at the highest risk of firearm violence victimization and provide these individuals with evidence-based comprehensive services that reduce their exposure to chronic firearm violence.

(a-5) Grants may be awarded under this Act to Reimagine Public Safety grantees or their subgrantees to provide any one or more of the following services to Reimagine Public Safety program participants or credible messengers:

(1) Behavioral health services, including clinical interventions, crisis interventions, and group counseling supports, such as peer support groups, social-emotional learning supports, including skill building for anger management, de-escalation, sensory stabilization, coping strategies, and thoughtful decision-making, short-term clinical individual sessions, psycho-social assessments, and motivational interviewing.

(A) Funds awarded under this paragraph may be used for behavioral health services until July 1, 2025, ~~2024~~.

(B) Any community violence prevention service provider being reimbursed from funds awarded under this paragraph for behavioral health services must also file a plan to become Medicaid certified for violence prevention-community support team services under the Illinois Medicaid program on or before July 1, 2025 ~~2024~~.

(2) Capacity-building services, including administrative and programmatic support, services, and resources, such as subcontract development, budget development, grant monitoring and reporting, and fiscal sponsorship. Capacity-building services financed with grants awarded under this Act may also include intensive training and technical assistance focused on Community Violence Intervention (CVI) not-for-profit business operations, best practice delivery of firearm violence prevention services, and assistance with administering and meeting fiscal reporting or auditing requirements. Capacity-building services financed with grants awarded under this Act must be directed to a current or potential Reimagine Public Safety firearm violence prevention provider and cannot exceed 20% of potential funds awarded to the relevant provider or future provider.

(3) Legal aid services, including funding for staff attorneys and paralegals to provide education, training, legal services, and advocacy for program recipients. Legal

aid services that may be provided with grant funds awarded under this Act include "Know Your Rights" clinics, trainings targeting returning citizens and families impacted by incarceration, and long-term legal efforts addressing expungement, civil rights, family law, housing, employment, and victim rights. Legal aid services provided with grant funds awarded under this Act shall not be directed toward criminal justice issues.

(4) Housing services, including grants for emergency and temporary housing for individuals at immediate risk of firearm violence, except that grant funding provided under this paragraph must be directed only toward Reimagine Public Safety program participants.

(5) Workforce development services, including grants for job coaching, intensive case management, employment training and placement, and retention services, including the provision of transitional job placements and access to basic certificate training for industry-specific jobs. Training also includes the provision of education-related content, such as financial literacy training, GED preparation, and academic coaching.

(6) Re-entry services for individuals exiting the State or county criminal justice systems, if those individuals are either eligible for services under this Act as participants or are individuals who can make an immediate contribution to mediate neighborhood conflicts

if they receive stabilizing services. Re-entry services financed with grants awarded under this Act include all services authorized under this Act, including services listed in this subsection.

(7) Victim services, including assessments and screening of victim needs, planning sessions related to assessments, service planning and goal setting, assessing intervention needs, notifying and navigating participants through public agency processes for victim compensation, crisis intervention, emergency financial assistance, transportation, medical care, stable housing, and shelter, assessment and linkage to public benefits, and relocation services.

(b) In the geographic areas they serve, violence prevention organizations shall develop expertise in:

(1) Analyzing and leveraging data to identify the individuals who will most benefit from evidence-based violence prevention services in their geographic areas.

(2) Identifying the conflicts that are responsible for recurring violence.

(3) Having relationships with individuals who are most able to reduce conflicts.

(4) Addressing the stabilization and trauma recovery needs of individuals impacted by violence by providing direct services for their unmet needs or referring them to other qualified service providers.

(5) Having and building relationships with community members and community organizations that provide evidence-based violence prevention services and get referrals of people who will most benefit from evidence-based violence prevention services in their geographic areas.

(6) Providing training and technical assistance to local law enforcement agencies to improve their effectiveness without having any role, requirement, or mandate to participate in the policing, enforcement, or prosecution of any crime.

(c) Violence prevention organizations receiving grants under this Act shall coordinate services with other violence prevention organizations in their area.

(d) The Office of Firearm Violence Prevention shall identify, for each separate eligible service area under this Act, an experienced violence prevention organization to serve as the Lead Violence Prevention Convener for that area and provide each Lead Violence Prevention Convener with a grant to coordinate monthly meetings between violence prevention organizations and youth development organizations under this Act. The Lead Violence Prevention Convener may also receive, from the Office of Firearm Violence Prevention, technical assistance or training through approved providers when needs are jointly identified. The Lead Violence Prevention Convener shall:

(1) provide the convened organizations with summary notes recommendations made at the monthly meetings to improve the effectiveness of evidence-based violence prevention services based on review of timely data on shootings and homicides in his or her relevant neighborhood;

(2) attend monthly meetings where the cause of violence and other neighborhood disputes is discussed and strategize on how to resolve ongoing conflicts and execute on agreed plans;

(3) (blank);

(4) on behalf of the convened organizations, make consensus recommendations to the Office of Firearm Violence Prevention and local law enforcement on how to reduce violent conflict in his or her neighborhood;

(5) meet on an emergency basis when conflicts that need immediate attention and resolution arise;

(6) share knowledge and strategies of the community violence dynamic in monthly meetings with local youth development specialists receiving grants under this Act;

(7) select when and where needed an approved Office of Violence Prevention-funded technical assistance and training service provider to receive agreed upon services; and

(8) after meeting with community residents and other community organizations that have expertise in housing,

mental health, economic development, education, and social services, make recommendations to the Office of Firearm Violence Prevention on how to target community revitalization resources available from federal and State funding sources.

The Office of Firearm Violence Prevention shall compile recommendations from all Lead Violence Prevention Conveners and report to the General Assembly bi-annually on these funding recommendations. The Lead Violence Prevention Convener may also serve as a violence prevention or youth development provider.

(e) The Illinois Office of Firearm Violence Prevention shall select, when possible and appropriate, no fewer than 2 and no more than 3 approved technical assistance and training providers to deliver technical assistance and training to the violence prevention organizations that request to receive approved technical assistance and training. Violence prevention organizations shall have the opportunity to select among the approved technical assistance services providers funded by the Office of Firearm Violence Prevention, as long as the technical assistance provider has the capacity to effectively serve the grantees that have selected them. The Department shall make best efforts to accommodate second choices of violence prevention organizations when the violence prevention organizations' first choice does not have capacity to provide technical assistance.

(f) Approved technical assistance and training providers may:

(1) provide training and certification to violence prevention professionals on how to perform violence prevention services and other professional development to violence prevention professionals.

(2) provide management training on how to manage violence prevention professionals;

(3) provide training and assistance on how to develop memorandum of understanding for referral services or create approved provider lists for these referral services, or both;

(4) share lessons learned among violence prevention professionals and service providers in their network; and

(5) provide technical assistance and training on human resources, grants management, capacity building, and fiscal management strategies.

(g) Approved technical assistance and training providers shall:

(1) provide additional services identified as necessary by the Office of Firearm Violence Prevention and service providers in their network; and

(2) receive a base grant of up to \$250,000 plus negotiated service rates to provide group and individualized services to participating violence prevention organizations.

(h) (Blank).

(i) The Office of Firearm Violence Prevention shall issue grants, when possible and appropriate, to no fewer than 2 violence prevention organizations in each of the eligible service areas and no more than 6 organizations. When possible, the Office of Firearm Violence Prevention shall work, subject to eligible applications received, to ensure that grant resources are equitably distributed across eligible service areas. The Office of Firearm Violence Prevention may establish grant award ranges to ensure grants will have the potential to reduce violence in each neighborhood.

(j) No violence prevention organization can serve more than 3 eligible service areas unless the Office of Firearm Violence Prevention is unable to identify violence prevention organizations to provide adequate coverage.

(k) No approved technical assistance and training provider shall provide evidence-based violence prevention services in an eligible service area under this Act unless the Office of Firearm Violence Prevention is unable to identify qualified violence prevention organizations to provide adequate coverage.

(Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21; 103-8, eff. 6-7-23.)

Section 46. The Illinois Vehicle Code is amended by changing Section 6-308 as follows:

(625 ILCS 5/6-308)

(Text of Section before amendment by P.A. 103-789)

Sec. 6-308. Procedures for traffic violations.

(a) Any person cited for violating this Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section 5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 or subsection (d) of Section 3-401 of this Code, shall not be required to sign the citation for his or her release. All other provisions of this Code or similar provisions of local ordinances shall be governed by the pretrial release provisions of the Illinois Supreme Court Rules when it is not practical or feasible to take the person before a judge to have conditions of pretrial release set or to avoid undue delay because of the hour or circumstances.

(b) Whenever a person fails to appear in court, the court may continue the case for a minimum of 30 days and the clerk of the court shall send notice of the continued court date to the person's last known address. If the person does not appear in court on or before the continued court date or satisfy the court that the person's appearance in and surrender to the court is impossible for no fault of the person, the court shall enter an order of failure to appear. The clerk of the court shall notify the Secretary of State, on a report prescribed by

the Secretary, of the court's order. The Secretary, when notified by the clerk of the court that an order of failure to appear has been entered, shall immediately suspend the person's driver's license, which shall be designated by the Secretary as a Failure to Appear suspension. The Secretary shall not remove the suspension, nor issue any permit or privileges to the person whose license has been suspended, until notified by the ordering court that the person has appeared and resolved the violation. Upon compliance, the clerk of the court shall present the person with a notice of compliance containing the seal of the court, and shall notify the Secretary that the person has appeared and resolved the violation.

(c) Illinois Supreme Court Rules shall govern pretrial release and appearance procedures when a person who is a resident of another state that is not a member of the Nonresident Violator Compact of 1977 is cited for violating this Code or a similar provision of a local ordinance.

(Source: P.A. 100-674, eff. 1-1-19; 101-652, eff. 1-1-23.)

(Text of Section after amendment by P.A. 103-789)

Sec. 6-308. Procedures for traffic violations.

(a) Any person cited for violating this Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section

5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 or subsection (d) of Section 3-401 of this Code, shall not be required to sign the citation for his or her release. All other provisions of this Code or similar provisions of local ordinances shall be governed by the pretrial release provisions of the Illinois Supreme Court Rules when it is not practical or feasible to take the person before a judge to have conditions of pretrial release set or to avoid undue delay because of the hour or circumstances.

(b) Whenever a person fails to appear in court, the court may continue the case for a minimum of 30 days and the clerk of the court shall send notice of the continued court date to the person's last known address and, if the clerk of the court elects to establish a system to send text, email, and telephone notifications, may also send notifications to an email address and may send a text message to the person's last known cellular telephone number. If the person does not have a cellular telephone number, the clerk of the court may reach the person by calling the person's last known landline telephone number regarding continued court dates. The notice shall include a statement that a subsequent failure to appear in court could result in a warrant for the defendant's arrest and other significant consequences affecting their driving privileges. If the person does not (i) appear in court on or before the continued court date, (ii) satisfy the charge without a court appearance if allowed by Illinois Supreme

Court Rule, or (iii) satisfy the court that the person's appearance in and surrender to the court is impossible for no fault of the person, the court shall enter an ex parte judgment of conviction imposing a single assessment, specified in the applicable assessment Schedule 10, 10.5, or 11 for the charged offense, as provided in the Criminal and Traffic Assessment Act, plus a fine allowed by statute. The clerk of the court shall notify the Secretary of State, in a form and manner prescribed by the Secretary, of the court's order.

(c) Illinois Supreme Court Rules shall govern pretrial release and appearance procedures when a person who is a resident of another state that is not a member of the Nonresident Violator Compact of 1977 is cited for violating this Code or a similar provision of a local ordinance.

(d) The changes made to this Section by Public Act 103-789 ~~this amendatory Act of the 103rd General Assembly~~ apply to each individual whose license was suspended pursuant to this Section from between January 1, 2020 through and June 30, 2025 ~~the effective date of this amendatory Act of the 103rd General Assembly~~, and the suspension shall be lifted by the Secretary of State without further action by any court.

(Source: P.A. 103-789, eff. 1-1-25.)

Section 47. The Code of Criminal Procedure of 1963 is amended by changing Section 124A-20 as follows:

(725 ILCS 5/124A-20)

Sec. 124A-20. Assessment waiver.

(a) As used in this Section:

"Assessments" means any costs imposed on a criminal defendant under Article 15 of the Criminal and Traffic Assessment Act, but does not include violation of the Illinois Vehicle Code assessments except as provided in subsection (a-5).

"Indigent person" means any person who meets one or more of the following criteria:

(1) He or she is receiving assistance under one or more of the following means-based governmental public benefits programs: Supplemental Security Income; Aid to the Aged, Blind and Disabled; Temporary Assistance for Needy Families; Supplemental Nutrition Assistance Program; General Assistance; Transitional Assistance; or State Children and Family Assistance.

(2) His or her available personal income is 200% or less of the current poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are of a nature and value that the court determines that the applicant is able to pay the assessments.

(3) He or she is, in the discretion of the court, unable to proceed in an action with payment of assessments and whose payment of those assessments would result in

substantial hardship to the person or his or her family.

"Poverty level" means the current poverty level as established by the United States Department of Health and Human Services.

(a-5) In a county having a population of more than 3,000,000, "assessments" means any costs imposed on a criminal defendant under Article 15 of the Criminal and Traffic Assessment Act, including violation of the Illinois Vehicle Code assessments. This subsection is inoperative on and after July 1, ~~2025~~ 2024.

(b) For criminal offenses reflected in Schedules 1, 3, 4, 5, 7, and 8 of Article 15 of the Criminal and Traffic Assessment Act, upon the application of any defendant, after the commencement of an action, but no later than 30 days after sentencing:

(1) If the court finds that the applicant is an indigent person, the court shall grant the applicant a full assessment waiver exempting him or her from the payment of any assessments.

(2) The court shall grant the applicant a partial assessment as follows:

(A) 75% of all assessments shall be waived if the applicant's available income is greater than 200% but no more than 250% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are

such that the applicant is able, without undue hardship, to pay the total assessments.

(B) 50% of all assessments shall be waived if the applicant's available income is greater than 250% but no more than 300% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are such that the court determines that the applicant is able, without undue hardship, to pay a greater portion of the assessments.

(C) 25% of all assessments shall be waived if the applicant's available income is greater than 300% but no more than 400% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are such that the court determines that the applicant is able, without undue hardship, to pay a greater portion of the assessments.

(b-5) For traffic and petty offenses reflected in Schedules 2, 6, 9, 10, and 13 of Article 15 of the Criminal and Traffic Assessment Act, upon the application of any defendant, after the commencement of an action, but no later than 30 days after sentencing, the court shall grant the applicant a partial assessment as follows:

(1) 50% of all assessments shall be waived if the court finds that the applicant is an indigent person or if

the applicant's available income is not greater than 200% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are such that the applicant is able, without undue hardship, to pay the total assessments.

(2) 37.5% of all assessments shall be waived if the applicant's available income is greater than 200% but no more than 250% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are such that the applicant is able, without undue hardship, to pay the total assessments.

(3) 25% of all assessments shall be waived if the applicant's available income is greater than 250% but no more than 300% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are such that the court determines that the applicant is able, without undue hardship, to pay a greater portion of the assessments.

(4) 12.5% of all assessments shall be waived if the applicant's available income is greater than 300% but no more than 400% of the poverty level, unless the applicant's assets that are not exempt under Part 9 or 10 of Article XII of the Code of Civil Procedure are such that

the court determines that the applicant is able, without undue hardship, to pay a greater portion of the assessments.

(c) An application for a waiver of assessments shall be in writing, signed by the defendant or, if the defendant is a minor, by another person having knowledge of the facts, and filed no later than 30 days after sentencing. The contents of the application for a waiver of assessments, and the procedure for deciding the applications, shall be established by Supreme Court Rule. Factors to consider in evaluating an application shall include:

(1) the applicant's receipt of needs based governmental public benefits, including Supplemental Security Income (SSI); Aid to the Aged, Blind and Disabled (AABD); Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP or "food stamps"); General Assistance; Transitional Assistance; or State Children and Family Assistance;

(2) the employment status of the applicant and amount of monthly income, if any;

(3) income received from the applicant's pension, Social Security benefits, unemployment benefits, and other sources;

(4) income received by the applicant from other household members;

(5) the applicant's monthly expenses, including rent,

home mortgage, other mortgage, utilities, food, medical, vehicle, childcare, debts, child support, and other expenses; and

(6) financial affidavits or other similar supporting documentation provided by the applicant showing that payment of the imposed assessments would result in substantial hardship to the applicant or the applicant's family.

(d) The clerk of court shall provide the application for a waiver of assessments to any defendant who indicates an inability to pay the assessments. The clerk of the court shall post in a conspicuous place in the courthouse a notice, no smaller than 8.5 x 11 inches and using no smaller than 30-point typeface printed in English and in Spanish, advising criminal defendants they may ask the court for a waiver of any court ordered assessments. The notice shall be substantially as follows:

"If you are unable to pay the required assessments, you may ask the court to waive payment of them. Ask the clerk of the court for forms."

(e) For good cause shown, the court may allow an applicant whose application is denied or who receives a partial assessment waiver to defer payment of the assessments, make installment payments, or make payment upon reasonable terms and conditions stated in the order.

(f) Nothing in this Section shall be construed to affect

the right of a party to court-appointed counsel, as authorized by any other provision of law or by the rules of the Illinois Supreme Court.

(g) The provisions of this Section are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 102-558, eff. 8-20-21; 102-620, eff. 8-27-21.)

Section 50. The Unemployment Insurance Act is amended by changing Sections 235, 401, 403, 1400.1, 1505, 1506.6, and 2101.1 as follows:

(820 ILCS 405/235) (from Ch. 48, par. 345)

Sec. 235. (I) ~~If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~

The term "wages" does not include:

A. With respect to calendar years prior to calendar year 2023, the maximum amount includable as "wages" shall be determined pursuant to this Section as in effect prior to the effective date of this amendatory Act of the 102nd General Assembly.

With respect to the calendar year 2023, the term "wages" shall include only the remuneration paid to an individual by

an employer during that period with respect to employment which does not exceed \$13,271.

With respect to the calendar year 2024, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$13,590.

With respect to the calendar year 2025, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$13,916.

With respect to the calendar year 2026, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$14,250.

With respect to the calendar year 2027, and each calendar year thereafter, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$14,592.

The remuneration paid to an individual by an employer with respect to employment in another State or States, upon which contributions were required of such employer under an unemployment compensation law of such other State or States, shall be included as a part of the remuneration herein referred to. For the purposes of this subsection, any employing unit which succeeds to the organization, trade, or

business, or to substantially all of the assets of another employing unit, or to the organization, trade, or business, or to substantially all of the assets of a distinct severable portion of another employing unit, shall be treated as a single unit with its predecessor for the calendar year in which such succession occurs; any employing unit which is owned or controlled by the same interests which own or control another employing unit shall be treated as a single unit with the unit so owned or controlled by such interests for any calendar year throughout which such ownership or control exists; and, with respect to any trade or business transfer subject to subsection A of Section 1507.1, a transferee, as defined in subsection G of Section 1507.1, shall be treated as a single unit with the transferor, as defined in subsection G of Section 1507.1, for the calendar year in which the transfer occurs. This subsection applies only to Sections 1400, 1405A, and 1500.

A-1. (Blank).

B. The amount of any payment (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), made to, or on behalf of, an individual or any of the individual's ~~his~~ dependents under a plan or system established by an employer which makes provision generally for individuals performing services for the employer ~~him~~ (or for such individuals generally and their dependents) or for a class or classes of such individuals (or

for a class or classes of such individuals and their dependents), on account of (1) sickness or accident disability (except those sickness or accident disability payments which would be includable as "wages" in Section 3306(b)(2)(A) of the Federal Internal Revenue Code of 1954, in effect on January 1, 1985, such includable payments to be attributable in such manner as provided by Section 3306(b) of the Federal Internal Revenue Code of 1954, in effect on January 1, 1985), or (2) medical or hospitalization expenses in connection with sickness or accident disability, or (3) death.

C. Any payment made to, or on behalf of, an employee or the employee's ~~his~~ beneficiary which would be excluded from "wages" by subparagraph (A), (B), (C), (D), (E), (F) or (G), of Section 3306(b)(5) of the Federal Internal Revenue Code of 1954, in effect on January 1, 1985.

D. The amount of any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employer to, or on behalf of, an individual performing services for the employer ~~him~~ after the expiration of six calendar months following the last calendar month in which the individual performed services for such employer.

E. Remuneration paid in any medium other than cash by an employing unit to an individual for service in agricultural labor as defined in Section 214.

F. The amount of any supplemental payment made by an

employer to an individual performing services for the employer ~~him~~, other than remuneration for services performed, under a shared work plan approved by the Director pursuant to Section 407.1.

~~(II) (Blank). This Part (II) becomes operative if and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023.~~

~~The term "wages" does not include:~~

~~A. With respect to calendar years prior to calendar year 2004, the maximum amount includable as "wages" shall be determined pursuant to this Section as in effect on January 1, 2006.~~

~~With respect to the calendar year 2004, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$9,800. With respect to the calendar years 2005 through 2009, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed the following amounts: \$10,500 with respect to the calendar year 2005; \$11,000 with respect to the calendar year 2006; \$11,500 with respect to the calendar year 2007; \$12,000 with~~

~~respect to the calendar year 2008; and \$12,300 with respect to the calendar year 2009.~~

~~With respect to the calendar years 2010, 2011, 2020, and each calendar year thereafter, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed the sum of the wage base adjustment applicable to that year pursuant to Section 1400.1, plus the maximum amount includable as "wages" pursuant to this subsection with respect to the immediately preceding calendar year. With respect to calendar year 2012, to offset the loss of revenue to the State's account in the unemployment trust fund with respect to the first quarter of calendar year 2011 as a result of Section 1506.5 and the changes made by this amendatory Act of the 97th General Assembly to Section 1506.3, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$13,560. Except as otherwise provided in subsection A 1, with respect to calendar year 2013, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$12,900. With respect to the calendar years 2014 through 2019, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$12,960. Notwithstanding any provision to the~~

~~contrary, the maximum amount includable as "wages" pursuant to this Section shall not be less than \$12,300 or greater than \$12,960 with respect to any calendar year after calendar year 2009 except calendar year 2012 and except as otherwise provided in subsection A 1.~~

~~The remuneration paid to an individual by an employer with respect to employment in another State or States, upon which contributions were required of such employer under an unemployment compensation law of such other State or States, shall be included as a part of the remuneration herein referred to. For the purposes of this subsection, any employing unit which succeeds to the organization, trade, or business, or to substantially all of the assets of another employing unit, or to the organization, trade, or business, or to substantially all of the assets of a distinct severable portion of another employing unit, shall be treated as a single unit with its predecessor for the calendar year in which such succession occurs; any employing unit which is owned or controlled by the same interests which own or control another employing unit shall be treated as a single unit with the unit so owned or controlled by such interests for any calendar year throughout which such ownership or control exists; and, with respect to any trade or business transfer subject to subsection A of Section 1507.1, a transferee, as defined in subsection C of Section 1507.1, shall be treated as a single unit with the transferor, as defined in subsection C~~

~~of Section 1507.1, for the calendar year in which the transfer occurs. This subsection applies only to Sections 1400, 1405A, and 1500.~~

~~A 1. If, by March 1, 2013, the payments attributable to the changes to subsection A by this or any subsequent amendatory Act of the 97th General Assembly do not equal or exceed the loss to this State's account in the unemployment trust fund as a result of Section 1506.5 and the changes made to Section 1506.3 by this or any subsequent amendatory Act of the 97th General Assembly, including unrealized interest, then, with respect to calendar year 2013, the term "wages" shall include only the remuneration paid to an individual by an employer during that period with respect to employment which does not exceed \$13,560.~~

~~B. The amount of any payment (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), made to, or on behalf of, an individual or any of his dependents under a plan or system established by an employer which makes provision generally for individuals performing services for him (or for such individuals generally and their dependents) or for a class or classes of such individuals (or for a class or classes of such individuals and their dependents), on account of (1) sickness or accident disability (except those sickness or accident disability payments which would be includable as "wages" in Section 3306(b)(2)(A) of the Federal Internal Revenue Code of~~

~~1954, in effect on January 1, 1985, such includable payments to be attributable in such manner as provided by Section 3306(b) of the Federal Internal Revenue Code of 1954, in effect on January 1, 1985), or (2) medical or hospitalization expenses in connection with sickness or accident disability, or (3) death.~~

~~C. Any payment made to, or on behalf of, an employee or his beneficiary which would be excluded from "wages" by subparagraph (A), (B), (C), (D), (E), (F) or (G), of Section 3306(b)(5) of the Federal Internal Revenue Code of 1954, in effect on January 1, 1985.~~

~~D. The amount of any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employer to, or on behalf of, an individual performing services for him after the expiration of six calendar months following the last calendar month in which the individual performed services for such employer.~~

~~E. Remuneration paid in any medium other than cash by an employing unit to an individual for service in agricultural labor as defined in Section 214.~~

~~F. The amount of any supplemental payment made by an employer to an individual performing services for him, other than remuneration for services performed, under a shared work plan approved by the Director pursuant to Section 407.1.~~

(Source: P.A. 102-1105, eff. 1-1-23.)

(820 ILCS 405/401) (from Ch. 48, par. 401)

Sec. 401. Weekly Benefit Amount - Dependents' Allowances.

~~(I) If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~

A. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's weekly benefit amount shall be an amount equal to the weekly benefit amount as defined in the provisions of this Act as amended and in effect on November 18, 2011.

B. 1. With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual's weekly benefit amount shall be 48% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, an individual's weekly benefit amount shall be 47% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher

dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. With respect to any benefit year beginning on or after January 1, 2027 ~~2025~~ and before January 1, 2028 ~~2026~~, an individual's weekly benefit amount shall be 40.6% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51.

2. For the purposes of this subsection:

An individual's "prior average weekly wage" means the total wages for insured work paid to that individual during the 2 calendar quarters of the individual's ~~his~~ base period in which such total wages were highest, divided by 26. If the quotient is not already a multiple of one dollar, it shall be rounded to the nearest dollar; however if the quotient is equally near 2 multiples of one dollar, it shall be rounded to the higher multiple of one dollar.

"Determination date" means June 1 and December 1 of each calendar year except that, for the purposes of this Act only, there shall be no June 1 determination date in any year.

"Determination period" means, with respect to each June 1 determination date, the 12 consecutive calendar months ending on the immediately preceding December 31 and, with respect to each December 1 determination date, the 12 consecutive

calendar months ending on the immediately preceding June 30.

"Benefit period" means the 12 consecutive calendar month period beginning on the first day of the first calendar month immediately following a determination date, except that, with respect to any calendar year in which there is a June 1 determination date, "benefit period" shall mean the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the preceding December 1 determination date and the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the June 1 determination date.

"Gross wages" means all the wages paid to individuals during the determination period immediately preceding a determination date for insured work, and reported to the Director by employers prior to the first day of the third calendar month preceding that date.

"Covered employment" for any calendar month means the total number of individuals, as determined by the Director, engaged in insured work at mid-month.

"Average monthly covered employment" means one-twelfth of the sum of the covered employment for the 12 months of a determination period.

"Statewide average annual wage" means the quotient, obtained by dividing gross wages by average monthly covered employment for the same determination period, rounded (if not

already a multiple of one cent) to the nearest cent.

"Statewide average weekly wage" means the quotient, obtained by dividing the statewide average annual wage by 52, rounded (if not already a multiple of one cent) to the nearest cent. Notwithstanding any provision of this Section to the contrary, the statewide average weekly wage for any benefit period prior to calendar year 2012 shall be as determined by the provisions of this Act as amended and in effect on November 18, 2011. Notwithstanding any provisions of this Section to the contrary, the statewide average weekly wage for the benefit period of calendar year 2012 shall be \$856.55 and for each calendar year thereafter, the statewide average weekly wage shall be the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period plus (or minus) an amount equal to the percentage change in the statewide average weekly wage, as computed in accordance with the first sentence of this paragraph, between the 2 immediately preceding benefit periods, multiplied by the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period. However, for purposes of the Workers' Compensation Act, the statewide average weekly wage will be computed using June 1 and December 1 determination dates of each calendar year and such determination shall not be subject to the limitation of the statewide average weekly wage as computed in accordance with

the preceding sentence of this paragraph.

With respect to any week beginning in a benefit year beginning prior to January 4, 2004, "maximum weekly benefit amount" with respect to each week beginning within a benefit period shall be as defined in the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 48% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 47% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after January 1, 2027 ~~2025~~ and before January 1, 2028 ~~2026~~, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 40.6% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

C. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's

eligibility for a dependent allowance with respect to a nonworking spouse or one or more dependent children shall be as defined by the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 57% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 17.2% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after January 6, 2008 and before January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in

addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 18.2% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

The additional amount paid pursuant to this subsection in the case of an individual with a dependent child or dependent children shall be referred to as the "dependent child allowance", and the percentage rate by which an individual's prior average weekly wage is multiplied pursuant to this subsection to calculate the dependent child allowance shall be referred to as the "dependent child allowance rate".

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 1, 2010, an individual to whom benefits are payable with respect to any

week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of the individual's ~~his or her~~ weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 47% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after January 1, 2027 ~~2025~~ and before January 1, 2028 ~~2026~~, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with

respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 49.6% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by the individual's ~~his or her~~ prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of the individual's ~~his or her~~ weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 40.6% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to each benefit year beginning after calendar year 2012, the dependent child allowance rate shall be the sum of the allowance adjustment applicable pursuant to Section 1400.1 to the calendar year in which the benefit year begins, plus the dependent child allowance rate with respect to each

benefit year beginning in the immediately preceding calendar year, except as otherwise provided in this subsection. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2010 shall be 17.9%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2011 shall be 17.4%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2012 shall be 17.0% and, with respect to each benefit year beginning after calendar year 2012, shall not be less than 17.0% or greater than 17.9%.

For the purposes of this subsection:

"Dependent" means a child or a nonworking spouse.

"Child" means a natural child, stepchild, or adopted child of an individual claiming benefits under this Act or a child who is in the custody of any such individual by court order, for whom the individual is supplying and, for at least 90 consecutive days (or for the duration of the parental relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, has supplied more than one-half the cost of support, or has supplied at least 1/4 of the cost of support if the individual and the other parent, together, are supplying and, during the aforesaid period, have supplied more than one-half the cost of support, and are, and were during the aforesaid period, members of the same household; and who, on the first day of such week (a) is under 18 years of

age, or (b) is, and has been during the immediately preceding 90 days, unable to work because of illness or other disability: provided, that no person who has been determined to be a child of an individual who has been allowed benefits with respect to a week in the individual's benefit year shall be deemed to be a child of the other parent, and no other person shall be determined to be a child of such other parent, during the remainder of that benefit year.

"Nonworking spouse" means the lawful husband or wife of an individual claiming benefits under this Act, for whom more than one-half the cost of support has been supplied by the individual for at least 90 consecutive days (or for the duration of the marital relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, but only if the nonworking spouse is currently ineligible to receive benefits under this Act by reason of the provisions of Section 500E.

An individual who was obligated by law to provide for the support of a child or of a nonworking spouse for the aforesaid period of 90 consecutive days, but was prevented by illness or injury from doing so, shall be deemed to have provided more than one-half the cost of supporting the child or nonworking spouse for that period.

(II) (Blank). ~~This Part (II) becomes operative if and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all~~

~~outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023.~~

~~A. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's weekly benefit amount shall be an amount equal to the weekly benefit amount as defined in the provisions of this Act as amended and in effect on November 18, 2011.~~

~~B. 1. With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual's weekly benefit amount shall be 48% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, an individual's weekly benefit amount shall be 47% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. With respect to any benefit year beginning on or after January 1, 2024 and before January 1, 2025, an individual's weekly benefit amount shall be 40.6% of his or her prior average~~

~~weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51.~~

~~2. For the purposes of this subsection:~~

~~An individual's "prior average weekly wage" means the total wages for insured work paid to that individual during the 2 calendar quarters of his base period in which such total wages were highest, divided by 26. If the quotient is not already a multiple of one dollar, it shall be rounded to the nearest dollar; however if the quotient is equally near 2 multiples of one dollar, it shall be rounded to the higher multiple of one dollar.~~

~~"Determination date" means June 1 and December 1 of each calendar year except that, for the purposes of this Act only, there shall be no June 1 determination date in any year.~~

~~"Determination period" means, with respect to each June 1 determination date, the 12 consecutive calendar months ending on the immediately preceding December 31 and, with respect to each December 1 determination date, the 12 consecutive calendar months ending on the immediately preceding June 30.~~

~~"Benefit period" means the 12 consecutive calendar month period beginning on the first day of the first calendar month immediately following a determination date, except that, with respect to any calendar year in which there is a June 1 determination date, "benefit period" shall mean the 6~~

~~consecutive calendar month period beginning on the first day of the first calendar month immediately following the preceding December 1 determination date and the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the June 1 determination date.~~

~~"Gross wages" means all the wages paid to individuals during the determination period immediately preceding a determination date for insured work, and reported to the Director by employers prior to the first day of the third calendar month preceding that date.~~

~~"Covered employment" for any calendar month means the total number of individuals, as determined by the Director, engaged in insured work at mid-month.~~

~~"Average monthly covered employment" means one twelfth of the sum of the covered employment for the 12 months of a determination period.~~

~~"Statewide average annual wage" means the quotient, obtained by dividing gross wages by average monthly covered employment for the same determination period, rounded (if not already a multiple of one cent) to the nearest cent.~~

~~"Statewide average weekly wage" means the quotient, obtained by dividing the statewide average annual wage by 52, rounded (if not already a multiple of one cent) to the nearest cent. Notwithstanding any provision of this Section to the contrary, the statewide average weekly wage for any benefit~~

~~period prior to calendar year 2012 shall be as determined by the provisions of this Act as amended and in effect on November 18, 2011. Notwithstanding any provisions of this Section to the contrary, the statewide average weekly wage for the benefit period of calendar year 2012 shall be \$856.55 and for each calendar year thereafter, the statewide average weekly wage shall be the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period plus (or minus) an amount equal to the percentage change in the statewide average weekly wage, as computed in accordance with the first sentence of this paragraph, between the 2 immediately preceding benefit periods, multiplied by the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period. However, for purposes of the Workers' Compensation Act, the statewide average weekly wage will be computed using June 1 and December 1 determination dates of each calendar year and such determination shall not be subject to the limitation of the statewide average weekly wage as computed in accordance with the preceding sentence of this paragraph.~~

~~With respect to any week beginning in a benefit year beginning prior to January 4, 2004, "maximum weekly benefit amount" with respect to each week beginning within a benefit period shall be as defined in the provisions of this Act as amended and in effect on November 18, 2011.~~

~~With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 48% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 47% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~With respect to any benefit year beginning on or after January 1, 2024 and before January 1, 2025, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 40.6% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~C. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's eligibility for a dependent allowance with respect to a nonworking spouse or one or more dependent children shall be as defined by the provisions of this Act as amended and in effect on November 18, 2011.~~

~~With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual to~~

~~whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 57% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 17.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~With respect to any benefit year beginning on or after January 6, 2008 and before January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a~~

~~multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 18.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~The additional amount paid pursuant to this subsection in the case of an individual with a dependent child or dependent children shall be referred to as the "dependent child allowance", and the percentage rate by which an individual's prior average weekly wage is multiplied pursuant to this subsection to calculate the dependent child allowance shall be referred to as the "dependent child allowance rate".~~

~~Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the~~

~~next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 47% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~With respect to any benefit year beginning on or after January 1, 2024 and before January 1, 2025, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 49.6% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by~~

~~his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 40.6% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

~~With respect to each benefit year beginning after calendar year 2012, the dependent child allowance rate shall be the sum of the allowance adjustment applicable pursuant to Section 1400.1 to the calendar year in which the benefit year begins, plus the dependent child allowance rate with respect to each benefit year beginning in the immediately preceding calendar year, except as otherwise provided in this subsection. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2010 shall be 17.9%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2011 shall be 17.4%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2012 shall be 17.0% and, with respect to each benefit year beginning after calendar year 2012, shall not be less than 17.0% or greater than 17.9%.~~

~~For the purposes of this subsection:~~

~~"Dependent" means a child or a nonworking spouse.~~

~~"Child" means a natural child, stepchild, or adopted child of an individual claiming benefits under this Act or a child who is in the custody of any such individual by court order, for whom the individual is supplying and, for at least 90 consecutive days (or for the duration of the parental relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, has supplied more than one half the cost of support, or has supplied at least 1/4 of the cost of support if the individual and the other parent, together, are supplying and, during the aforesaid period, have supplied more than one half the cost of support, and are, and were during the aforesaid period, members of the same household; and who, on the first day of such week (a) is under 18 years of age, or (b) is, and has been during the immediately preceding 90 days, unable to work because of illness or other disability: provided, that no person who has been determined to be a child of an individual who has been allowed benefits with respect to a week in the individual's benefit year shall be deemed to be a child of the other parent, and no other person shall be determined to be a child of such other parent, during the remainder of that benefit year.~~

~~"Nonworking spouse" means the lawful husband or wife of an individual claiming benefits under this Act, for whom more than one half the cost of support has been supplied by the individual for at least 90 consecutive days (or for the~~

~~duration of the marital relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, but only if the nonworking spouse is currently ineligible to receive benefits under this Act by reason of the provisions of Section 500E.~~

~~An individual who was obligated by law to provide for the support of a child or of a nonworking spouse for the aforesaid period of 90 consecutive days, but was prevented by illness or injury from doing so, shall be deemed to have provided more than one half the cost of supporting the child or nonworking spouse for that period.~~

(Source: P.A. 101-423, eff. 1-1-20; 101-633, eff. 6-5-20; 102-671, eff. 11-30-21; 102-700, eff. 4-19-22; 102-1105, eff. 1-1-23.)

(820 ILCS 405/403) (from Ch. 48, par. 403)

Sec. 403. Maximum total amount of benefits.

~~(I) If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~

A. With respect to any benefit year beginning prior to September 30, 1979, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount

of benefits as shall be determined in the manner set forth in this Act as amended and in effect on November 9, 1977.

B. With respect to any benefit year beginning on or after September 30, 1979, except as otherwise provided in this Section, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 26 times the individual's ~~his or her~~ weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning in calendar year 2012, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times the individual's ~~his or her~~ weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning on or after January 1, 2027 ~~2025~~ and before January 1, 2028 ~~2026~~, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 23 times the individual's ~~his or her~~ weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller.

(II) (Blank). ~~This Part (II) becomes operative if and only~~

~~if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023.~~

~~A. With respect to any benefit year beginning prior to September 30, 1979, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits as shall be determined in the manner set forth in this Act as amended and in effect on November 9, 1977.~~

~~B. With respect to any benefit year beginning on or after September 30, 1979, except as otherwise provided in this Section, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 26 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning in calendar year 2012, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning on or~~

~~after January 1, 2024 and before January 1, 2025, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 23 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller.~~

(Source: P.A. 101-423, eff. 1-1-20; 102-671, eff. 11-30-21; 102-700, eff. 4-19-22; 102-1105, eff. 1-1-23.)

(820 ILCS 405/1400.1)

Sec. 1400.1. Solvency Adjustments.

~~(I) If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~

As used in this Section, "prior year's trust fund balance" means the net amount standing to the credit of this State's account in the unemployment trust fund (less all outstanding advances to that account, including but not limited to advances pursuant to Title XII of the federal Social Security Act) as of June 30 of the immediately preceding calendar year.

The wage base adjustment, rate adjustment, and allowance adjustment applicable to any calendar year prior to 2023 shall

be as determined pursuant to this Section as in effect prior to the effective date of this amendatory Act of the 102nd General Assembly.

The rate adjustment and allowance adjustment applicable to calendar year 2023 and each calendar year thereafter shall be as follows:

If the prior year's trust fund balance is less than \$525,000,000, the rate adjustment shall be 0.05%, and the allowance adjustment shall be -0.3% absolute.

If the prior year's trust fund balance is equal to or greater than \$525,000,000 but less than \$1,225,000,000, the rate adjustment shall be 0.025%, and the allowance adjustment shall be -0.2% absolute.

If the prior year's trust fund balance is equal to or greater than \$1,225,000,000 but less than \$1,750,000,000, the rate adjustment shall be 0, and the allowance adjustment shall be -0.1% absolute.

If the prior year's trust fund balance is equal to or greater than \$1,750,000,000 but less than \$2,275,000,000, the rate adjustment shall be 0, and the allowance adjustment shall be 0.1% absolute.

If the prior year's trust fund balance is equal to or greater than \$2,275,000,000 but less than \$2,975,000,000, the rate adjustment shall be -0.025%, and the allowance adjustment shall be 0.2% absolute.

If the prior year's trust fund balance is equal to or

greater than \$2,975,000,000, the rate adjustment shall be -0.05%, and the allowance adjustment shall be 0.3% absolute.

~~(II) (Blank). This Part (II) becomes operative if and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023.~~

~~As used in this Section, "prior year's trust fund balance" means the net amount standing to the credit of this State's account in the unemployment trust fund (less all outstanding advances to that account, including but not limited to advances pursuant to Title XII of the federal Social Security Act) as of June 30 of the immediately preceding calendar year.~~

~~The wage base adjustment, rate adjustment, and allowance adjustment applicable to any calendar year after calendar year 2009 shall be as follows:~~

~~If the prior year's trust fund balance is less than \$300,000,000, the wage base adjustment shall be \$220, the rate adjustment shall be 0.05%, and the allowance adjustment shall be 0.3% absolute.~~

~~If the prior year's trust fund balance is equal to or greater than \$300,000,000 but less than \$700,000,000, the~~

~~wage base adjustment shall be \$150, the rate adjustment shall be 0.025%, and the allowance adjustment shall be 0.2% absolute.~~

~~If the prior year's trust fund balance is equal to or greater than \$700,000,000 but less than \$1,000,000,000, the wage base adjustment shall be \$75, the rate adjustment shall be 0, and the allowance adjustment shall be 0.1% absolute.~~

~~If the prior year's trust fund balance is equal to or greater than \$1,000,000,000 but less than \$1,300,000,000, the wage base adjustment shall be \$75, the rate adjustment shall be 0, and the allowance adjustment shall be 0.1% absolute.~~

~~If the prior year's trust fund balance is equal to or greater than \$1,300,000,000 but less than \$1,700,000,000, the wage base adjustment shall be \$150, the rate adjustment shall be 0.025%, and the allowance adjustment shall be 0.2% absolute.~~

~~If the prior year's trust fund balance is equal to or greater than \$1,700,000,000, the wage base adjustment shall be \$220, the rate adjustment shall be 0.05%, and the allowance adjustment shall be 0.3% absolute.~~

(Source: P.A. 102-1105, eff. 1-1-23.)

(820 ILCS 405/1505) (from Ch. 48, par. 575)

Sec. 1505. Adjustment of state experience factor.

~~(I) If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~

~~The state experience factor shall be adjusted in accordance with the following provisions:~~

A. For calendar years prior to 1988, the state experience factor shall be adjusted in accordance with the provisions of this Act as amended and in effect on November 18, 2011.

B. (Blank).

C. For calendar year 1988 and each calendar year thereafter, for which the state experience factor is being determined.

1. For every \$50,000,000 (or fraction thereof) by which the adjusted trust fund balance falls below the target balance set forth in this subsection, the state experience factor for the succeeding year shall be increased one percent absolute.

For every \$50,000,000 (or fraction thereof) by which the adjusted trust fund balance exceeds the target balance set forth in this subsection, the state experience factor for the succeeding year shall be decreased by one percent absolute.

The target balance in each calendar year prior to 2003

is \$750,000,000. The target balance in calendar year 2003 is \$920,000,000. The target balance in calendar year 2004 is \$960,000,000. The target balance in calendar year 2005 and each calendar year through 2022 is \$1,000,000,000. The target balance in calendar year 2023 and each calendar year thereafter is \$1,750,000,000.

2. For the purposes of this subsection:

"Net trust fund balance" is the amount standing to the credit of this State's account in the unemployment trust fund as of June 30 of the calendar year immediately preceding the year for which a state experience factor is being determined.

"Adjusted trust fund balance" is the net trust fund balance minus the sum of the benefit reserves for fund building for July 1, 1987 through June 30 of the year prior to the year for which the state experience factor is being determined. The adjusted trust fund balance shall not be less than zero. If the preceding calculation results in a number which is less than zero, the amount by which it is less than zero shall reduce the sum of the benefit reserves for fund building for subsequent years.

For the purpose of determining the state experience factor for 1989 and for each calendar year thereafter, the following "benefit reserves for fund building" shall apply for each state experience factor calculation in which that 12 month period is applicable:

a. For the 12 month period ending on June 30, 1988, the "benefit reserve for fund building" shall be 8/104th of the total benefits paid from January 1, 1988 through June 30, 1988.

b. For the 12 month period ending on June 30, 1989, the "benefit reserve for fund building" shall be the sum of:

i. 8/104ths of the total benefits paid from July 1, 1988 through December 31, 1988, plus

ii. 4/108ths of the total benefits paid from January 1, 1989 through June 30, 1989.

c. For the 12 month period ending on June 30, 1990, the "benefit reserve for fund building" shall be 4/108ths of the total benefits paid from July 1, 1989 through December 31, 1989.

d. For 1992 and for each calendar year thereafter, the "benefit reserve for fund building" for the 12 month period ending on June 30, 1991 and for each subsequent 12 month period shall be zero.

3. Notwithstanding the preceding provisions of this subsection, for calendar years 1988 through 2003, the state experience factor shall not be increased or decreased by more than 15 percent absolute.

D. Notwithstanding the provisions of subsection C, the adjusted state experience factor:

1. Shall be 111 percent for calendar year 1988;

2. Shall not be less than 75 percent nor greater than 135 percent for calendar years 1989 through 2003; and shall not be less than 75% nor greater than 150% for calendar year 2004 and each calendar year thereafter, not counting any increase pursuant to subsection D-1, D-2, or D-3;

3. Shall not be decreased by more than 5 percent absolute for any calendar year, beginning in calendar year 1989 and through calendar year 1992, by more than 6% absolute for calendar years 1993 through 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 12% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor of the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;

4. Shall not be increased by more than 15% absolute for calendar year 1993, by more than 14% absolute for calendar years 1994 and 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 16% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor for the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;

5. Shall be 100% for calendar years 1996, 1997, and 1998.

D-1. The adjusted state experience factor for each of calendar years 2013 through 2015 shall be increased by 5% absolute above the adjusted state experience factor as calculated without regard to this subsection. The adjusted state experience factor for each of calendar years 2016 through 2018 shall be increased by 6% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2018 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2019.

D-2. (Blank).

D-3. The adjusted state experience factor for calendar year 2027 ~~2025~~ shall be increased by 20% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2027 ~~2025~~ pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2028 ~~2026~~.

D-4. ~~The If and only if an appropriation as set forth in subsection B of Part (I) of Section 2101.1 is made, the~~ adjusted state experience factor for calendar years beginning in 2024 shall be increased by 3% absolute above the adjusted state experience factor as calculated without regard to this

subsection or subsection D-3. The increase in the state experience factor provided for in this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for the following calendar year. This subsection shall cease to be operative beginning January 1 of the calendar year following the calendar year in which the total amount of the transfers of funds provided for in subsection B of Part (I) of Section 2101.1 equals the total amount of the appropriation.

E. The amount standing to the credit of this State's account in the unemployment trust fund as of June 30 shall be deemed to include as part thereof (a) any amount receivable on that date from any Federal governmental agency, or as a payment in lieu of contributions under the provisions of Sections 1403 and 1405 B and paragraph 2 of Section 302C, in reimbursement of benefits paid to individuals, and (b) amounts credited by the Secretary of the Treasury of the United States to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended, including any such amounts which have been appropriated by the General Assembly in accordance with the provisions of Section 2100 B for expenses of administration, except any amounts which have been obligated on or before that date pursuant to such appropriation.

(II) (Blank). ~~This Part (II) becomes operative if and only~~

~~if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023.~~

~~The state experience factor shall be adjusted in accordance with the following provisions:~~

~~A. For calendar years prior to 1988, the state experience factor shall be adjusted in accordance with the provisions of this Act as amended and in effect on November 18, 2011.~~

~~B. (Blank).~~

~~C. For calendar year 1988 and each calendar year thereafter, for which the state experience factor is being determined.~~

~~1. For every \$50,000,000 (or fraction thereof) by which the adjusted trust fund balance falls below the target balance set forth in this subsection, the state experience factor for the succeeding year shall be increased one percent absolute.~~

~~For every \$50,000,000 (or fraction thereof) by which the adjusted trust fund balance exceeds the target balance set forth in this subsection, the state experience factor for the succeeding year shall be decreased by one percent absolute.~~

~~The target balance in each calendar year prior to 2003~~

~~is \$750,000,000. The target balance in calendar year 2003 is \$920,000,000. The target balance in calendar year 2004 is \$960,000,000. The target balance in calendar year 2005 and each calendar year thereafter is \$1,000,000,000.~~

~~2. For the purposes of this subsection:~~

~~"Net trust fund balance" is the amount standing to the credit of this State's account in the unemployment trust fund as of June 30 of the calendar year immediately preceding the year for which a state experience factor is being determined.~~

~~"Adjusted trust fund balance" is the net trust fund balance minus the sum of the benefit reserves for fund building for July 1, 1987 through June 30 of the year prior to the year for which the state experience factor is being determined. The adjusted trust fund balance shall not be less than zero. If the preceding calculation results in a number which is less than zero, the amount by which it is less than zero shall reduce the sum of the benefit reserves for fund building for subsequent years.~~

~~For the purpose of determining the state experience factor for 1989 and for each calendar year thereafter, the following "benefit reserves for fund building" shall apply for each state experience factor calculation in which that 12 month period is applicable:~~

~~a. For the 12 month period ending on June 30, 1988, the "benefit reserve for fund building" shall be~~

~~8/104th of the total benefits paid from January 1, 1988 through June 30, 1988.~~

~~b. For the 12 month period ending on June 30, 1989, the "benefit reserve for fund building" shall be the sum of:~~

~~i. 8/104ths of the total benefits paid from July 1, 1988 through December 31, 1988, plus~~

~~ii. 4/108ths of the total benefits paid from January 1, 1989 through June 30, 1989.~~

~~c. For the 12 month period ending on June 30, 1990, the "benefit reserve for fund building" shall be 4/108ths of the total benefits paid from July 1, 1989 through December 31, 1989.~~

~~d. For 1992 and for each calendar year thereafter, the "benefit reserve for fund building" for the 12 month period ending on June 30, 1991 and for each subsequent 12 month period shall be zero.~~

~~3. Notwithstanding the preceding provisions of this subsection, for calendar years 1988 through 2003, the state experience factor shall not be increased or decreased by more than 15 percent absolute.~~

~~D. Notwithstanding the provisions of subsection C, the adjusted state experience factor:~~

~~1. Shall be 111 percent for calendar year 1988;~~

~~2. Shall not be less than 75 percent nor greater than 135 percent for calendar years 1989 through 2003; and~~

~~shall not be less than 75% nor greater than 150% for calendar year 2004 and each calendar year thereafter, not counting any increase pursuant to subsection D-1, D-2, or D-3;~~

~~3. Shall not be decreased by more than 5 percent absolute for any calendar year, beginning in calendar year 1989 and through calendar year 1992, by more than 6% absolute for calendar years 1993 through 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 12% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor of the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;~~

~~4. Shall not be increased by more than 15% absolute for calendar year 1993, by more than 14% absolute for calendar years 1994 and 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 16% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor for the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;~~

~~5. Shall be 100% for calendar years 1996, 1997, and 1998.~~

~~D-1. The adjusted state experience factor for each of calendar years 2013 through 2015 shall be increased by 5%~~

~~absolute above the adjusted state experience factor as calculated without regard to this subsection. The adjusted state experience factor for each of calendar years 2016 through 2018 shall be increased by 6% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2018 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2019.~~

~~D 2. (Blank).~~

~~D 3. The adjusted state experience factor for calendar year 2024 shall be increased by 20% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2024 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2025.~~

~~E. The amount standing to the credit of this State's account in the unemployment trust fund as of June 30 shall be deemed to include as part thereof (a) any amount receivable on that date from any Federal governmental agency, or as a payment in lieu of contributions under the provisions of Sections 1403 and 1405 B and paragraph 2 of Section 302C, in reimbursement of benefits paid to individuals, and (b) amounts~~

~~ereditied by the Secretary of the Treasury of the United States to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended, including any such amounts which have been appropriated by the General Assembly in accordance with the provisions of Section 2100 B for expenses of administration, except any amounts which have been obligated on or before that date pursuant to such appropriation.~~

(Source: P.A. 101-423, eff. 1-1-20; 101-633, eff. 6-5-20; 102-671, eff. 11-30-21; 102-700, eff. 4-19-22; 102-1105, eff. 1-1-23.)

(820 ILCS 405/1506.6)

Sec. 1506.6. Surcharge; specified period.

(I) ~~If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~ For each employer whose contribution rate for calendar year 2027 ~~2025~~ is determined pursuant to Section 1500 or 1506.1, in addition to the contribution rate established pursuant to Section 1506.3, an additional surcharge of 0.350% shall be added to the contribution rate. The surcharge established by this Section shall be due at the same time as other contributions with

respect to the quarter are due, as provided in Section 1400. Payments attributable to the surcharge established pursuant to this Section shall be contributions and deposited into the clearing account.

~~(II) (Blank). This Part (II) becomes operative if and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023. For each employer whose contribution rate for calendar year 2024 is determined pursuant to Section 1500 or 1506.1, in addition to the contribution rate established pursuant to Section 1506.3, an additional surcharge of 0.350% shall be added to the contribution rate. The surcharge established by this Section shall be due at the same time as other contributions with respect to the quarter are due, as provided in Section 1400. Payments attributable to the surcharge established pursuant to this Section shall be contributions and deposited into the clearing account.~~

(Source: P.A. 101-423, eff. 1-1-20; 101-633, eff. 6-5-20; 102-671, eff. 11-30-21; 102-700, eff. 4-19-22; 102-1105, eff. 1-1-23.)

Sec. 2101.1. Mandatory transfers.

~~(I) If and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act, then this Part (I) is inoperative retroactive to January 1, 2023.~~

A. Notwithstanding any other provision in Section 2101 to the contrary, no later than June 30, 2007, an amount equal to at least \$1,400,136 but not to exceed \$7,000,136 shall be transferred from the special administrative account to this State's account in the Unemployment Trust Fund. No later than June 30, 2008, and June 30 of each of the three immediately succeeding calendar years, there shall be transferred from the special administrative account to this State's account in the Unemployment Trust Fund an amount at least equal to the lesser of \$1,400,000 or the unpaid principal. For purposes of this Section, the unpaid principal is the difference between \$7,000,136 and the sum of amounts, excluding interest, previously transferred pursuant to this Section. In addition to the amounts otherwise specified in this Section, each transfer shall include a payment of any interest accrued pursuant to this Section through the end of the immediately preceding calendar quarter for which the federal Department of the Treasury has published the yield for state accounts in the Unemployment Trust Fund. Interest pursuant to this Section

shall accrue daily beginning on January 1, 2007, and be calculated on the basis of the unpaid principal as of the beginning of the day. The rate at which the interest shall accrue for each calendar day within a calendar quarter shall equal the quotient obtained by dividing the yield for that quarter for state accounts in the Unemployment Trust Fund as published by the federal Department of the Treasury by the total number of calendar days within that quarter. Interest accrued but not yet due at the time the unpaid principal is paid in full shall be transferred within 30 days after the federal Department of the Treasury has published the yield for state accounts in the Unemployment Trust Fund for all quarters for which interest has accrued pursuant to this Section but not yet been paid. A transfer required pursuant to this Section in a fiscal year of this State shall occur before any transfer made with respect to that same fiscal year from the special administrative account to the Title III Social Security and Employment Fund.

B. By ~~if and only if~~ an appropriation ~~is~~ made in calendar year 2023 to this State's account in the Unemployment Trust Fund, as a loan solely for purposes of paying unemployment insurance benefits under this Act and without the accrual of interest, from a fund of the State treasury, the Director shall take all necessary action to transfer 10% of the total amount of the appropriation from this State's account in the Unemployment Trust Fund to the State's Budget Stabilization

Fund prior to July 1 of each year or as soon thereafter as practical. Transfers shall begin in calendar year 2024 and continue on an annual basis until the total amount of such transfers equals the total amount of the appropriation. In any calendar year in which the balance of this State's account in the Unemployment Trust Fund, less all outstanding advances to that account, pursuant to Title XII of the federal Social Security Act, is below \$1,200,000,000 as of June 1, any transfer provided for in this subsection shall not be made that calendar year.

(II) (Blank). ~~This Part (II) becomes operative if and only if funds from the State treasury are not appropriated on or before January 31, 2023 that are dedicated to pay all outstanding advances made to the State's account in the Unemployment Trust Fund pursuant to Title XII of the federal Social Security Act. If this Part (II) becomes operative, it is operative retroactive to January 1, 2023. Notwithstanding any other provision in Section 2101 to the contrary, no later than June 30, 2007, an amount equal to at least \$1,400,136 but not to exceed \$7,000,136 shall be transferred from the special administrative account to this State's account in the Unemployment Trust Fund. No later than June 30, 2008, and June 30 of each of the three immediately succeeding calendar years, there shall be transferred from the special administrative account to this State's account in the Unemployment Trust Fund an amount at least equal to the lesser of \$1,400,000 or the~~

~~unpaid principal. For purposes of this Section, the unpaid principal is the difference between \$7,000,136 and the sum of amounts, excluding interest, previously transferred pursuant to this Section. In addition to the amounts otherwise specified in this Section, each transfer shall include a payment of any interest accrued pursuant to this Section through the end of the immediately preceding calendar quarter for which the federal Department of the Treasury has published the yield for state accounts in the Unemployment Trust Fund. Interest pursuant to this Section shall accrue daily beginning on January 1, 2007, and be calculated on the basis of the unpaid principal as of the beginning of the day. The rate at which the interest shall accrue for each calendar day within a calendar quarter shall equal the quotient obtained by dividing the yield for that quarter for state accounts in the Unemployment Trust Fund as published by the federal Department of the Treasury by the total number of calendar days within that quarter. Interest accrued but not yet due at the time the unpaid principal is paid in full shall be transferred within 30 days after the federal Department of the Treasury has published the yield for state accounts in the Unemployment Trust Fund for all quarters for which interest has accrued pursuant to this Section but not yet been paid. A transfer required pursuant to this Section in a fiscal year of this State shall occur before any transfer made with respect to that same fiscal year from the special administrative account~~

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~~to the Title III Social Security and Employment Fund.~~

(Source: P.A. 102-1105, eff. 1-1-23.)

Section 55. "An Act concerning courts", approved August 9, 2024, Public Act 103-789, is amended by adding Section 99 as follows:

(P.A. 103-789, Sec. 99 new)

Sec. 99. Effective date. This Act takes effect on July 1, 2025.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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