SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED THIRD GENERAL ASSEMBLY

32ND LEGISLATIVE DAY

WEDNESDAY, MARCH 29, 2023

12:05 O'CLOCK P.M.

NO. 32
[March 29, 2023]

SENATE
Daily Journal Index
32nd Legislative Day

The Senate met pursuant to adjournment.
Senator Kimberly A. Lightford, Maywood, Illinois, presiding.
Prayer by Pastor Jimmy Houck, Bethany Baptist Church, Peoria, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, March 28, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

IDOC Quarterly Report - April 2023, submitted by the Department of Corrections.

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the O'Fallon Police Department.

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Broadview Police Department.

Semi-Annual Activity Report, submitted by the Illinois State Toll Highway Authority.

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to Senate Bill 380
Amendment No. 1 to Senate Bill 421
Amendment No. 2 to Senate Bill 761
Amendment No. 2 to Senate Bill 836
Amendment No. 1 to Senate Bill 895
Amendment No. 4 to Senate Bill 1646
Amendment No. 4 to Senate Bill 1701
Amendment No. 3 to Senate Bill 2152
Amendment No. 2 to Senate Bill 2213
Amendment No. 3 to Senate Bill 2277

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

Amendment No. 2 to Senate Bill 1627

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 162

Offered by Senator Koehler and all Senators:
Mourns the passing of Timothy J. Newlin of Peoria.

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

PRESENTATION OF RESOLUTION

Senators Faraci, Harmon, Cunningham and Bennett offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 32

WHEREAS, The members of the Illinois Senate of the 103rd General Assembly of the State of Illinois learned with great sadness of the death of their colleague and friend, Senator Scott Michael Bennett, on December 9, 2022; and

WHEREAS, Senator Bennett was born on July 16, 1977 to Dr. Robert and Barbara Bennett in Fort Campbell, Kentucky, where his father was stationed in the U.S. Army; when he was an infant, the family moved to Gibson City, where five generations of his family have worked on their family farm; he graduated from Gibson City-Melvin-Sibley High School in 1995 and then studied history at Illinois State University, graduating in 1998; he then attended law school at the University of Illinois Urbana-Champaign, graduating in 2002; and

WHEREAS, Though Senator Bennett could have pursued a high-paying career in corporate law, he returned to his roots and the central Illinois community he treasured, working as an assistant state's attorney in Bloomington-Normal and then in Champaign-Urbana; and

WHEREAS, Senator Bennett joined the Senate in 2015 as the unanimous choice to fill the vacancy created when Michael W. Frerichs was sworn in as the Illinois State Treasurer after serving the 52nd District for eight years; and

WHEREAS, Immediately after his appointment to the Senate, Senator Bennett's first act as sitting state senator was to drive to Danville to meet with Vermilion County and Danville officials to discuss how they could work together to spur economic development in the region; and

WHEREAS, As the chair of the Senate's Higher Education Committee for the last two years, Senator Bennett fought to provide Illinois' students with the opportunity to be successful; he worked to secure resources for the University of Illinois Urbana-Champaign, Parkland College, Danville Area Community College, and all of the State's higher education facilities by advocating for additional funding for need-based tuition assistance, lowering tuition costs and fees, and preventing licensing boards from denying and revoking or suspending individual professional licenses due to student loan default in Illinois; and

WHEREAS, Senator Bennett's love for his family farm was evident in the active role he played as the chair of the Agriculture Committee for two years; he even sought a commercial driver's license so he could haul grain in a semi-truck to the area grain elevator from his family's centennial farm during harvest; he could be found returning calls, participating in weekly team meeting calls, negotiating legislation, and much more in the name of service to the constituents of the 52nd District while waiting for the truck to be loaded; and

WHEREAS, Senator Bennett's absence has left a big Scott Bennett-sized hole in our hearts forever; we can honor him by taking the time to find common ground, being kind to our neighbors, and doing our best to leave the world a brighter and more compassionate place; and

WHEREAS, Senator Bennett prioritized service above self and deeply cared for the 52nd State Senate District; however, his greatest love was for his family, his wife of 20 years, Stacy, and his children, Sam and Emma, who served as his rock and heart in every action he took; he would often forgo staying in Springfield after long session days to go home and be with his family; and

WHEREAS, Senator Bennett dedicated his life to public service and giving back to his community, particularly Champaign and Vermilion counties; and

WHEREAS, Senator Bennett believed in the spirit of bipartisanship and providing full representation for all communities, whether they agreed with him or not, which led to him spending many hours driving between the Champaign-Urbana and the Danville area and throughout the 52nd Legislative District; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate Interstate 74 east of US 45 in Champaign-Urbana to the Indiana border as the "Senator Scott M. Bennett Memorial Highway"; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the family of Senator Bennett, his wife of 20 years, former Senator Stacy Bennett, and his children, Sam and Emma, as an expression of our sincerest condolences for the loss of their loved one and our dear friend.

REPORTS FROM STANDING COMMITTEES

Senator Johnson, Chair of the Committee on Education, to which was referred **Senate Bills Numbered 167 and 2337**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Johnson, Chair of the Committee on Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 16
Senate Amendment No. 2 to Senate Bill 183
Senate Amendment No. 1 to Senate Bill 994
Senate Amendment No. 2 to Senate Bill 1468
Senate Amendment No. 1 to Senate Bill 1470
Senate Amendment No. 3 to Senate Bill 1488
Senate Amendment No. 1 to Senate Bill 1685
Senate Amendment No. 2 to Senate Bill 1994
Senate Amendment No. 1 to Senate Bill 1996
Senate Amendment No. 2 to Senate Bill 2031
Senate Amendment No. 3 to Senate Bill 2039
Senate Amendment No. 1 to Senate Bill 2223
Senate Amendment No. 2 to Senate Bill 2354

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

Senator Johnson, Chair of the Committee on Education, to which was referred **Senate Resolution No. 93**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 93** was placed on the Secretary's Desk.

Senator Villa, Chair of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1803
Senate Amendment No. 1 to Senate Bill 2271

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

Senator Villa, Chair of the Committee on Public Health, to which was referred **Senate Resolutions Numbered 18 and 108**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions Numbered 18 and 108** were placed on the Secretary's Desk.

Senator Martwick, Chair of the Committee on Judiciary, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 40
Senate Amendment No. 2 to Senate Bill 247
Senate Amendment No. 1 to Senate Bill 328
Senate Amendment No. 1 to Senate Bill 381
Senate Amendment No. 1 to Senate Bill 800
Senate Amendment No. 1 to Senate Bill 1066
Senate Amendment No. 1 to Senate Bill 1067
Senate Amendment No. 2 to Senate Bill 1714
Senate Amendment No. 1 to Senate Bill 1741
Senate Amendment No. 2 to Senate Bill 1817
Senate Amendment No. 1 to Senate Bill 1979

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

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred **Senate Bill No. 188**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 67
Senate Amendment No. 1 to Senate Bill 375
Senate Amendment No. 1 to Senate Bill 505
Senate Amendment No. 1 to Senate Bill 646
Senate Amendment No. 1 to Senate Bill 855
Senate Amendment No. 2 to Senate Bill 1508
Senate Amendment No. 1 to Senate Bill 1721
Senate Amendment No. 1 to Senate Bill 1794

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

Senator Halpin, Chair of the Committee on Higher Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2240

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

Senator N. Harris, Chair of the Committee on Insurance, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 757
Senate Amendment No. 2 to Senate Bill 757
Senate Amendment No. 1 to Senate Bill 762
Senate Amendment No. 1 to Senate Bill 1282
Senate Amendment No. 1 to Senate Bill 1288
Senate Amendment No. 1 to Senate Bill 1289
Senate Amendment No. 2 to Senate Bill 1495
Senate Amendment No. 2 to Senate Bill 1527
Senate Amendment No. 2 to Senate Bill 1568
Senate Amendment No. 1 to Senate Bill 2417

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

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **Senate Bill No. 2340**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Villivalam, Chair of the Committee on Transportation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 684
Senate Amendment No. 1 to Senate Bill 849
Senate Amendment No. 1 to Senate Bill 896
Senate Amendment No. 1 to Senate Bill 1212
Senate Amendment No. 2 to Senate Bill 1251
Senate Amendment No. 1 to Senate Bill 1653
Senate Amendment No. 1 to Senate Bill 1710
Senate Amendment No. 1 to Senate Bill 1892
Senate Amendment No. 2 to Senate Bill 1960
Senate Amendment No. 3 to Senate Bill 1960
Senate Amendment No. 1 to Senate Bill 2278

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

Senator Pacione-Zayas, Chair of the Committee on Early Childhood Education, to which was referred **Senate Resolution No. 11**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 11** was placed on the Secretary's Desk.

Senator Peters, Chair of the Committee on Labor, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 1515
Senate Amendment No. 1 to Senate Bill 1782

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

Senator Fine, Chair of the Committee on Behavioral and Mental Health, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1674

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

Senator Fine, Chair of the Committee on Behavioral and Mental Health, to which was referred **Senate Resolution No. 119**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 119** was placed on the Secretary's Desk.

INTRODUCTION OF BILLS

SENATE BILL NO. 2557. Introduced by Senator Sims, a bill for AN ACT concerning appropriations.

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

SENATE BILL NO. 2558. Introduced by Senator Cunningham, a bill for AN ACT concerning gaming.

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

SENATE BILL NO. 2559. Introduced by Senator Villivalam, a bill for AN ACT concerning appropriations.

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

APPOINTMENT MESSAGES

Appointment Message No. 1030148

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

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

Title of Office: Executive Inspector General of the Agencies of the Illinois Governor

Agency or Other Body: Office of the Executive Inspector General

Start Date: July 1, 2023

End Date: June 30, 2028

Name: Susan Haling

Residence: 1624 N. New England Ave., Chicago, IL 60707

Annual Compensation: $195,000 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Susan Haling

Superseded Appointment Message: AM 103-126

Appointment Message No. 1030149

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

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

Title of Office: Member

Agency or Other Body: Northern Illinois University Board of Trustees

Start Date: March 27, 2023

End Date: January 15, 2029

Name: Rita R. Athas

Residence: 530 N. Lake Shore Dr., Apt. 1405, Chicago, IL 60611

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Rita R. Athas

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030150

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

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

Title of Office: Member

Agency or Other Body: University of Illinois Board of Trustees

Start Date: March 27, 2023

End Date: January 15, 2029

Name: Wilbur C. Milhouse III

Residence: 120 W. Chestnut Ave., Chicago, IL 60610

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: Naomi Jakobsson

Superseded Appointment Message: Not Applicable

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1020, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1409, sponsored by Senator N. Harris, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2035, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2040, sponsored by Senator Halpin, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2118, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2219, sponsored by Senator Preston, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2233, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2258, sponsored by Senator Loughran Cappel, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2418, sponsored by Senator E. Harriss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2500, sponsored by Senator Loughran Cappel, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2516, sponsored by Senator D. Turner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2756, sponsored by Senator Villanueva, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2788, sponsored by Senator Ellman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2817, sponsored by Senator Glowiak Hilton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2828, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3109, sponsored by Senator S. Turner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3144, sponsored by Senator Gillespie, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3230, sponsored by Senator Fine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3409, sponsored by Senator Tracy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3680, sponsored by Senator Faraci, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3706, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3743, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3747, sponsored by Senator Belt, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3759, sponsored by Senator Halpin, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3760, sponsored by Senator Faraci, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3809, sponsored by Senator Joyce, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3819, sponsored by Senator Faraci, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3856, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3857, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3902, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3903, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Holmes, **Senate Bill No. 133** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 303** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 328** having been printed, was taken up, read by title a second time.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 328

AMENDMENT NO. 1 . Amend Senate Bill 328 by replacing everything after the enacting clause with the following:

"Section 5. The Automatic Contract Renewal Act is amended by changing Sections 5, 10, and 20 as follows:

(815 ILCS 601/5)

Sec. 5. Definitions. In this Act:

"Automatic renewal offer terms" means the following clear and conspicuous disclosures:

(1) that the paid subscription or purchasing agreement will continue until the consumer cancels;

(2) the timeframe in which the consumer must cancel in order to avoid being charged for a subsequent term;

(3) the recurring charges that will be charged to the consumer's credit or debit card or payment account with a third party as part of the automatic renewal contract, and that the amount of the charge may change, if that is the case, and the amount to which the charge will change, if known;

(4) the length of the automatic renewal term or that the service is continuous, unless the length of the term is chosen by the consumer; and

(5) the minimum purchase obligation, if any.

"Clear and conspicuous" means in larger type than the surrounding text, or in contrasting type, font, or color to the surrounding text of the same size, or set off from the surrounding text of the same size by symbols or other marks, in a manner that clearly calls attention to the language. In the case of an audio disclosure, "clear and conspicuous" means in a volume and cadence sufficient to be readily audible and understandable.

"Contract" means a written agreement between 2 or more parties.

"Parties" includes individuals and other legal entities, but does not include the federal government, this State or another state, or a unit of local government.

(Source: P.A. 101-412, eff. 8-16-19; 102-558, eff. 8-20-21.)

(815 ILCS 601/10)

Sec. 10. Automatic renewal; requirements.

(a) Any person, firm, partnership, association, or corporation that sells or offers to sell any products or services to a consumer pursuant to a contract, where such contract automatically renews unless the consumer cancels the contract, shall:

(i) disclose the automatic renewal offer terms ~~clause~~ clearly and conspicuously in the contract before the subscription or purchasing agreement is fulfilled and in visual proximity, or in the case of an offer conveyed by voice, in temporal proximity, to the request for consent to the offer;~~, including the cancellation procedure.~~

(ii) not charge the consumer's credit or debit card or other payment mechanism for an automatic renewal service without first obtaining the consumer's consent to the contract containing the automatic renewal offer terms;

(iii) provide an acknowledgment that includes the automatic renewal offer terms, cancellation policy, and information regarding how to cancel, which may be accomplished by linking to a resource

that provides instructions that account for different platforms and services, in a manner that is capable of being retained by the consumer; and

(iv) if the offer includes a free gift or trial, disclose how to cancel the contract, which may be accomplished by linking to a resource that provides instructions that account for different platforms and services, and allow the consumer to cancel before the consumer pays for the good or services.

(b) Any person, firm, partnership, association, or corporation that sells or offers to sell any products or services to a consumer pursuant to a contract, where such contract term is a specified term of 12 months or more, and where such contract automatically renews for a specified term of more than one month unless the consumer cancels the contract, shall notify the consumer in writing of the automatic renewal. Written notice shall be provided to the consumer no less than 30 days and no more than 60 days before the cancellation deadline pursuant to the automatic renewal offer terms ~~clause~~. Such written notice shall disclose clearly and conspicuously, in a retainable form:

(i) that unless the consumer cancels the contract it will automatically renew; ~~and~~

(ii) a mechanism for cancelling the contract, which shall be offered in a manner in which the consumer commonly interacts with the business; and ~~where the consumer can obtain details of the automatic renewal provision and cancellation procedure (for example, by contacting the business at a specified telephone number or address or by referring to the contract).~~

(iii) the deadline by which the consumer must cancel in order to avoid being charged for a subsequent term.

(b-5) A person, firm, partnership, association, or corporation that makes an automatic renewal offer or continuous service offer online shall provide a toll-free telephone number, electronic mail address, a postal address if the seller directly bills the consumer, or another cost-effective, timely, and easy-to-use mechanism for cancellation that shall be described in the notice required in subsection (b). A consumer who accepts an automatic renewal or continuous service offer online must be allowed to terminate the automatic renewal or continuous service exclusively online, which may include a termination email formatted and provided by the business that a consumer can send to the business without additional information, or a link to a website or other online service consumers can use to cancel.

(c) A person, firm, partnership, association, or corporation will not be liable for a violation of this Act or the Consumer Fraud and Deceptive Business Practices Act if such person, firm, partnership, association, or corporation demonstrates that, as part of its routine business practice:

(i) it has established and implemented written procedures to comply with this Act and enforces compliance with the procedures;

(ii) any failure to comply with this Act is the result of error; and

(iii) where an error has caused a failure to comply with this Act, it provides a full refund or credit for all amounts billed to or paid by the consumer from the date of the renewal until the date of the termination of the account, or the date of the subsequent notice of renewal, whichever occurs first.

(Source: P.A. 102-517, eff. 1-1-22.)

(815 ILCS 601/20)

Sec. 20. Applicability.

(a) This Act does not apply to a contract entered into before the effective date of this Act.

(b) This amendatory Act of the 93rd General Assembly does not apply to a contract entered into before the effective date of this amendatory Act of the 93rd General Assembly.

(c) This Act does not apply to business-to-business contracts.

(d) This Act does not apply to banks, trust companies, savings and loan associations, savings banks, or credit unions licensed or organized under the laws of any state or the United States, or any foreign bank maintaining a branch or agency licensed or organized under the laws of any state of the United States, or any subsidiary or affiliate thereof.

(e) This Act does not apply to a contract that is extended beyond the original term of the contract as the result of the consumer's initiation of a change in the original contract terms.

(f) This Act does not apply to a contract for the sale of any product or service by a provider that is subject to Article XXII of the Public Utilities Act.

(g) This Act does not apply to a party, or an affiliate of the party, regulated by the Director of the Department of Insurance.

(Source: P.A. 93-950, eff. 1-1-05.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Edly-Allen, **Senate Bill No. 1392** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **Senate Bill No. 1446** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Human Rights.

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

AMENDMENT NO. 2 TO SENATE BILL 1446

AMENDMENT NO. 2 . Amend Senate Bill 1446 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 10-22.25b, and 34-2.3 and by adding Section 2-3.196 as follows:

(105 ILCS 5/2-3.196 new)

Sec. 2-3.196. Clothing resource materials. By no later than July 1, 2024, the State Board of Education shall make available to schools resource materials developed in consultation with stakeholders regarding a student wearing any articles of clothing or items that have cultural or religious significance to the student if those articles of clothing or items are not obscene or derogatory toward others and the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural or ethnic identity or any protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act, including but not limited to, Native American items of cultural significance. The State Board of Education shall make the resource materials available on its Internet website.

(105 ILCS 5/10-22.25b) (from Ch. 122, par. 10-22.25b)

Sec. 10-22.25b. School uniforms. The school board may adopt a school uniform or dress code policy that governs all or certain individual attendance centers and that is necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety. A school uniform or dress code policy adopted by a school board: (i) shall not be applied in such manner as to discipline or deny attendance to a transfer student or any other student for noncompliance with that policy during such period of time as is reasonably necessary to enable the student to acquire a school uniform or otherwise comply with the dress code policy that is in effect at the attendance center or in the district into which the student's enrollment is transferred; (ii) shall include criteria and procedures under which the school board will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family in complying with an applicable school uniform or dress code policy; ~~and~~ (iii) shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists; (iv) shall not prohibit a student from wearing any articles of clothing or items that have cultural or religious significance to the student if those articles of clothing or items are not obscene or derogatory toward others; and (v) shall not prohibit the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural or ethnic identity or any protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act, including, but not limited to, Native American items of cultural significance. As used in this Section, "Native American items of cultural significance" means items or objects that are traditionally associated with a federally recognized Native American tribe or have religious or cultural significance to a Native American. A student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code policy shall not be required to comply with that policy if the student's parents or legal guardians present to the school board a signed statement of objection detailing the grounds for the objection. This Section applies to school boards of all districts, including special charter districts and districts organized under Article 34. If a school board does not comply with the requirements and prohibitions set forth in this Section, the school district is subject to the penalty imposed pursuant to subsection (a) of Section 2-3.25.

By no later than July 1, 2022, the State Board of Education shall make available to schools resource materials developed in consultation with stakeholders regarding hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists. The State Board of Education shall make the resource materials available on its Internet website.

(Source: P.A. 102-360, eff. 1-1-22.)

(105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

Sec. 34-2.3. Local school councils; powers and duties. Each local school council shall have and exercise, consistent with the provisions of this Article and the powers and duties of the board of education, the following powers and duties:

1. (A) To annually evaluate the performance of the principal of the attendance center using a Board approved principal evaluation form, which shall include the evaluation of (i) student academic improvement, as defined by the school improvement plan, (ii) student absenteeism rates at the school, (iii) instructional leadership, (iv) the effective implementation of programs, policies, or strategies to improve student academic achievement, (v) school management, and (vi) any other factors deemed relevant by the local school council, including, without limitation, the principal's communication skills and ability to create and maintain a student-centered learning environment, to develop opportunities for professional development, and to encourage parental involvement and community partnerships to achieve school improvement;

(B) to determine in the manner provided by subsection (c) of Section 34-2.2 and subdivision 1.5 of this Section whether the performance contract of the principal shall be renewed; and

(C) to directly select, in the manner provided by subsection (c) of Section 34-2.2, a new principal (including a new principal to fill a vacancy) -- without submitting any list of candidates for that position to the general superintendent as provided in paragraph 2 of this Section -- to serve under a 4 year performance contract; provided that (i) the determination of whether the principal's performance contract is to be renewed, based upon the evaluation required by subdivision 1.5 of this Section, shall be made no later than 150 days prior to the expiration of the current performance-based contract of the principal, (ii) in cases where such performance contract is not renewed -- a direct selection of a new principal -- to serve under a 4 year performance contract shall be made by the local school council no later than 45 days prior to the expiration of the current performance contract of the principal, and (iii) a selection by the local school council of a new principal to fill a vacancy under a 4 year performance contract shall be made within 90 days after the date such vacancy occurs. A Council shall be required, if requested by the principal, to provide in writing the reasons for the council's not renewing the principal's contract.

1.5. The local school council's determination of whether to renew the principal's contract shall be based on an evaluation to assess the educational and administrative progress made at the school during the principal's current performance-based contract. The local school council shall base its evaluation on (i) student academic improvement, as defined by the school improvement plan, (ii) student absenteeism rates at the school, (iii) instructional leadership, (iv) the effective implementation of programs, policies, or strategies to improve student academic achievement, (v) school management, and (vi) any other factors deemed relevant by the local school council, including, without limitation, the principal's communication skills and ability to create and maintain a student-centered learning environment, to develop opportunities for professional development, and to encourage parental involvement and community partnerships to achieve school improvement. If a local school council fails to renew the performance contract of a principal rated by the general superintendent, or his or her designee, in the previous years' evaluations as meeting or exceeding expectations, the principal, within 15 days after the local school council's decision not to renew the contract, may request a review of the local school council's principal non-retention decision by a hearing officer appointed by the American Arbitration Association. A local school council member or members or the general superintendent may support the principal's request for review. During the period of the hearing officer's review of the local school council's decision on whether or not to retain the principal, the local school council shall maintain all authority to search for and contract with a person to serve as interim or acting principal, or as the principal of the attendance center under a 4-year performance contract, provided that any performance contract entered into by the local school council shall be voidable or modified in accordance with the decision of the hearing officer. The principal may request review only once while at that attendance center. If a local school council renews the contract of a principal who failed to obtain a rating of "meets" or "exceeds expectations" in the general superintendent's evaluation for the previous year, the general superintendent, within 15 days after the local school council's decision to renew the contract, may

request a review of the local school council's principal retention decision by a hearing officer appointed by the American Arbitration Association. The general superintendent may request a review only once for that principal at that attendance center. All requests to review the retention or non-retention of a principal shall be submitted to the general superintendent, who shall, in turn, forward such requests, within 14 days of receipt, to the American Arbitration Association. The general superintendent shall send a contemporaneous copy of the request that was forwarded to the American Arbitration Association to the principal and to each local school council member and shall inform the local school council of its rights and responsibilities under the arbitration process, including the local school council's right to representation and the manner and process by which the Board shall pay the costs of the council's representation. If the local school council retains the principal and the general superintendent requests a review of the retention decision, the local school council and the general superintendent shall be considered parties to the arbitration, a hearing officer shall be chosen between those 2 parties pursuant to procedures promulgated by the State Board of Education, and the principal may retain counsel and participate in the arbitration. If the local school council does not retain the principal and the principal requests a review of the retention decision, the local school council and the principal shall be considered parties to the arbitration and a hearing officer shall be chosen between those 2 parties pursuant to procedures promulgated by the State Board of Education. The hearing shall begin (i) within 45 days after the initial request for review is submitted by the principal to the general superintendent or (ii) if the initial request for review is made by the general superintendent, within 45 days after that request is mailed to the American Arbitration Association. The hearing officer shall render a decision within 45 days after the hearing begins and within 90 days after the initial request for review. The Board shall contract with the American Arbitration Association for all of the hearing officer's reasonable and necessary costs. In addition, the Board shall pay any reasonable costs incurred by a local school council for representation before a hearing officer.

1.10. The hearing officer shall conduct a hearing, which shall include (i) a review of the principal's performance, evaluations, and other evidence of the principal's service at the school, (ii) reasons provided by the local school council for its decision, and (iii) documentation evidencing views of interested persons, including, without limitation, students, parents, local school council members, school faculty and staff, the principal, the general superintendent or his or her designee, and members of the community. The burden of proof in establishing that the local school council's decision was arbitrary and capricious shall be on the party requesting the arbitration, and this party shall sustain the burden by a preponderance of the evidence. The hearing officer shall set the local school council decision aside if that decision, in light of the record developed at the hearing, is arbitrary and capricious. The decision of the hearing officer may not be appealed to the Board or the State Board of Education. If the hearing officer decides that the principal shall be retained, the retention period shall not exceed 2 years.

2. In the event (i) the local school council does not renew the performance contract of the principal, or the principal fails to receive a satisfactory rating as provided in subsection (h) of Section 34-8.3, or the principal is removed for cause during the term of his or her performance contract in the manner provided by Section 34-85, or a vacancy in the position of principal otherwise occurs prior to the expiration of the term of a principal's performance contract, and (ii) the local school council fails to directly select a new principal to serve under a 4 year performance contract, the local school council in such event shall submit to the general superintendent a list of 3 candidates -- listed in the local school council's order of preference -- for the position of principal, one of which shall be selected by the general superintendent to serve as principal of the attendance center. If the general superintendent fails or refuses to select one of the candidates on the list to serve as principal within 30 days after being furnished with the candidate list, the general superintendent shall select and place a principal on an interim basis (i) for a period not to exceed one year or (ii) until the local school council selects a new principal with 7 affirmative votes as provided in subsection (c) of Section 34-2.2, whichever occurs first. If the local school council fails or refuses to select and appoint a new principal, as specified by subsection (c) of Section 34-2.2, the general superintendent may select and appoint a new principal on an interim basis for an additional year or until a new contract principal is selected by the local school council. There shall be no discrimination on the basis of race, sex, creed, color or disability unrelated to ability to perform in connection with the submission of candidates for, and the selection of a candidate to serve as principal of an attendance center. No person shall be directly selected, listed as a candidate for, or selected to serve as principal of an attendance center (i) if such person has been removed for cause from employment by the Board or (ii) if such person does not hold a valid Professional Educator License issued under Article 21B and endorsed as required by that Article for the position of principal. A principal whose performance contract is not renewed as provided under subsection (c) of Section 34-2.2

may nevertheless, if otherwise qualified and licensed as herein provided and if he or she has received a satisfactory rating as provided in subsection (h) of Section 34-8.3, be included by a local school council as one of the 3 candidates listed in order of preference on any candidate list from which one person is to be selected to serve as principal of the attendance center under a new performance contract. The initial candidate list required to be submitted by a local school council to the general superintendent in cases where the local school council does not renew the performance contract of its principal and does not directly select a new principal to serve under a 4 year performance contract shall be submitted not later than 30 days prior to the expiration of the current performance contract. In cases where the local school council fails or refuses to submit the candidate list to the general superintendent no later than 30 days prior to the expiration of the incumbent principal's contract, the general superintendent may appoint a principal on an interim basis for a period not to exceed one year, during which time the local school council shall be able to select a new principal with 7 affirmative votes as provided in subsection (c) of Section 34-2.2. In cases where a principal is removed for cause or a vacancy otherwise occurs in the position of principal and the vacancy is not filled by direct selection by the local school council, the candidate list shall be submitted by the local school council to the general superintendent within 90 days after the date such removal or vacancy occurs. In cases where the local school council fails or refuses to submit the candidate list to the general superintendent within 90 days after the date of the vacancy, the general superintendent may appoint a principal on an interim basis for a period of one year, during which time the local school council shall be able to select a new principal with 7 affirmative votes as provided in subsection (c) of Section 34-2.2.

2.5. Whenever a vacancy in the office of a principal occurs for any reason, the vacancy shall be filled in the manner provided by this Section by the selection of a new principal to serve under a 4 year performance contract.

3. To establish additional criteria to be included as part of the performance contract of its principal, provided that such additional criteria shall not discriminate on the basis of race, sex, creed, color or disability unrelated to ability to perform, and shall not be inconsistent with the uniform 4 year performance contract for principals developed by the board as provided in Section 34-8.1 of the School Code or with other provisions of this Article governing the authority and responsibility of principals.

4. To approve the expenditure plan prepared by the principal with respect to all funds allocated and distributed to the attendance center by the Board. The expenditure plan shall be administered by the principal. Notwithstanding any other provision of this Act or any other law, any expenditure plan approved and administered under this Section 34-2.3 shall be consistent with and subject to the terms of any contract for services with a third party entered into by the Chicago School Reform Board of Trustees or the board under this Act.

Via a supermajority vote of 8 members of a local school council enrolling students through the 8th grade or 9 members of a local school council at a secondary attendance center or an attendance center enrolling students in grades 7 through 12, the Council may transfer allocations pursuant to Section 34-2.3 within funds; provided that such a transfer is consistent with applicable law and collective bargaining agreements.

Beginning in fiscal year 1991 and in each fiscal year thereafter, the Board may reserve up to 1% of its total fiscal year budget for distribution on a prioritized basis to schools throughout the school system in order to assure adequate programs to meet the needs of special student populations as determined by the Board. This distribution shall take into account the needs catalogued in the Systemwide Plan and the various local school improvement plans of the local school councils. Information about these centrally funded programs shall be distributed to the local school councils so that their subsequent planning and programming will account for these provisions.

Beginning in fiscal year 1991 and in each fiscal year thereafter, from other amounts available in the applicable fiscal year budget, the board shall allocate a lump sum amount to each local school based upon such formula as the board shall determine taking into account the special needs of the student body. The local school principal shall develop an expenditure plan in consultation with the local school council, the professional personnel leadership committee and with all other school personnel, which reflects the priorities and activities as described in the school's local school improvement plan and is consistent with applicable law and collective bargaining agreements and with board policies and standards; however, the local school council shall have the right to request waivers of board policy from the board of education and waivers of employee collective bargaining agreements pursuant to Section 34-8.1a.

The expenditure plan developed by the principal with respect to amounts available from the fund for prioritized special needs programs and the allocated lump sum amount must be approved by the local school council.

The lump sum allocation shall take into account the following principles:

a. Teachers: Each school shall be allocated funds equal to the amount appropriated in the previous school year for compensation for teachers (regular grades kindergarten through 12th grade) plus whatever increases in compensation have been negotiated contractually or through longevity as provided in the negotiated agreement. Adjustments shall be made due to layoff or reduction in force, lack of funds or work, change in subject requirements, enrollment changes, or contracts with third parties for the performance of services or to rectify any inconsistencies with system-wide allocation formulas or for other legitimate reasons.

b. Other personnel: Funds for other teacher licensed and nonlicensed personnel paid through non-categorical funds shall be provided according to system-wide formulas based on student enrollment and the special needs of the school as determined by the Board.

c. Non-compensation items: Appropriations for all non-compensation items shall be based on system-wide formulas based on student enrollment and on the special needs of the school or factors related to the physical plant, including but not limited to textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, supplies, electricity, equipment, and routine maintenance.

d. Funds for categorical programs: Schools shall receive personnel and funds based on, and shall use such personnel and funds in accordance with State and Federal requirements applicable to each categorical program provided to meet the special needs of the student body (including but not limited to, Federal Chapter I, Bilingual, and Special Education).

d.1. Funds for State Title I: Each school shall receive funds based on State and Board requirements applicable to each State Title I pupil provided to meet the special needs of the student body. Each school shall receive the proportion of funds as provided in Section 18-8 or 18-8.15 to which they are entitled. These funds shall be spent only with the budgetary approval of the Local School Council as provided in Section 34-2.3.

e. The Local School Council shall have the right to request the principal to close positions and open new ones consistent with the provisions of the local school improvement plan provided that these decisions are consistent with applicable law and collective bargaining agreements. If a position is closed, pursuant to this paragraph, the local school shall have for its use the system-wide average compensation for the closed position.

f. Operating within existing laws and collective bargaining agreements, the local school council shall have the right to direct the principal to shift expenditures within funds.

g. (Blank).

Any funds unexpended at the end of the fiscal year shall be available to the board of education for use as part of its budget for the following fiscal year.

5. To make recommendations to the principal concerning textbook selection and concerning curriculum developed pursuant to the school improvement plan which is consistent with systemwide curriculum objectives in accordance with Sections 34-8 and 34-18 of the School Code and in conformity with the collective bargaining agreement.

6. To advise the principal concerning the attendance and disciplinary policies for the attendance center, subject to the provisions of this Article and Article 26, and consistent with the uniform system of discipline established by the board pursuant to Section 34-19.

7. To approve a school improvement plan developed as provided in Section 34-2.4. The process and schedule for plan development shall be publicized to the entire school community, and the community shall be afforded the opportunity to make recommendations concerning the plan. At least twice a year the principal and local school council shall report publicly on progress and problems with respect to plan implementation.

8. To evaluate the allocation of teaching resources and other licensed and nonlicensed staff to the attendance center to determine whether such allocation is consistent with and in furtherance of instructional objectives and school programs reflective of the school improvement plan adopted for the attendance center; and to make recommendations to the board, the general superintendent and the principal concerning any reallocation of teaching resources or other staff whenever the council determines that any such reallocation

is appropriate because the qualifications of any existing staff at the attendance center do not adequately match or support instructional objectives or school programs which reflect the school improvement plan.

9. To make recommendations to the principal and the general superintendent concerning their respective appointments, after August 31, 1989, and in the manner provided by Section 34-8 and Section 34-8.1, of persons to fill any vacant, additional or newly created positions for teachers at the attendance center or at attendance centers which include the attendance center served by the local school council.

10. To request of the Board the manner in which training and assistance shall be provided to the local school council. Pursuant to Board guidelines a local school council is authorized to direct the Board of Education to contract with personnel or not-for-profit organizations not associated with the school district to train or assist council members. If training or assistance is provided by contract with personnel or organizations not associated with the school district, the period of training or assistance shall not exceed 30 hours during a given school year; person shall not be employed on a continuous basis longer than said period and shall not have been employed by the Chicago Board of Education within the preceding six months. Council members shall receive training in at least the following areas:

1. school budgets;

2. educational theory pertinent to the attendance center's particular needs, including the development of the school improvement plan and the principal's performance contract; and

3. personnel selection.

Council members shall, to the greatest extent possible, complete such training within 90 days of election.

11. In accordance with systemwide guidelines contained in the System-Wide Educational Reform Goals and Objectives Plan, criteria for evaluation of performance shall be established for local school councils and local school council members. If a local school council persists in noncompliance with systemwide requirements, the Board may impose sanctions and take necessary corrective action, consistent with Section 34-8.3.

12. Each local school council shall comply with the Open Meetings Act and the Freedom of Information Act. Each local school council shall issue and transmit to its school community a detailed annual report accounting for its activities programmatically and financially. Each local school council shall convene at least 2 well-publicized meetings annually with its entire school community. These meetings shall include presentation of the proposed local school improvement plan, of the proposed school expenditure plan, and the annual report, and shall provide an opportunity for public comment.

13. Each local school council is encouraged to involve additional non-voting members of the school community in facilitating the council's exercise of its responsibilities.

14. The local school council may adopt a school uniform or dress code policy that governs the attendance center and that is necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety, consistent with the policies and rules of the Board of Education. A school uniform or dress code policy adopted by a local school council: (i) shall not be applied in such manner as to discipline or deny attendance to a transfer student or any other student for noncompliance with that policy during such period of time as is reasonably necessary to enable the student to acquire a school uniform or otherwise comply with the dress code policy that is in effect at the attendance center into which the student's enrollment is transferred; (ii) shall include criteria and procedures under which the local school council will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family in complying with an applicable school uniform or dress code policy; ~~and~~ (iii) shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists; (iv) shall not prohibit a student from wearing any articles of clothing or items that have cultural or religious significance to the student if those articles of clothing or items are not obscene or derogatory toward others; and (v) shall not prohibit the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural or ethnic identity or any protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act, including, but not limited to, Native American items of cultural significance. As used in this paragraph 14, "Native American items of cultural significance" means items or objects that are traditionally associated with a federally recognized Native American tribe or have religious or cultural significance to a Native American. A student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code policy shall not be required to comply with that policy if the student's parents or legal guardians present to the local school council a signed statement of objection detailing the grounds for the objection. If

a local school council does not comply with the requirements and prohibitions set forth in this paragraph 14, the attendance center is subject to the penalty imposed pursuant to subsection (a) of Section 2-3.25.

15. All decisions made and actions taken by the local school council in the exercise of its powers and duties shall comply with State and federal laws, all applicable collective bargaining agreements, court orders and rules properly promulgated by the Board.

15a. To grant, in accordance with board rules and policies, the use of assembly halls and classrooms when not otherwise needed, including lighting, heat, and attendants, for public lectures, concerts, and other educational and social activities.

15b. To approve, in accordance with board rules and policies, receipts and expenditures for all internal accounts of the attendance center, and to approve all fund-raising activities by nonschool organizations that use the school building.

16. (Blank).

17. Names and addresses of local school council members shall be a matter of public record.
(Source: P.A. 102-360, eff. 1-1-22; 102-677, eff. 12-3-21; 102-894, eff. 5-20-22.)

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

Floor Amendment No. 3 was held in the Committee on Human Rights.

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

On motion of Senator Morrison, **Senate Bill No. 1568** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1568

AMENDMENT NO. 1 . Amend Senate Bill 1568 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 370c.1 as follows:

(215 ILCS 5/370c.1)

Sec. 370c.1. Mental, emotional, nervous, or substance use disorder or condition parity.

(a) On and after July 23, 2021 (the effective date of Public Act 102-135), every insurer that amends, delivers, issues, or renews a group or individual policy of accident and health insurance or a qualified health plan offered through the Health Insurance Marketplace in this State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions shall ensure prior to policy issuance that:

(1) the financial requirements applicable to such mental, emotional, nervous, or substance use disorder or condition benefits are no more restrictive than the predominant financial requirements applied to substantially all hospital and medical benefits covered by the policy and that there are no separate cost-sharing requirements that are applicable only with respect to mental, emotional, nervous, or substance use disorder or condition benefits; and

(2) the treatment limitations applicable to such mental, emotional, nervous, or substance use disorder or condition benefits are no more restrictive than the predominant treatment limitations applied to substantially all hospital and medical benefits covered by the policy and that there are no separate treatment limitations that are applicable only with respect to mental, emotional, nervous, or substance use disorder or condition benefits.

(b) The following provisions shall apply concerning aggregate lifetime limits:

(1) In the case of a group or individual policy of accident and health insurance or a qualified health plan offered through the Health Insurance Marketplace amended, delivered, issued, or renewed in this State on or after September 9, 2015 (the effective date of Public Act 99-480) that provides coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions the following provisions shall apply:

(A) if the policy does not include an aggregate lifetime limit on substantially all hospital and medical benefits, then the policy may not impose any aggregate lifetime limit on mental, emotional, nervous, or substance use disorder or condition benefits; or

(B) if the policy includes an aggregate lifetime limit on substantially all hospital and medical benefits (in this subsection referred to as the "applicable lifetime limit"), then the policy shall either:

(i) apply the applicable lifetime limit both to the hospital and medical benefits to which it otherwise would apply and to mental, emotional, nervous, or substance use disorder or condition benefits and not distinguish in the application of the limit between the hospital and medical benefits and mental, emotional, nervous, or substance use disorder or condition benefits; or

(ii) not include any aggregate lifetime limit on mental, emotional, nervous, or substance use disorder or condition benefits that is less than the applicable lifetime limit.

(2) In the case of a policy that is not described in paragraph (1) of subsection (b) of this Section and that includes no or different aggregate lifetime limits on different categories of hospital and medical benefits, the Director shall establish rules under which subparagraph (B) of paragraph (1) of subsection (b) of this Section is applied to such policy with respect to mental, emotional, nervous, or substance use disorder or condition benefits by substituting for the applicable lifetime limit an average aggregate lifetime limit that is computed taking into account the weighted average of the aggregate lifetime limits applicable to such categories.

(c) The following provisions shall apply concerning annual limits:

(1) In the case of a group or individual policy of accident and health insurance or a qualified health plan offered through the Health Insurance Marketplace amended, delivered, issued, or renewed in this State on or after September 9, 2015 (the effective date of Public Act 99-480) that provides coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions the following provisions shall apply:

(A) if the policy does not include an annual limit on substantially all hospital and medical benefits, then the policy may not impose any annual limits on mental, emotional, nervous, or substance use disorder or condition benefits; or

(B) if the policy includes an annual limit on substantially all hospital and medical benefits (in this subsection referred to as the "applicable annual limit"), then the policy shall either:

(i) apply the applicable annual limit both to the hospital and medical benefits to which it otherwise would apply and to mental, emotional, nervous, or substance use disorder or condition benefits and not distinguish in the application of the limit between the hospital and medical benefits and mental, emotional, nervous, or substance use disorder or condition benefits; or

(ii) not include any annual limit on mental, emotional, nervous, or substance use disorder or condition benefits that is less than the applicable annual limit.

(2) In the case of a policy that is not described in paragraph (1) of subsection (c) of this Section and that includes no or different annual limits on different categories of hospital and medical benefits, the Director shall establish rules under which subparagraph (B) of paragraph (1) of subsection (c) of this Section is applied to such policy with respect to mental, emotional, nervous, or substance use disorder or condition benefits by substituting for the applicable annual limit an average annual limit that is computed taking into account the weighted average of the annual limits applicable to such categories.

(d) With respect to mental, emotional, nervous, or substance use disorders or conditions, an insurer shall use policies and procedures for the election and placement of mental, emotional, nervous, or substance use disorder or condition treatment drugs on their formulary that are no less favorable to the insured as those policies and procedures the insurer uses for the selection and placement of drugs for medical or surgical conditions and shall follow the expedited coverage determination requirements for substance abuse treatment drugs set forth in Section 45.2 of the Managed Care Reform and Patient Rights Act.

(e) This Section shall be interpreted in a manner consistent with all applicable federal parity regulations including, but not limited to, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, final regulations issued under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and final regulations applying the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 to Medicaid managed care organizations, the Children's Health Insurance Program, and alternative benefit plans.

(f) The provisions of subsections (b) and (c) of this Section shall not be interpreted to allow the use of lifetime or annual limits otherwise prohibited by State or federal law.

(g) As used in this Section:

"Financial requirement" includes deductibles, copayments, coinsurance, and out-of-pocket maximums, but does not include an aggregate lifetime limit or an annual limit subject to subsections (b) and (c).

"Mental, emotional, nervous, or substance use disorder or condition" means a condition or disorder that involves a mental health condition or substance use disorder that falls under any of the diagnostic categories listed in the mental and behavioral disorders chapter of the current edition of the International Classification of Disease or that is listed in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

"Treatment limitation" includes limits on benefits based on the frequency of treatment, number of visits, days of coverage, days in a waiting period, or other similar limits on the scope or duration of treatment. "Treatment limitation" includes both quantitative treatment limitations, which are expressed numerically (such as 50 outpatient visits per year), and nonquantitative treatment limitations, which otherwise limit the scope or duration of treatment. A permanent exclusion of all benefits for a particular condition or disorder shall not be considered a treatment limitation. "Nonquantitative treatment" means those limitations as described under federal regulations (26 CFR 54.9812-1). "Nonquantitative treatment limitations" include, but are not limited to, those limitations described under federal regulations 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(h) The Department of Insurance shall implement the following education initiatives:

(1) By January 1, 2016, the Department shall develop a plan for a Consumer Education Campaign on parity. The Consumer Education Campaign shall focus its efforts throughout the State and include trainings in the northern, southern, and central regions of the State, as defined by the Department, as well as each of the 5 managed care regions of the State as identified by the Department of Healthcare and Family Services. Under this Consumer Education Campaign, the Department shall: (1) by January 1, 2017, provide at least one live training in each region on parity for consumers and providers and one webinar training to be posted on the Department website and (2) establish a consumer hotline to assist consumers in navigating the parity process by March 1, 2017. By January 1, 2018 the Department shall issue a report to the General Assembly on the success of the Consumer Education Campaign, which shall indicate whether additional training is necessary or would be recommended.

(2) The Department, in coordination with the Department of Human Services and the Department of Healthcare and Family Services, shall convene a working group of health care insurance carriers, mental health advocacy groups, substance abuse patient advocacy groups, and mental health physician groups for the purpose of discussing issues related to the treatment and coverage of mental, emotional, nervous, or substance use disorders or conditions and compliance with parity obligations under State and federal law. Compliance shall be measured, tracked, and shared during the meetings of the working group. The working group shall meet once before January 1, 2016 and shall meet semiannually thereafter. The Department shall issue an annual report to the General Assembly that includes a list of the health care insurance carriers, mental health advocacy groups, substance abuse patient advocacy groups, and mental health physician groups that participated in the working group meetings, details on the issues and topics covered, and any legislative recommendations developed by the working group.

(3) Not later than January 1 of each year, the Department, in conjunction with the Department of Healthcare and Family Services, shall issue a joint report to the General Assembly and provide an educational presentation to the General Assembly. The report and presentation shall:

(A) Cover the methodology the Departments use to check for compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C. 18031(j), and any federal regulations or guidance relating to the compliance and oversight of the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and 42 U.S.C. 18031(j).

(B) Cover the methodology the Departments use to check for compliance with this Section and Sections 356z.23 and 370c of this Code.

(C) Identify market conduct examinations or, in the case of the Department of Healthcare and Family Services, audits conducted or completed during the preceding 12-month period regarding compliance with parity in mental, emotional, nervous, and substance use disorder or

condition benefits under State and federal laws and summarize the results of such market conduct examinations and audits. This shall include:

(i) the number of market conduct examinations and audits initiated and completed;

(ii) the benefit classifications examined by each market conduct examination and audit;

(iii) the subject matter of each market conduct examination and audit, including quantitative and nonquantitative treatment limitations; and

(iv) a summary of the basis for the final decision rendered in each market conduct examination and audit.

Individually identifiable information shall be excluded from the reports consistent with federal privacy protections.

(D) Detail any educational or corrective actions the Departments have taken to ensure compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C. 18031(j), this Section, and Sections 356z.23 and 370c of this Code.

(E) The report must be written in non-technical, readily understandable language and shall be made available to the public by, among such other means as the Departments find appropriate, posting the report on the Departments' websites.

(i) The Parity Advancement Fund is created as a special fund in the State treasury. Moneys from fines and penalties collected from insurers for violations of this Section shall be deposited into the Fund. Moneys deposited into the Fund for appropriation by the General Assembly to the Department shall be used for the purpose of providing financial support of the Consumer Education Campaign, parity compliance advocacy, and other initiatives that support parity implementation and enforcement on behalf of consumers.

(j) The Department of Insurance and the Department of Healthcare and Family Services shall convene and provide technical support to a workgroup of 11 members that shall be comprised of 3 mental health parity experts recommended by an organization advocating on behalf of mental health parity appointed by the President of the Senate; 3 behavioral health providers recommended by an organization that represents behavioral health providers appointed by the Speaker of the House of Representatives; 2 representing Medicaid managed care organizations recommended by an organization that represents Medicaid managed care plans appointed by the Minority Leader of the House of Representatives; 2 representing commercial insurers recommended by an organization that represents insurers appointed by the Minority Leader of the Senate; and a representative of an organization that represents Medicaid managed care plans appointed by the Governor.

The workgroup shall provide recommendations to the General Assembly on health plan data reporting requirements that separately break out data on mental, emotional, nervous, or substance use disorder or condition benefits and data on other medical benefits, including physical health and related health services no later than December 31, 2019. The recommendations to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct. This workgroup shall take into account federal requirements and recommendations on mental health parity reporting for the Medicaid program. This workgroup shall also develop the format and provide any needed definitions for reporting requirements in subsection (k). The research and evaluation of the working group shall include, but not be limited to:

(1) claims denials due to benefit limits, if applicable;

(2) administrative denials for no prior authorization;

(3) denials due to not meeting medical necessity;

(4) denials that went to external review and whether they were upheld or overturned for medical necessity;

(5) out-of-network claims;

(6) emergency care claims;

(7) network directory providers in the outpatient benefits classification who filed no claims in the last 6 months, if applicable;

(8) the impact of existing and pertinent limitations and restrictions related to approved services, licensed providers, reimbursement levels, and reimbursement methodologies within the Division of Mental Health, the Division of Substance Use Prevention and Recovery programs, the Department of Healthcare and Family Services, and, to the extent possible, federal regulations and law; and

(9) when reporting and publishing should begin.

Representatives from the Department of Healthcare and Family Services, representatives from the Division of Mental Health, and representatives from the Division of Substance Use Prevention and Recovery shall provide technical advice to the workgroup.

(j-5) The Department of Insurance shall collect the following information:

(1) the number of disability employment insurance plans offered in this State;

(2) the number of participants in the plans referenced in paragraph (1) of this subsection;

(3) the limits on the plans referenced in paragraph (1) of this subsection; and

(4) the scope of the plans referenced in paragraph (1) of this subsection.

The Department shall present its findings regarding information collected under this subsection (j-5) to the General Assembly no later than April 30, 2024.

(k) An insurer that amends, delivers, issues, or renews a group or individual policy of accident and health insurance or a qualified health plan offered through the health insurance marketplace in this State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions shall submit an annual report, the format and definitions for which will be developed by the workgroup in subsection (j), to the Department, or, with respect to medical assistance, the Department of Healthcare and Family Services starting on or before July 1, 2020 that contains the following information separately for inpatient in-network benefits, inpatient out-of-network benefits, outpatient in-network benefits, outpatient out-of-network benefits, emergency care benefits, and prescription drug benefits in the case of accident and health insurance or qualified health plans, or inpatient, outpatient, emergency care, and prescription drug benefits in the case of medical assistance:

(1) A summary of the plan's pharmacy management processes for mental, emotional, nervous, or substance use disorder or condition benefits compared to those for other medical benefits.

(2) A summary of the internal processes of review for experimental benefits and unproven technology for mental, emotional, nervous, or substance use disorder or condition benefits and those for other medical benefits.

(3) A summary of how the plan's policies and procedures for utilization management for mental, emotional, nervous, or substance use disorder or condition benefits compare to those for other medical benefits.

(4) A description of the process used to develop or select the medical necessity criteria for mental, emotional, nervous, or substance use disorder or condition benefits and the process used to develop or select the medical necessity criteria for medical and surgical benefits.

(5) Identification of all nonquantitative treatment limitations that are applied to both mental, emotional, nervous, or substance use disorder or condition benefits and medical and surgical benefits within each classification of benefits.

(6) The results of an analysis that demonstrates that for the medical necessity criteria described in subparagraph (A) and for each nonquantitative treatment limitation identified in subparagraph (B), as written and in operation, the processes, strategies, evidentiary standards, or other factors used in applying the medical necessity criteria and each nonquantitative treatment limitation to mental, emotional, nervous, or substance use disorder or condition benefits within each classification of benefits are comparable to, and are applied no more stringently than, the processes, strategies, evidentiary standards, or other factors used in applying the medical necessity criteria and each nonquantitative treatment limitation to medical and surgical benefits within the corresponding classification of benefits; at a minimum, the results of the analysis shall:

(A) identify the factors used to determine that a nonquantitative treatment limitation applies to a benefit, including factors that were considered but rejected;

(B) identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation;

(C) provide the comparative analyses, including the results of the analyses, performed to determine that the processes and strategies used to design each nonquantitative treatment limitation, as written, for mental, emotional, nervous, or substance use disorder or condition benefits are comparable to, and are applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation, as written, for medical and surgical benefits;

(D) provide the comparative analyses, including the results of the analyses, performed to determine that the processes and strategies used to apply each nonquantitative treatment limitation, in operation, for mental, emotional, nervous, or substance use disorder or condition

benefits are comparable to, and applied no more stringently than, the processes or strategies used to apply each nonquantitative treatment limitation, in operation, for medical and surgical benefits; and

(E) disclose the specific findings and conclusions reached by the insurer that the results of the analyses described in subparagraphs (C) and (D) indicate that the insurer is in compliance with this Section and the Mental Health Parity and Addiction Equity Act of 2008 and its implementing regulations, which includes 42 CFR Parts 438, 440, and 457 and 45 CFR 146.136 and any other related federal regulations found in the Code of Federal Regulations.

(7) Any other information necessary to clarify data provided in accordance with this Section requested by the Director, including information that may be proprietary or have commercial value, under the requirements of Section 30 of the Viatical Settlements Act of 2009.

(l) An insurer that amends, delivers, issues, or renews a group or individual policy of accident and health insurance or a qualified health plan offered through the health insurance marketplace in this State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions on or after January 1, 2019 (the effective date of Public Act 100-1024) shall, in advance of the plan year, make available to the Department or, with respect to medical assistance, the Department of Healthcare and Family Services and to all plan participants and beneficiaries the information required in subparagraphs (C) through (E) of paragraph (6) of subsection (k). For plan participants and medical assistance beneficiaries, the information required in subparagraphs (C) through (E) of paragraph (6) of subsection (k) shall be made available on a publicly-available website whose web address is prominently displayed in plan and managed care organization informational and marketing materials.

(m) In conjunction with its compliance examination program conducted in accordance with the Illinois State Auditing Act, the Auditor General shall undertake a review of compliance by the Department and the Department of Healthcare and Family Services with Section 370c and this Section. Any findings resulting from the review conducted under this Section shall be included in the applicable State agency's compliance examination report. Each compliance examination report shall be issued in accordance with Section 3-14 of the Illinois State Auditing Act. A copy of each report shall also be delivered to the head of the applicable State agency and posted on the Auditor General's website.

(Source: P.A. 102-135, eff. 7-23-21; 102-579, eff. 8-25-21; 102-813, eff. 5-13-22.)

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

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1568

AMENDMENT NO. 2 . Amend Senate Bill 1568, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 370c.1 as follows:

(215 ILCS 5/370c.1)

Sec. 370c.1. Mental, emotional, nervous, or substance use disorder or condition parity.

(a) On and after July 23, 2021 (the effective date of Public Act 102-135), every insurer that amends, delivers, issues, or renews a group or individual policy of accident and health insurance or a qualified health plan offered through the Health Insurance Marketplace in this State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions shall ensure prior to policy issuance that:

(1) the financial requirements applicable to such mental, emotional, nervous, or substance use disorder or condition benefits are no more restrictive than the predominant financial requirements applied to substantially all hospital and medical benefits covered by the policy and that there are no separate cost-sharing requirements that are applicable only with respect to mental, emotional, nervous, or substance use disorder or condition benefits; and

(2) the treatment limitations applicable to such mental, emotional, nervous, or substance use disorder or condition benefits are no more restrictive than the predominant treatment limitations applied to substantially all hospital and medical benefits covered by the policy and that there are no

separate treatment limitations that are applicable only with respect to mental, emotional, nervous, or substance use disorder or condition benefits.

(b) The following provisions shall apply concerning aggregate lifetime limits:

(1) In the case of a group or individual policy of accident and health insurance or a qualified health plan offered through the Health Insurance Marketplace amended, delivered, issued, or renewed in this State on or after September 9, 2015 (the effective date of Public Act 99-480) that provides coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions the following provisions shall apply:

(A) if the policy does not include an aggregate lifetime limit on substantially all hospital and medical benefits, then the policy may not impose any aggregate lifetime limit on mental, emotional, nervous, or substance use disorder or condition benefits; or

(B) if the policy includes an aggregate lifetime limit on substantially all hospital and medical benefits (in this subsection referred to as the "applicable lifetime limit"), then the policy shall either:

(i) apply the applicable lifetime limit both to the hospital and medical benefits to which it otherwise would apply and to mental, emotional, nervous, or substance use disorder or condition benefits and not distinguish in the application of the limit between the hospital and medical benefits and mental, emotional, nervous, or substance use disorder or condition benefits; or

(ii) not include any aggregate lifetime limit on mental, emotional, nervous, or substance use disorder or condition benefits that is less than the applicable lifetime limit.

(2) In the case of a policy that is not described in paragraph (1) of subsection (b) of this Section and that includes no or different aggregate lifetime limits on different categories of hospital and medical benefits, the Director shall establish rules under which subparagraph (B) of paragraph (1) of subsection (b) of this Section is applied to such policy with respect to mental, emotional, nervous, or substance use disorder or condition benefits by substituting for the applicable lifetime limit an average aggregate lifetime limit that is computed taking into account the weighted average of the aggregate lifetime limits applicable to such categories.

(c) The following provisions shall apply concerning annual limits:

(1) In the case of a group or individual policy of accident and health insurance or a qualified health plan offered through the Health Insurance Marketplace amended, delivered, issued, or renewed in this State on or after September 9, 2015 (the effective date of Public Act 99-480) that provides coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions the following provisions shall apply:

(A) if the policy does not include an annual limit on substantially all hospital and medical benefits, then the policy may not impose any annual limits on mental, emotional, nervous, or substance use disorder or condition benefits; or

(B) if the policy includes an annual limit on substantially all hospital and medical benefits (in this subsection referred to as the "applicable annual limit"), then the policy shall either:

(i) apply the applicable annual limit both to the hospital and medical benefits to which it otherwise would apply and to mental, emotional, nervous, or substance use disorder or condition benefits and not distinguish in the application of the limit between the hospital and medical benefits and mental, emotional, nervous, or substance use disorder or condition benefits; or

(ii) not include any annual limit on mental, emotional, nervous, or substance use disorder or condition benefits that is less than the applicable annual limit.

(2) In the case of a policy that is not described in paragraph (1) of subsection (c) of this Section and that includes no or different annual limits on different categories of hospital and medical benefits, the Director shall establish rules under which subparagraph (B) of paragraph (1) of subsection (c) of this Section is applied to such policy with respect to mental, emotional, nervous, or substance use disorder or condition benefits by substituting for the applicable annual limit an average annual limit that is computed taking into account the weighted average of the annual limits applicable to such categories.

(d) With respect to mental, emotional, nervous, or substance use disorders or conditions, an insurer shall use policies and procedures for the election and placement of mental, emotional, nervous, or substance use disorder or condition treatment drugs on their formulary that are no less favorable to the insured as those

policies and procedures the insurer uses for the selection and placement of drugs for medical or surgical conditions and shall follow the expedited coverage determination requirements for substance abuse treatment drugs set forth in Section 45.2 of the Managed Care Reform and Patient Rights Act.

(e) This Section shall be interpreted in a manner consistent with all applicable federal parity regulations including, but not limited to, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, final regulations issued under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and final regulations applying the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 to Medicaid managed care organizations, the Children's Health Insurance Program, and alternative benefit plans.

(f) The provisions of subsections (b) and (c) of this Section shall not be interpreted to allow the use of lifetime or annual limits otherwise prohibited by State or federal law.

(g) As used in this Section:

"Financial requirement" includes deductibles, copayments, coinsurance, and out-of-pocket maximums, but does not include an aggregate lifetime limit or an annual limit subject to subsections (b) and (c).

"Mental, emotional, nervous, or substance use disorder or condition" means a condition or disorder that involves a mental health condition or substance use disorder that falls under any of the diagnostic categories listed in the mental and behavioral disorders chapter of the current edition of the International Classification of Disease or that is listed in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

"Treatment limitation" includes limits on benefits based on the frequency of treatment, number of visits, days of coverage, days in a waiting period, or other similar limits on the scope or duration of treatment. "Treatment limitation" includes both quantitative treatment limitations, which are expressed numerically (such as 50 outpatient visits per year), and nonquantitative treatment limitations, which otherwise limit the scope or duration of treatment. A permanent exclusion of all benefits for a particular condition or disorder shall not be considered a treatment limitation. "Nonquantitative treatment" means those limitations as described under federal regulations (26 CFR 54.9812-1). "Nonquantitative treatment limitations" include, but are not limited to, those limitations described under federal regulations 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(h) The Department of Insurance shall implement the following education initiatives:

(1) By January 1, 2016, the Department shall develop a plan for a Consumer Education Campaign on parity. The Consumer Education Campaign shall focus its efforts throughout the State and include trainings in the northern, southern, and central regions of the State, as defined by the Department, as well as each of the 5 managed care regions of the State as identified by the Department of Healthcare and Family Services. Under this Consumer Education Campaign, the Department shall: (1) by January 1, 2017, provide at least one live training in each region on parity for consumers and providers and one webinar training to be posted on the Department website and (2) establish a consumer hotline to assist consumers in navigating the parity process by March 1, 2017. By January 1, 2018 the Department shall issue a report to the General Assembly on the success of the Consumer Education Campaign, which shall indicate whether additional training is necessary or would be recommended.

(2) The Department, in coordination with the Department of Human Services and the Department of Healthcare and Family Services, shall convene a working group of health care insurance carriers, mental health advocacy groups, substance abuse patient advocacy groups, and mental health physician groups for the purpose of discussing issues related to the treatment and coverage of mental, emotional, nervous, or substance use disorders or conditions and compliance with parity obligations under State and federal law. Compliance shall be measured, tracked, and shared during the meetings of the working group. The working group shall meet once before January 1, 2016 and shall meet semiannually thereafter. The Department shall issue an annual report to the General Assembly that includes a list of the health care insurance carriers, mental health advocacy groups, substance abuse patient advocacy groups, and mental health physician groups that participated in the working group meetings, details on the issues and topics covered, and any legislative recommendations developed by the working group.

(3) Not later than January 1 of each year, the Department, in conjunction with the Department of Healthcare and Family Services, shall issue a joint report to the General Assembly and provide an educational presentation to the General Assembly. The report and presentation shall:

(A) Cover the methodology the Departments use to check for compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C. 18031(j), and any federal regulations or guidance relating to the compliance and oversight of the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and 42 U.S.C. 18031(j).

(B) Cover the methodology the Departments use to check for compliance with this Section and Sections 356z.23 and 370c of this Code.

(C) Identify market conduct examinations or, in the case of the Department of Healthcare and Family Services, audits conducted or completed during the preceding 12-month period regarding compliance with parity in mental, emotional, nervous, and substance use disorder or condition benefits under State and federal laws and summarize the results of such market conduct examinations and audits. This shall include:

(i) the number of market conduct examinations and audits initiated and completed;

(ii) the benefit classifications examined by each market conduct examination and audit;

(iii) the subject matter of each market conduct examination and audit, including quantitative and nonquantitative treatment limitations; and

(iv) a summary of the basis for the final decision rendered in each market conduct examination and audit.

Individually identifiable information shall be excluded from the reports consistent with federal privacy protections.

(D) Detail any educational or corrective actions the Departments have taken to ensure compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C. 18031(j), this Section, and Sections 356z.23 and 370c of this Code.

(E) The report must be written in non-technical, readily understandable language and shall be made available to the public by, among such other means as the Departments find appropriate, posting the report on the Departments' websites.

(i) The Parity Advancement Fund is created as a special fund in the State treasury. Moneys from fines and penalties collected from insurers for violations of this Section shall be deposited into the Fund. Moneys deposited into the Fund for appropriation by the General Assembly to the Department shall be used for the purpose of providing financial support of the Consumer Education Campaign, parity compliance advocacy, and other initiatives that support parity implementation and enforcement on behalf of consumers.

(j) The Department of Insurance and the Department of Healthcare and Family Services shall convene and provide technical support to a workgroup of 11 members that shall be comprised of 3 mental health parity experts recommended by an organization advocating on behalf of mental health parity appointed by the President of the Senate; 3 behavioral health providers recommended by an organization that represents behavioral health providers appointed by the Speaker of the House of Representatives; 2 representing Medicaid managed care organizations recommended by an organization that represents Medicaid managed care plans appointed by the Minority Leader of the House of Representatives; 2 representing commercial insurers recommended by an organization that represents insurers appointed by the Minority Leader of the Senate; and a representative of an organization that represents Medicaid managed care plans appointed by the Governor.

The workgroup shall provide recommendations to the General Assembly on health plan data reporting requirements that separately break out data on mental, emotional, nervous, or substance use disorder or condition benefits and data on other medical benefits, including physical health and related health services no later than December 31, 2019. The recommendations to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct. This workgroup shall take into account federal requirements and recommendations on mental health parity reporting for the Medicaid program. This workgroup shall also develop the format and provide any needed definitions for reporting requirements in subsection (k). The research and evaluation of the working group shall include, but not be limited to:

(1) claims denials due to benefit limits, if applicable;

(2) administrative denials for no prior authorization;

(3) denials due to not meeting medical necessity;

(4) denials that went to external review and whether they were upheld or overturned for medical necessity;

(5) out-of-network claims;

(6) emergency care claims;

(7) network directory providers in the outpatient benefits classification who filed no claims in the last 6 months, if applicable;

(8) the impact of existing and pertinent limitations and restrictions related to approved services, licensed providers, reimbursement levels, and reimbursement methodologies within the Division of Mental Health, the Division of Substance Use Prevention and Recovery programs, the Department of Healthcare and Family Services, and, to the extent possible, federal regulations and law; and

(9) when reporting and publishing should begin.

Representatives from the Department of Healthcare and Family Services, representatives from the Division of Mental Health, and representatives from the Division of Substance Use Prevention and Recovery shall provide technical advice to the workgroup.

(j-5) The Department of Insurance shall collect the following information:

(1) The number of employment disability insurance plans offered in this State, including, but not limited to:

(A) individual short-term policies;

(B) individual long-term policies;

(C) group short-term policies; and

(D) group long-term policies.

(2) The number of policies referenced in paragraph (1) of this subsection that limit mental health and substance use disorder benefits.

(3) The average defined benefit period for the policies referenced in paragraph (1) of this subsection, both for those policies that limit and those policies that have no limitation on mental health and substance use disorder benefits.

(4) Whether the policies referenced in paragraph (1) of this subsection are purchased on a voluntary or non-voluntary basis.

(5) The identities of the individuals, entities, or a combination of the 2, that assume the cost associated with covering the policies referenced in paragraph (1) of this subsection.

(6) The average defined benefit period for plans that cover physical disability and mental health and substance abuse without limitation, including, but not limited to:

(A) individual short-term policies;

(B) individual long-term policies;

(C) group short-term policies; and

(D) group long-term policies.

(7) The average premiums for disability income insurance issued in this State for:

(A) individual short-term policies that limit mental health and substance use disorder benefits;

(B) individual long-term policies that limit mental health and substance use disorder benefits;

(C) group short-term policies that limit mental health and substance use disorder benefits;

(D) group long-term policies that limit mental health and substance use disorder benefits;

(E) individual short-term policies that include mental health and substance use disorder benefits without limitation;

(F) individual long-term policies that include mental health and substance use disorder benefits without limitation;

(G) group short-term policies that include mental health and substance use disorder benefits without limitation; and

(H) group long-term policies that include mental health and substance use disorder benefits without limitation.

The Department shall present its findings regarding information collected under this subsection (j-5) to the General Assembly no later than April 30, 2024. Information regarding a specific insurance provider's contributions to the Department's report shall be exempt from disclosure under paragraph (t) of subsection (1) of Section 7 of the Freedom of Information Act. The aggregated information gathered by the Department

shall not be exempt from disclosure under paragraph (t) of subsection (1) of Section 7 of the Freedom of Information Act.

(k) An insurer that amends, delivers, issues, or renews a group or individual policy of accident and health insurance or a qualified health plan offered through the health insurance marketplace in this State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions shall submit an annual report, the format and definitions for which will be developed by the workgroup in subsection (j), to the Department, or, with respect to medical assistance, the Department of Healthcare and Family Services starting on or before July 1, 2020 that contains the following information separately for inpatient in-network benefits, inpatient out-of-network benefits, outpatient in-network benefits, outpatient out-of-network benefits, emergency care benefits, and prescription drug benefits in the case of accident and health insurance or qualified health plans, or inpatient, outpatient, emergency care, and prescription drug benefits in the case of medical assistance:

(1) A summary of the plan's pharmacy management processes for mental, emotional, nervous, or substance use disorder or condition benefits compared to those for other medical benefits.

(2) A summary of the internal processes of review for experimental benefits and unproven technology for mental, emotional, nervous, or substance use disorder or condition benefits and those for other medical benefits.

(3) A summary of how the plan's policies and procedures for utilization management for mental, emotional, nervous, or substance use disorder or condition benefits compare to those for other medical benefits.

(4) A description of the process used to develop or select the medical necessity criteria for mental, emotional, nervous, or substance use disorder or condition benefits and the process used to develop or select the medical necessity criteria for medical and surgical benefits.

(5) Identification of all nonquantitative treatment limitations that are applied to both mental, emotional, nervous, or substance use disorder or condition benefits and medical and surgical benefits within each classification of benefits.

(6) The results of an analysis that demonstrates that for the medical necessity criteria described in subparagraph (A) and for each nonquantitative treatment limitation identified in subparagraph (B), as written and in operation, the processes, strategies, evidentiary standards, or other factors used in applying the medical necessity criteria and each nonquantitative treatment limitation to mental, emotional, nervous, or substance use disorder or condition benefits within each classification of benefits are comparable to, and are applied no more stringently than, the processes, strategies, evidentiary standards, or other factors used in applying the medical necessity criteria and each nonquantitative treatment limitation to medical and surgical benefits within the corresponding classification of benefits; at a minimum, the results of the analysis shall:

(A) identify the factors used to determine that a nonquantitative treatment limitation applies to a benefit, including factors that were considered but rejected;

(B) identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation;

(C) provide the comparative analyses, including the results of the analyses, performed to determine that the processes and strategies used to design each nonquantitative treatment limitation, as written, for mental, emotional, nervous, or substance use disorder or condition benefits are comparable to, and are applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation, as written, for medical and surgical benefits;

(D) provide the comparative analyses, including the results of the analyses, performed to determine that the processes and strategies used to apply each nonquantitative treatment limitation, in operation, for mental, emotional, nervous, or substance use disorder or condition benefits are comparable to, and applied no more stringently than, the processes or strategies used to apply each nonquantitative treatment limitation, in operation, for medical and surgical benefits; and

(E) disclose the specific findings and conclusions reached by the insurer that the results of the analyses described in subparagraphs (C) and (D) indicate that the insurer is in compliance with this Section and the Mental Health Parity and Addiction Equity Act of 2008 and its implementing regulations, which includes 42 CFR Parts 438, 440, and 457 and 45 CFR 146.136 and any other related federal regulations found in the Code of Federal Regulations.

(7) Any other information necessary to clarify data provided in accordance with this Section requested by the Director, including information that may be proprietary or have commercial value, under the requirements of Section 30 of the Viatical Settlements Act of 2009.

(l) An insurer that amends, delivers, issues, or renews a group or individual policy of accident and health insurance or a qualified health plan offered through the health insurance marketplace in this State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions on or after January 1, 2019 (the effective date of Public Act 100-1024) shall, in advance of the plan year, make available to the Department or, with respect to medical assistance, the Department of Healthcare and Family Services and to all plan participants and beneficiaries the information required in subparagraphs (C) through (E) of paragraph (6) of subsection (k). For plan participants and medical assistance beneficiaries, the information required in subparagraphs (C) through (E) of paragraph (6) of subsection (k) shall be made available on a publicly-available website whose web address is prominently displayed in plan and managed care organization informational and marketing materials.

(m) In conjunction with its compliance examination program conducted in accordance with the Illinois State Auditing Act, the Auditor General shall undertake a review of compliance by the Department and the Department of Healthcare and Family Services with Section 370c and this Section. Any findings resulting from the review conducted under this Section shall be included in the applicable State agency's compliance examination report. Each compliance examination report shall be issued in accordance with Section 3-14 of the Illinois State Auditing Act. A copy of each report shall also be delivered to the head of the applicable State agency and posted on the Auditor General's website.
(Source: P.A. 102-135, eff. 7-23-21; 102-579, eff. 8-25-21; 102-813, eff. 5-13-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1690** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1690

AMENDMENT NO. 1 . Amend Senate Bill 1690 on page 1, line 5, by deleting "9-179.1,"; and

by deleting line 13 on page 51 through line 8 on page 52.

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

On motion of Senator Tracy, **Senate Bill No. 1745** having been printed, was taken up, read by title a second time.

Senator Tracy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1745

AMENDMENT NO. 1 . Amend Senate Bill 1745 on page 4, lines 7 and 8, by deleting ", road district, landowner, or tenant"; and

on page 4, by replacing lines 13 through 19 with the following:
"including marking or identification. The designee of a drainage district"; and

on page 4, line 21, by deleting ", landowner, or tenant"; and

on page 4, line 25, by deleting ", road district, landowner, or tenant".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

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

On motion of Senator Rose, **Senate Bill No. 1889** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Holmes, **Senate Bill No. 2228** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ellman, **Senate Bill No. 2229** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Financial Institutions.

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

On motion of Senator Johnson, **Senate Bill No. 2240** having been printed, was taken up, read by title a second time.

Senator Johnson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2240

AMENDMENT NO. 1 . Amend Senate Bill 2240 by replacing everything after the enacting clause with the following:

"Section 5. The P-20 Longitudinal Education Data System Act is amended by adding Section 45 as follows:

(105 ILCS 13/45 new)

Sec. 45. Data on enrollment of students in community college remediation courses.

(a) Upon the completion and posting of the Illinois State School Report Card, individualized disaggregated data on the enrollment of students in community college remediation courses from the most recently completed academic year shall be made available to school districts on an annual basis by a data sharing agreement consistent with the following:

(1) The State Education Authorities shall disclose data from the longitudinal data system collected only in connection with a data sharing arrangement meeting the requirements of this Section.

(2) The requirements of Section 25.

(b) The data shall not be used in the evaluation of licensed educators.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Faraci, **Senate Bill No. 2277** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2277

AMENDMENT NO. 1 . Amend Senate Bill 2277 on page 3, line 23, after "waived", by inserting "by the county collector"; and

on page 3, by replacing line 25 with the following:

"an incorrect address due to a mistake and through no fault of the property owner.".

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

Floor Amendment No. 3 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Tracy, **Senate Bill No. 2322** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Ventura, **Senate Bill No. 2354** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2354

AMENDMENT NO. 1 . Amend Senate Bill 2354 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Science in Elementary Schools Task Force Act.

Section 5. Task force.

(a) The Science in Elementary Schools Task Force is established. The Task Force shall consist of the following members:

(1) 9 members, who shall be current or former science or health teachers who teach in the grades K-8 appointed by the Chair of the State Board of Higher Education. One teacher shall come from each grade level between grade K through 8;

(2) one member who is a medical doctor or doctor of osteopathy or osteopathic medicine and who is appointed by the Speaker of the House of Representatives;

(3) one member who is a medical doctor or doctor of osteopathy or osteopathic medicine and who is appointed by the President of the Senate;

(4) one member who is the parent or guardian of a child in grade K through 8 and who is appointed by the Speaker of the House of Representatives;

(5) one member who is the parent or guardian of a child in grade K through 8 and who is appointed by the President of the Senate;

(6) 2 members who are registered nurses, chiropractors, exercise physiologists, or physical therapists and who are appointed by the Minority Leader of the House of Representatives; and

(7) 2 members who are registered nurses, chiropractors, exercise physiologists, or physical therapists and who are appointed by the Minority Leader of the Senate.

(b) The Task Force shall identify age-appropriate education for anatomy, physiology, and nutrition for each grade K through 8. This education shall not replace current curriculum taught but shall complement and add to current science and health education in these grades. The additional curriculum that this Task Force will add to grade K through 8 science and health classes shall start with human-focused curriculum centered on the human body for grades K through 3 students. The additional curriculum shall be focused primarily on empowering students with the knowledge to understand adequately their own bodies and care for their own health and well-being throughout their lives. The curriculum will then move into more holistic science education that connects human-centered science education with other sciences.

(c) The State Board of Education shall provide staff and other assistance for the Task Force.

(d) The members of the Task Force shall serve without compensation.

(e) The Task Force shall meet a minimum of 6 times, starting on August 1, 2023. Meetings of the Task Force may take place in person, by video conference, or by telephone.

(f) By December 15, 2024, the Task Force shall produce a report for recommendations on K-8 grade anatomy, physiology, and nutrition and submit the report to the Governor, State Board of Education, and the General Assembly.

Section 90. Repealer. This Act is repealed on January 1, 2025.

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

Senator Ventura offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2354

AMENDMENT NO. 2 . Amend Senate Bill 2354, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.196 as follows:
(105 ILCS 5/2-3.196 new)
Sec. 2-3.196. Science in Elementary Schools Working Group.
(a) The State Board of Education shall create the Science in Elementary Schools Working Group. The State Board of Education shall appoint science and health education specialists, educators or former educators who teach or have taught the subject of science or health, medical doctors, doctors of osteopathy or osteopathic medicine, parents, registered nurses, chiropractors, exercise physiologists, and physical therapists to the Working Group.
The members of the Working Group shall serve without compensation.
(b) The State Board of Education shall provide administrative support to the Working Group.
(c) By June 1, 2024, the Working Group shall create a crosswalk and alignment of the current Illinois Learning Standards, the Next Generation Science Standards adopted by the State Board of Education and the Illinois Learning Standards for Science, with links to available resources so elementary teachers have access to high quality, age-appropriate, and free educational materials that are centered on anatomy, physiology and nutrition to empower students with the knowledge of their own bodies and to care for their own health and well-being throughout their lives.
(d) The Working Group shall focus its recommendations on how to empower students with the knowledge to adequately understand their own bodies and care for their own health and well-being throughout their lives, with the idea that science education is more human-centered. The Working Group shall additionally focus on connecting this human-centered science education with other sciences as students advance to other areas of their science education, such as chemistry, biology, and physics, taught at later grade levels.
(e) The Working Group shall make recommendations to the State Board of Education on updating its science standards by December 31, 2025. By December 31, 2030, the State Board of Education shall review and provide updates as appropriate to the crosswalk and alignment documents and elementary storylines. The State Board of Education shall conduct these reviews and provide these updates, at a minimum, of every 5 years thereafter.

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

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 199** having been printed, was taken up, read by title a second time.
Floor Amendment No. 1 was held in the Committee on Licensed Activities.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 1670** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 2135** having been printed, was taken up, read by title a second time.
Floor Amendment No. 1 was held in the Committee on Financial Institutions.

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

SENATE BILL RECALLED

On motion of Senator Feigenholtz, **Senate Bill No. 40** was recalled from the order of third reading to the order of second reading.

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 40

AMENDMENT NO. 3 . Amend Senate Bill 40, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, line 26, immediately after the period, by inserting "For purposes of this Act, "EV capable" shall not be construed to require a developer or builder to install or run wire or cable from the electrical panel through the conduit or raceway to the terminus of the conduit."; and

on page 7, line 8, immediately after the period by inserting "However, nothing in this Act shall be construed to require that in the case of a developer converting the property to an association, no EV-capable or EV-ready mandate shall apply if it would necessitate the developer having to excavate an existing surface lot or other parking facility in order to retro-fit the parking lot or facility with the necessary conduit and wiring."; and

on page 13, line 7, by replacing "$1,000" with "$500"; and

on page 13, line 11, by replacing "plaintiff" with "party"; and

on page 13, line 25, by deleting "or"; and

on page 14, by replacing line 8 with the following:

"in the lease; or

(iii) charge a security deposit to cover costs to restore the property to its original condition if the tenant removes the electric vehicle charging system.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Feigenholtz, **Senate Bill No. 40** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 39; NAYS 16; Present 1.

The following voted in the affirmative:

Aquino	Gillespie	Loughran Cappel	Simmons
Belt	Glowiak Hilton	Martwick	Sims
Castro	Halpin	Morrison	Stadelman
Cervantes	Harris, N.	Murphy	Turner, D.
Cunningham	Hastings	Pacione-Zayas	Ventura
Edly-Allen	Holmes	Peters	Villa
Ellman	Hunter	Porfirio	Villanueva
Faraci	Johnson	Preston	Villivalam
Feigenholtz	Koehler	Rezin	Mr. President

Fine	Lightford	Rose	

The following voted in the negative:

Anderson	DeWitte	Plummer	Wilcox
Bennett	Harriss, E.	Stoller	
Bryant	Joyce	Syverson	
Chesney	Lewis	Tracy	
Curran	McClure	Turner, S.	

The following voted present:

McConchie

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

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

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 67** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 67

AMENDMENT NO. 1 . Amend Senate Bill 67 on page 3, immediately below line 4, by inserting the following:

"Section 10. The Illinois Public Aid Code is amended by changing Section 5-5 as follows:

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

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant individuals, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; (16.5) services performed by a chiropractic physician licensed under the Medical

Practice Act of 1987 and acting within the scope of his or her license, including, but not limited to, chiropractic manipulative treatment; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, reproductive health care that is otherwise legal in Illinois shall be covered under the medical assistance program for persons who are otherwise eligible for medical assistance under this Article.

Notwithstanding any other provision of this Section, all tobacco cessation medications approved by the United States Food and Drug Administration and all individual and group tobacco cessation counseling services and telephone-based counseling services and tobacco cessation medications provided through the Illinois Tobacco Quitline shall be covered under the medical assistance program for persons who are otherwise eligible for assistance under this Article. The Department shall comply with all federal requirements necessary to obtain federal financial participation, as specified in 42 CFR 433.15(b)(7), for telephone-based counseling services provided through the Illinois Tobacco Quitline, including, but not limited to: (i) entering into a memorandum of understanding or interagency agreement with the Department of Public Health, as administrator of the Illinois Tobacco Quitline; and (ii) developing a cost allocation plan for Medicaid-allowable Illinois Tobacco Quitline services in accordance with 45 CFR 95.507. The Department shall submit the memorandum of understanding or interagency agreement, the cost allocation plan, and all other necessary documentation to the Centers for Medicare and Medicaid Services for review and approval. Coverage under this paragraph shall be contingent upon federal approval.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

Upon receipt of federal approval of an amendment to the Illinois Title XIX State Plan for this purpose, the Department shall authorize the Chicago Public Schools (CPS) to procure a vendor or vendors to manufacture eyeglasses for individuals enrolled in a school within the CPS system. CPS shall ensure that its vendor or vendors are enrolled as providers in the medical assistance program and in any capitated Medicaid managed care entity (MCE) serving individuals enrolled in a school within the CPS system. Under any contract procured under this provision, the vendor or vendors must serve only individuals enrolled in a school within the CPS system. Claims for services provided by CPS's vendor or vendors to recipients of benefits in the medical assistance program under this Code, the Children's Health Insurance Program, or the Covering ALL KIDS Health Insurance Program shall be submitted to the Department or the MCE in which the individual is enrolled for payment and shall be reimbursed at the Department's or the MCE's established rates or rate methodologies for eyeglasses.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

On and after July 1, 2018, the Department of Healthcare and Family Services shall provide dental services to any adult who is otherwise eligible for assistance under the medical assistance program. As used in this paragraph, "dental services" means diagnostic, preventative, restorative, or corrective procedures, including procedures and services for the prevention and treatment of periodontal disease and dental caries disease, provided by an individual who is licensed to practice dentistry or dental surgery or who is under the supervision of a dentist in the practice of his or her profession.

On and after July 1, 2018, targeted dental services, as set forth in Exhibit D of the Consent Decree entered by the United States District Court for the Northern District of Illinois, Eastern Division, in the matter of Memisovski v. Maram, Case No. 92 C 1982, that are provided to adults under the medical

assistance program shall be established at no less than the rates set forth in the "New Rate" column in Exhibit D of the Consent Decree for targeted dental services that are provided to persons under the age of 18 under the medical assistance program.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

On and after January 1, 2022, the Department of Healthcare and Family Services shall administer and regulate a school-based dental program that allows for the out-of-office delivery of preventative dental services in a school setting to children under 19 years of age. The Department shall establish, by rule, guidelines for participation by providers and set requirements for follow-up referral care based on the requirements established in the Dental Office Reference Manual published by the Department that establishes the requirements for dentists participating in the All Kids Dental School Program. Every effort shall be made by the Department when developing the program requirements to consider the different geographic differences of both urban and rural areas of the State for initial treatment and necessary follow-up care. No provider shall be charged a fee by any unit of local government to participate in the school-based dental program administered by the Department. Nothing in this paragraph shall be construed to limit or preempt a home rule unit's or school district's authority to establish, change, or administer a school-based dental program in addition to, or independent of, the school-based dental program administered by the Department.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for individuals 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for individuals 35 to 39 years of age.

(B) An annual mammogram for individuals 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the individual's health care provider for individuals under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening and MRI of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue or when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

(E) A screening MRI when medically necessary, as determined by a physician licensed to practice medicine in all of its branches.

(F) A diagnostic mammogram when medically necessary, as determined by a physician licensed to practice medicine in all its branches, advanced practice registered nurse, or physician assistant.

The Department shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided under this paragraph; except that this sentence does not apply to coverage of diagnostic mammograms to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code (26 U.S.C. 223).

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool.

For purposes of this Section:

"Diagnostic mammogram" means a mammogram obtained using diagnostic mammography.

"Diagnostic mammography" means a method of screening that is designed to evaluate an abnormality in a breast, including an abnormality seen or suspected on a screening mammogram or a subjective or objective abnormality otherwise detected in the breast.

"Low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography and includes breast tomosynthesis.

"Breast tomosynthesis" means a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital three-dimensional images of the breast.

If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage for breast tomosynthesis outlined in this paragraph, then the requirement that an insurer cover breast tomosynthesis is inoperative other than any such coverage authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of coverage for breast tomosynthesis set forth in this paragraph.

On and after January 1, 2016, the Department shall ensure that all networks of care for adult clients of the Department include access to at least one breast imaging Center of Imaging Excellence as certified by the American College of Radiology.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography and, after January 1, 2023 (the effective date of Public Act 102-1018) ~~this amendatory Act of the 102nd General Assembly~~, breast tomosynthesis.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards for mammography.

On and after January 1, 2017, providers participating in a breast cancer treatment quality improvement program approved by the Department shall be reimbursed for breast cancer treatment at a rate that is no lower than 95% of the Medicare program's rates for the data elements included in the breast cancer treatment quality program.

The Department shall convene an expert panel, including representatives of hospitals, free-standing breast cancer treatment centers, breast cancer quality organizations, and doctors, including breast surgeons, reconstructive breast surgeons, oncologists, and primary care providers to establish quality standards for breast cancer treatment.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities. By January 1, 2016, the Department shall report to the General Assembly on the status of the provision set forth in this paragraph.

The Department shall establish a methodology to remind individuals who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography. The Department shall work with experts in breast cancer outreach and patient navigation to optimize these reminders and shall establish a methodology for evaluating their effectiveness and modifying the methodology based on the evaluation.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. On or after July 1, 2016, the pilot program shall be expanded to include one site in western Illinois, one site in southern Illinois, one site in central Illinois, and 4 sites within metropolitan Chicago. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

The Department shall require all networks of care to develop a means either internally or by contract with experts in navigation and community outreach to navigate cancer patients to comprehensive care in a timely fashion. The Department shall require all networks of care to include access for patients diagnosed with cancer to at least one academic commission on cancer-accredited cancer program as an in-network covered benefit.

The Department shall provide coverage and reimbursement for a human papillomavirus (HPV) vaccine that is approved for marketing by the federal Food and Drug Administration for all persons between the ages of 9 and 45 and persons of the age of 46 and above who have been diagnosed with cervical dysplasia with a high risk of recurrence or progression. The Department shall disallow any preauthorization requirements for the administration of the human papillomavirus (HPV) vaccine.

On or after July 1, 2022, individuals who are otherwise eligible for medical assistance under this Article shall receive coverage for perinatal depression screenings for the 12-month period beginning on the last day of their pregnancy. Medical assistance coverage under this paragraph shall be conditioned on the use of a screening instrument approved by the Department.

Any medical or health care provider shall immediately recommend, to any pregnant individual who is being provided prenatal services and is suspected of having a substance use disorder as defined in the Substance Use Disorder Act, referral to a local substance use disorder treatment program licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant individuals under this Code shall receive information from the Department on the availability of services under any program providing case management services for addicted individuals, including information on appropriate referrals for other social services that may be needed by addicted individuals in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of the recipient's substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

(1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.

(2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.

(3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after September 16, 1984 (the effective date of Public Act 83-1439), the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after July 22, 2013 (the effective date of Public Act 98-104), establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall, by July 1, 2016, test the viability of the new system and implement any necessary operational or structural changes to its information technology platforms in order to allow for the direct acceptance and payment of nursing home claims.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after August 15, 2014 (the effective date of Public Act 98-963), establish procedures to permit ID/DD facilities licensed under the ID/DD Community Care Act and MC/DD facilities licensed under the MC/DD Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills

paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon the category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

(4) In the case of a provider operated by a unit of local government with a population exceeding 3,000,000 when local government funds finance federal participation for claims payments.

For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

In the case of long term care facilities, within 120 calendar days of receipt by the facility of required prescreening information, new admissions with associated admission documents shall be submitted through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System or shall be submitted directly to the Department of Human Services using required admission forms. Effective September 1, 2014, admission documents, including all prescreening information, must be submitted through MEDI or REV. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification;

earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including, but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre-adjudicated ~~pre-~~ or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department. Notwithstanding any provision of Section 5-5f to the contrary, the Department may, by rule, exempt certain replacement wheelchair parts from prior approval and, for wheelchairs, wheelchair parts, wheelchair accessories, and related seating and positioning items, determine the wholesale price by methods other than actual acquisition costs.

The Department shall require, by rule, all providers of durable medical equipment to be accredited by an accreditation organization approved by the federal Centers for Medicare and Medicaid Services and recognized by the Department in order to bill the Department for providing durable medical equipment to recipients. No later than 15 months after the effective date of the rule adopted pursuant to this paragraph, all providers must meet the accreditation requirement.

In order to promote environmental responsibility, meet the needs of recipients and enrollees, and achieve significant cost savings, the Department, or a managed care organization under contract with the Department, may provide recipients or managed care enrollees who have a prescription or Certificate of Medical Necessity access to refurbished durable medical equipment under this Section (excluding prosthetic and orthotic devices as defined in the Orthotics, Prosthetics, and Pedorthics Practice Act and complex rehabilitation technology products and associated services) through the State's assistive technology program's reutilization program, using staff with the Assistive Technology Professional (ATP) Certification if the refurbished durable medical equipment: (i) is available; (ii) is less expensive, including shipping costs, than new durable medical equipment of the same type; (iii) is able to withstand at least 3 years of use; (iv) is cleaned, disinfected, sterilized, and safe in accordance with federal Food and Drug Administration regulations and guidance governing the reprocessing of medical devices in health care settings; and (v) equally meets the needs of the recipient or enrollee. The reutilization program shall confirm that the recipient or enrollee is not already in receipt of the same or similar equipment from another service provider, and that the refurbished durable medical equipment equally meets the needs of the recipient or enrollee. Nothing in this paragraph shall be construed to limit recipient or enrollee choice to obtain new durable medical equipment or place any additional prior authorization conditions on enrollees of managed care organizations.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care; and (v) no later than October 1, 2013, establish procedures to permit long term care providers access to eligibility scores for individuals with an admission date who are seeking or receiving services from the long term care provider. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

(a) actual statistics and trends in utilization of medical services by public aid recipients;

(b) actual statistics and trends in the provision of the various medical services by medical vendors;

(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and

(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. 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.

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

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

Because kidney transplantation can be an appropriate, cost-effective alternative to renal dialysis when medically necessary and notwithstanding the provisions of Section 1-11 of this Code, beginning October 1, 2014, the Department shall cover kidney transplantation for noncitizens with end-stage renal disease who are not eligible for comprehensive medical benefits, who meet the residency requirements of Section 5-3 of this Code, and who would otherwise meet the financial requirements of the appropriate class of eligible persons under Section 5-2 of this Code. To qualify for coverage of kidney transplantation, such person must be receiving emergency renal dialysis services covered by the Department. Providers under this Section shall be prior approved and certified by the Department to perform kidney transplantation and the services under this Section shall be limited to services associated with kidney transplantation.

Notwithstanding any other provision of this Code to the contrary, on or after July 1, 2015, all FDA approved forms of medication assisted treatment prescribed for the treatment of alcohol dependence or treatment of opioid dependence shall be covered under both fee for service and managed care medical assistance programs for persons who are otherwise eligible for medical assistance under this Article and shall not be subject to any (1) utilization control, other than those established under the American Society of

Addiction Medicine patient placement criteria, (2) prior authorization mandate, or (3) lifetime restriction limit mandate.

On or after July 1, 2015, opioid antagonists prescribed for the treatment of an opioid overdose, including the medication product, administration devices, and any pharmacy fees or hospital fees related to the dispensing, distribution, and administration of the opioid antagonist, shall be covered under the medical assistance program for persons who are otherwise eligible for medical assistance under this Article. As used in this Section, "opioid antagonist" means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration. The Department shall not impose a copayment on the coverage provided for naloxone hydrochloride under the medical assistance program.

Upon federal approval, the Department shall provide coverage and reimbursement for all drugs that are approved for marketing by the federal Food and Drug Administration and that are recommended by the federal Public Health Service or the United States Centers for Disease Control and Prevention for pre-exposure prophylaxis and related pre-exposure prophylaxis services, including, but not limited to, HIV and sexually transmitted infection screening, treatment for sexually transmitted infections, medical monitoring, assorted labs, and counseling to reduce the likelihood of HIV infection among individuals who are not infected with HIV but who are at high risk of HIV infection.

A federally qualified health center, as defined in Section 1905(l)(2)(B) of the federal Social Security Act, shall be reimbursed by the Department in accordance with the federally qualified health center's encounter rate for services provided to medical assistance recipients that are performed by a dental hygienist, as defined under the Illinois Dental Practice Act, working under the general supervision of a dentist and employed by a federally qualified health center.

Within 90 days after October 8, 2021 (the effective date of Public Act 102-665), the Department shall seek federal approval of a State Plan amendment to expand coverage for family planning services that includes presumptive eligibility to individuals whose income is at or below 208% of the federal poverty level. Coverage under this Section shall be effective beginning no later than December 1, 2022.

Subject to approval by the federal Centers for Medicare and Medicaid Services of a Title XIX State Plan amendment electing the Program of All-Inclusive Care for the Elderly (PACE) as a State Medicaid option, as provided for by Subtitle I (commencing with Section 4801) of Title IV of the Balanced Budget Act of 1997 (Public Law 105-33) and Part 460 (commencing with Section 460.2) of Subchapter E of Title 42 of the Code of Federal Regulations, PACE program services shall become a covered benefit of the medical assistance program, subject to criteria established in accordance with all applicable laws.

Notwithstanding any other provision of this Code, community-based pediatric palliative care from a trained interdisciplinary team shall be covered under the medical assistance program as provided in Section 15 of the Pediatric Palliative Care Act.

Notwithstanding any other provision of this Code, within 12 months after June 2, 2022 (the effective date of Public Act 102-1037) ~~this amendatory Act of the 102nd General Assembly~~ and subject to federal approval, acupuncture services performed by an acupuncturist licensed under the Acupuncture Practice Act who is acting within the scope of his or her license shall be covered under the medical assistance program. The Department shall apply for any federal waiver or State Plan amendment, if required, to implement this paragraph. The Department may adopt any rules, including standards and criteria, necessary to implement this paragraph.

Notwithstanding any other provision of this Code, the medical assistance program shall, subject to appropriation and federal approval, reimburse hospitals for costs associated with a newborn screening test for the presence of metachromatic leukodystrophy, as required under the Newborn Metabolic Screening Act, at a rate not less than the fee charged by the Department of Public Health. The Department shall seek federal approval before the implementation of the newborn screening test fees by the Department of Public Health.

(Source: P.A. 101-209, eff. 8-5-19; 101-580, eff. 1-1-20; 102-43, Article 30, Section 30-5, eff. 7-6-21; 102-43, Article 35, Section 35-5, eff. 7-6-21; 102-43, Article 55, Section 55-5, eff. 7-6-21; 102-95, eff. 1-1-22; 102-123, eff. 1-1-22; 102-558, eff. 8-20-21; 102-598, eff. 1-1-22; 102-655, eff. 1-1-22; 102-665, eff. 10-8-21; 102-813, eff. 5-13-22; 102-1018, eff. 1-1-23; 102-1037, eff. 6-2-22; 102-1038 eff. 1-1-23; revised 2-5-23.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 67** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 46; NAYS 11.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Simmons
Belt	Glowiak Hilton	Loughran Cappel	Sims
Castro	Halpin	Martwick	Stadelman
Cervantes	Harris, N.	McClure	Turner, D.
Cunningham	Harriss, E.	Morrison	Turner, S.
Curran	Hastings	Murphy	Ventura
Edly-Allen	Holmes	Pacione-Zayas	Villa
Ellman	Hunter	Peters	Villanueva
Faraci	Johnson	Porfirio	Villivalam
Feigenholtz	Joyce	Preston	Mr. President
Fine	Koehler	Rezin	
Fowler	Lewis	Rose	

The following voted in the negative:

Anderson	Chesney	Plummer	Tracy
Bennett	DeWitte	Stoller	Wilcox
Bryant	McConchie	Syverson	

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

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

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 183** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 183

AMENDMENT NO. 2 . Amend Senate Bill 183, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 13A-4 as follows:

(105 ILCS 5/13A-4)

Sec. 13A-4. Administrative transfers.

(a) A student who is determined to be subject to suspension or expulsion in the manner provided by Section 10-22.6 (or, in the case of a student enrolled in the public schools of a school district organized under Article 34, in accordance with the uniform system of discipline established under Section 34-19) may be immediately transferred to the alternative school program. ~~At the earliest time following that transfer appropriate personnel from the sending school district and appropriate personnel of the alternative program~~

~~shall meet to develop an alternative education plan for the student. The student's parent or guardian shall be invited to this meeting. The student may be invited. The alternative educational plan shall include, but not be limited to all of the following:~~

~~(1) The duration of the plan, including a date after which the student may be returned to the regular educational program in the public schools of the transferring district. If the parent or guardian of a student who is scheduled to be returned to the regular education program in the public schools of the district files a written objection to the return with the principal of the alternative school, the matter shall be referred by the principal to the regional superintendent of the educational service region in which the alternative school program is located for a hearing. Notice of the hearing shall be given by the regional superintendent to the student's parent or guardian. After the hearing, the regional superintendent may take such action as he or she finds appropriate and in the best interests of the student. The determination of the regional superintendent shall be final.~~

~~(2) The specific academic and behavioral components of the plan.~~

~~(3) A method and time frame for reviewing the student's progress.~~

~~Notwithstanding any other provision of this Article, if a student for whom an individualized educational program has been developed under Article 14 is transferred to an alternative school program under this Article 13A, that individualized educational program shall continue to apply to that student following the transfer unless modified in accordance with the provisions of Article 14.~~

(b) Before the effective date of the transfer, the student's parents or guardians shall receive information about the alternative school program, including the specific nature of the curriculum, the number of students in the program, any available services, the program's disciplinary policies, a typical daily schedule, and any extracurricular activities that may be offered at the alternative school program.

(c) At the earliest time following the effective date of the transfer, appropriate personnel from the sending school district and appropriate personnel of the alternative school program shall meet to develop an alternative educational plan for the student. The student and the student's parents or guardians shall be invited to this meeting. The alternative educational plan shall include, but not be limited to, all of the following:

(1) The duration of the plan, including a date after which the student will be returned to the regular educational program in the public schools of the transferring district.

(2) The specific academic and behavioral components of the plan.

(3) A method and time frame for reviewing the student's progress and for transitioning the student back to the regular educational program in the public schools of the transferring district on the date set forth in paragraph (1), including a transition meeting between the sending school district, the alternative school program, and the student's parent or guardian at least 30 days prior to the date after which the student will be returned to the regular educational program in the public schools of the transferring district.

(d) The date after which the student will return to the regular educational program in the public schools of the transferring district shall not be extended over the objection of the student's parent or guardian.

(e) The date after which the student will return to the regular educational program in the public schools of the transferring district may be extended upon written agreement by the transferring school district, the alternative school program, and the student's parent or guardian.

(f) Notwithstanding any other provision of this Article, if a student for whom an individualized education program has been developed under Article 14 is transferred to an alternative school program under this Article, that individualized education program shall continue to apply to that student following the transfer, unless modified in accordance with the provisions of Article 14.

(Source: P.A. 89-383, eff. 8-18-95; 89-629, eff. 8-9-96.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 183** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 247** was recalled from the order of third reading to the order of second reading.

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

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 247

AMENDMENT NO. 2 . Amend Senate Bill 247 by replacing everything after the enacting clause with the following:

"Section 5. The General Not For Profit Corporation Act of 1986 is amended by changing Section 103.05 as follows:

(805 ILCS 105/103.05) (from Ch. 32, par. 103.05)

Sec. 103.05. Purposes and authority of corporations; particular purposes; exemptions.

(a) Not-for-profit corporations may be organized under this Act for any one or more of the following or similar purposes:

(1) Charitable.

(2) Benevolent.

(3) Eleemosynary.

(4) Educational.

(5) Civic.

(6) Patriotic.

(7) Political.
(8) Religious.
(9) Social.
(10) Literary.
(11) Athletic.
(12) Scientific.
(13) Research.
(14) Agricultural.
(15) Horticultural.
(16) Soil improvement.
(17) Crop improvement.
(18) Livestock or poultry improvement.
(19) Professional, commercial, industrial, or trade association.
(20) Promoting the development, establishment, or expansion of industries.
(21) Electrification on a cooperative basis.
(22) Telephone service on a mutual or cooperative basis.
(23) Ownership and operation of water supply facilities for drinking and general domestic use on a mutual or cooperative basis.
(24) Ownership or administration of residential property on a cooperative basis.
(25) Administration and operation of property owned on a condominium basis or by a homeowner association.
(26) Administration and operation of an organization on a cooperative basis producing or furnishing goods, services, or facilities primarily for the benefit of its members who are consumers of those goods, services, or facilities.
(27) Operation of a community mental health board or center organized pursuant to the Community Mental Health Act for the purpose of providing direct patient services.
(28) Provision of debt management services as authorized by the Debt Management Service Act.
(29) Promotion, operation, and administration of a ridesharing arrangement as defined in Section 1-176.1 of the Illinois Vehicle Code.
(30) The administration and operation of an organization for the purpose of assisting low-income consumers in the acquisition of utility and telephone services.
(31) Any purpose permitted to be exempt from taxation under Sections 501(c) or 501(d) of the United States Internal Revenue Code, as now in or hereafter amended.
(32) Any purpose that would qualify for tax-deductible gifts under the Section 170(c) of the United States Internal Revenue Code, as now or hereafter amended. Any such purpose is deemed to be charitable under subsection (a)(1) of this Section.
(33) Furnishing of natural gas on a cooperative basis.
(34) Ownership and operation of agriculture-based biogas (anaerobic digester) systems on a cooperative basis including the marketing and sale of products produced from these, including but not limited to methane gas, electricity, and compost.
(35) Ownership and operation of a hemophilia program, including comprehensive hemophilia diagnostic treatment centers, under Section 501(a)(2) of the Social Security Act. The hemophilia program may employ physicians, other health care professionals, and staff. The program and the corporate board may not exercise control over, direct, or interfere with a physician's exercise and execution of his or her professional judgment in the provision of care or treatment.
(36) Engineering for conservation services associated with wetland restoration or mitigation, flood mitigation, groundwater recharge, and natural infrastructure. Non-profit engineering for conservation services may not be procured by qualifications based selection criteria for contracts with the Department of Transportation, Illinois State Toll Highway Authority, or Cook County, except as a subcontractor or subconsultant.

(b) A corporation may be organized hereunder to serve in an area that adjoins or borders (except for any intervening natural watercourse) an area located in an adjoining state intended to be similarly served, and the corporation may join any corporation created by the adjoining state having an identical purpose and organized as a not-for-profit corporation. Whenever any corporation organized under this Act so joins with a foreign corporation having an identical purpose, the corporation shall be permitted to do business in Illinois

as one corporation; provided (1) that the name, bylaw provisions, officers, and directors of each corporation are identical, (2) that the foreign corporation complies with the provisions of this Act relating to the admission of foreign corporation, and (3) that the Illinois corporation files a statement with the Secretary of State indicating that it has joined with a foreign corporation setting forth the name thereof and the state of its incorporation.
(Source: P.A. 101-57, eff. 7-12-19.)

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

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 247** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.
And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).
Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Castro, **Senate Bill No. 323** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.
And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Simmons
Aquino	Fine	Lightford	Sims

Belt	Fowler	Loughran Cappel	Stadelman
Bennett	Gillespie	Martwick	Stoller
Bryant	Glowiak Hilton	McClure	Syverson
Castro	Halpin	McConchie	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Pacione-Zayas	Turner, S.
Cunningham	Hastings	Peters	Villa
Curran	Holmes	Plummer	Villanueva
DeWitte	Hunter	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	

The following voted in the negative:

Murphy

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

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

On motion of Senator Cunningham, **Senate Bill No. 325** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 14.

The following voted in the affirmative:

Aquino	Fine	Lewis	Simmons
Belt	Gillespie	Lightford	Sims
Castro	Glowiak Hilton	Loughran Cappel	Stadelman
Cervantes	Halpin	Martwick	Turner, D.
Cunningham	Harris, N.	McConchie	Ventura
Curran	Hastings	Morrison	Villa
DeWitte	Holmes	Murphy	Villanueva
Edly-Allen	Hunter	Pacione-Zayas	Villivalam
Ellman	Johnson	Peters	Mr. President
Faraci	Joyce	Porfirio	
Feigenholtz	Koehler	Preston	

The following voted in the negative:

Anderson	Fowler	Rezin	Turner, S.
Bennett	Harriss, E.	Rose	Wilcox
Bryant	McClure	Stoller	
Chesney	Plummer	Syverson	

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

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

SENATE BILL RECALLED

On motion of Senator Ventura, **Senate Bill No. 381** was recalled from the order of third reading to the order of second reading.

Senator Ventura offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 381

AMENDMENT NO. 1 . Amend Senate Bill 381 by replacing everything after the enacting clause with the following:

"Section 3. The State Finance Act is amended by adding Section 5.990 as follows:
(30 ILCS 105/5.990 new)
Sec. 5.990. The Sustainable Ownership and Surplus Property Environmental Cleanup Fund.

Section 5. The State Property Control Act is amended by adding Section 7.9 as follows:
(30 ILCS 605/7.9 new)
Sec. 7.9. Long-vacant surplus real property.
(a) The Administrator shall assess surplus real property, as defined under Section 7.1, and determine whether such property is unsellable in its current assessed condition. The Administrator shall consider the following factors in making an assessment under this Section:

(1) the length of time the property has been designated as surplus real property, with properties held as such for more than 5 years being considered unsellable for purposes of this Section, absent extenuating circumstances;

(2) the annual State maintenance and security costs in relation to the property's estimated fair market value; and

(3) any excessive liabilities or other prominent concerns.

(b) The Administrator shall prepare a report based upon the assessment that includes all surplus real properties that the Administrator assessed as unsellable. The report shall further include:

(1) the number of years each property has been vacant;

(2) the assessed fair market value of each property, as determined by an appraisal;

(3) the annual maintenance costs the State incurs for each property;

(4) the estimated demolition and remediation costs of each property;

(5) a statement describing any attempts made by the Administrator to sell each property, including the issues faced in attempting to sell each property; and

(6) a recommendation of the type of action the State should take to address the issues on each property, including an estimated cost of such work and a timeline to complete such work.

(c) By February 1, 2024, and by February of every even-numbered year thereafter, the Administrator shall submit the report prepared under this Section to the Governor and the General Assembly. Subject to approval by a joint resolution of the Senate and the House of Representatives, the Administrator is authorized to pursue the recommended course of action for each property specified in the report. The Administrator may use, subject to appropriation, funds held in the Sustainable Ownership and Surplus Property Environmental Cleanup Fund for demolition and environmental remediation costs at the proposed surplus properties and for any other action related to the disposal of properties specified in the report.

(d) The Sustainable Ownership and Surplus Property Environmental Cleanup Fund is created as a special fund in the State treasury. Subject to appropriation, moneys in the Fund shall be used by the Administrator for demolishing structures, conducting environmental remediation work, and other related actions at surplus real properties as authorized under this Section.

As used in this subsection (d), "structure" means any building, improvement, pipe system, or other engineered system or edifice built or constructed on the surplus real property.

(e) The Administrator may adopt rules necessary to implement and perform the requirements of this Section.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Ventura, **Senate Bill No. 381** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Hunter, **Senate Bill No. 375** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 375

AMENDMENT NO. 1 . Amend Senate Bill 375 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Section 21 as follows:

(20 ILCS 505/21) (from Ch. 23, par. 5021)

Sec. 21. Investigative powers; training.

(a) To make such investigations as it may deem necessary to the performance of its duties.

(b) In the course of any such investigation any qualified person authorized by the Director may administer oaths and secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation. Any person who is served with a subpoena by the Department to appear and testify or to produce books and papers, in the course of an investigation authorized by law, and who refuses or neglects to appear, or to testify, or to produce books and papers relevant to such investigation, as commanded in such subpoena, shall be guilty of a Class B misdemeanor. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit

courts of this State. Any circuit court of this State, upon application of the person requesting the hearing or the Department, may compel the attendance of witnesses, the production of books and papers, and giving of testimony before the Department or before any authorized officer or employee thereof, by an attachment for contempt or otherwise, in the same manner as production of evidence may be compelled before such court. Every person who, having taken an oath or made affirmation before the Department or any authorized officer or employee thereof, shall willfully swear or affirm falsely, shall be guilty of perjury and upon conviction shall be punished accordingly.

(c) Investigations initiated under this Section shall provide individuals due process of law, including the right to a hearing, to cross-examine witnesses, to obtain relevant documents, and to present evidence. Administrative findings shall be subject to the provisions of the Administrative Review Law.

(d) Beginning July 1, 1988, any child protective investigator or supervisor or child welfare specialist or supervisor employed by the Department on the effective date of this amendatory Act of 1987 shall have completed a training program which shall be instituted by the Department. The training program shall include, but not be limited to, the following: (1) training in the detection of symptoms of child neglect and drug abuse; (2) specialized training for dealing with families and children of drug abusers; and (3) specific training in child development, family dynamics and interview techniques. Such program shall conform to the criteria and curriculum developed under Section 4 of the Child Protective Investigator and Child Welfare Specialist Certification Act of 1987. Failure to complete such training due to lack of opportunity provided by the Department shall in no way be grounds for any disciplinary or other action against an investigator or a specialist.

The Department shall develop a continuous inservice staff development program and evaluation system. Each child protective investigator and supervisor and child welfare specialist and supervisor shall participate in such program and evaluation and shall complete a minimum of 20 hours of inservice education and training every 2 years in order to maintain certification.

Any child protective investigator or child protective supervisor, or child welfare specialist or child welfare specialist supervisor hired by the Department who begins his actual employment after the effective date of this amendatory Act of 1987, shall be certified pursuant to the Child Protective Investigator and Child Welfare Specialist Certification Act of 1987 before he begins such employment. Nothing in this Act shall replace or diminish the rights of employees under the Illinois Public Labor Relations Act, as amended, or the National Labor Relations Act. In the event of any conflict between either of those Acts, or any collective bargaining agreement negotiated thereunder, and the provisions of subsections (d) and (e), the former shall prevail and control.

(e) The Department shall develop and implement the following:

(1) A safety-based child welfare intervention system ~~standardized child endangerment risk assessment protocol~~.

(2) Related training procedures.

(3) A standardized method for demonstration of proficiency in application of the safety-based child welfare intervention system ~~protocol~~.

(4) An evaluation of the reliability and validity of the safety-based child welfare intervention system ~~protocol~~.

All child protective investigators and supervisors and child welfare specialists and supervisors employed by the Department or its contractors shall be required, subsequent to the availability of training under this Act, to demonstrate proficiency in application of the safety-based child welfare intervention system ~~protocol~~ previous to being permitted to make safety decisions about the ~~degree of risk posed to~~ children for whom they are responsible. The Department shall establish a multi-disciplinary advisory committee appointed by the Director, including but not limited to representatives from the fields of child development, domestic violence, family systems, juvenile justice, law enforcement, health care, mental health, substance abuse, and social service to advise the Department and its related contractors in the development and implementation of the safety-based child welfare intervention system ~~child endangerment risk assessment protocol~~, related training, method for demonstration of proficiency in application of the safety-based child welfare intervention system ~~protocol~~, and evaluation of the reliability and validity of the safety-based child welfare intervention system ~~protocol~~. The Department shall develop the safety-based child welfare intervention system ~~protocol~~, training curriculum, method for demonstration of proficiency in application of the safety-based child welfare intervention system, ~~protocol~~ and method for evaluation of the reliability and validity of the safety-based child welfare intervention system ~~protocol by July 1, 1995~~. Training and demonstration of proficiency in application of the safety-based child welfare intervention system ~~child~~

~~endangerment risk assessment protocol~~ for all child protective investigators and supervisors and child welfare specialists and supervisors shall be completed as soon as practicable~~, but no later than January 1, 1996~~. The Department shall submit to the General Assembly on or before December 31, 2026 ~~May 1, 1996~~, and every year thereafter, an annual report on the evaluation of the reliability and validity of the safety-based child welfare intervention system ~~child endangerment risk assessment protocol~~. The Department shall contract with a not for profit organization with demonstrated expertise in the field of safety-based child welfare intervention ~~child endangerment risk assessment~~ to assist in the development and implementation of the safety-based child welfare intervention system ~~child endangerment risk assessment protocol~~, related training, method for demonstration of proficiency in application of the safety-based child welfare intervention system ~~protocol~~, and evaluation of the reliability and validity of the safety-based child welfare intervention system ~~protocol~~.

(f) The Department shall provide each parent or guardian and responsible adult caregiver participating in a safety plan a copy of the written safety plan as signed by each parent or guardian and responsible adult caregiver and by a representative of the Department. The Department shall also provide each parent or guardian and responsible adult caregiver safety plan information on their rights and responsibilities that shall include, but need not be limited to, information on how to obtain medical care, emergency phone numbers, and information on how to notify schools or day care providers as appropriate. The Department's representative shall ensure that the safety plan is reviewed and approved by the child protection supervisor. (Source: P.A. 98-830, eff. 1-1-15.)

Section 10. The Advisory Commission on Reducing the Disproportionate Representation of African-American Children in Foster Care Act is amended by changing Section 10 as follows:

(20 ILCS 4104/10)

Sec. 10. Advisory Commission on Reducing the Disproportionate Representation of African-American Children in Foster Care.

(a) The Advisory Commission on Reducing the Disproportionate Representation of African-American Children in Foster Care is created and shall have the following appointed members:

(1) One member appointed by the Governor or his of her designee.

(2) One member appointed by the Speaker of the House of Representatives or his or her designee.

(3) One member appointed by the Minority Leader of the House of Representatives or his or her designee.

(4) One member appointed by the President of the Senate or his or her designee.

(5) One member appointed by the Minority Leader of the Senate or his or her designee.

(6) The Department on Aging, the Department of Children and Family Services, the Department of Human Services, the Department of Juvenile Justice, the Department of Commerce and Economic Opportunity, the Department of Healthcare and Family Services, the Department of Public Health, the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Department of Human Rights, the Capital Development Board, the Department of Corrections, and the Department of Labor shall each appoint a liaison to serve ex officio on the Commission.

(7) One member from the Task Force on Strengthening Child Welfare Workforce for Children and Families.

(8) One member from the Safety-Based Child Welfare Intervention ~~Child Endangerment Risk Assessment Protocol~~ Advisory Committee.

(9) Two members representing nonprofit organizations that advocate for African-American children or youth to be appointed by the Governor or his or her designee.

(b) The Governor or his or her designee shall appoint the chairperson or chairpersons.

(c) Each member appointed to the Commission shall have a working knowledge of Illinois' child welfare system. The members shall reflect regional representation to ensure that the needs of African-American families and children throughout the State of Illinois are met.

(d) Members shall be appointed within 60 days after the effective date of this Act. The Advisory Commission shall hold its initial meetings within 60 days after at least 50% of the members have been appointed.

(e) Vacancies on the Advisory Commission shall be filled in the same manner as initial appointments. Appointments to fill vacancies occurring before the expiration of a term shall be for the remainder of the

unexpired term. Members shall serve without compensation but may be reimbursed for actual necessary expenses incurred in the performance of their duties.

(f) The Department of Children and Family Services shall provide administrative support to the Advisory Commission.

(Source: P.A. 102-470, eff. 8-20-21.)

Section 15. The Abused and Neglected Child Reporting Act is amended by changing Sections 7.01 and 7.4 as follows:

(325 ILCS 5/7.01)

Sec. 7.01. Reports made by mandated reporters that require a child welfare services referral ~~Safety assessments for reports made by mandated reporters~~.

(a) When a report is made by a mandated reporter to the statewide toll-free telephone number established under Section 7.6 of this Act and there is a prior indicated report of abuse or neglect, or there is a prior open service case involving any member of the household, the Department must, at a minimum, accept the report as a child welfare services referral. If the family refuses to cooperate or refuses access to the home or children, then a child protective services investigation shall be initiated if the facts otherwise meet the criteria to accept a report.

As used in this Section, "child welfare services referral" means an assessment of the family for service needs and linkage to available local community resources for the purpose of preventing or remedying or assisting in the solution of problems which may result in the neglect, abuse, exploitation, or delinquency of children, and as further defined in Department rules and procedures.

As used in this Section, "prior open service case" means a case in which the Department has provided services to the family either directly or through a purchase of service agency.

(b) One year after the effective date of this amendatory Act of the 101st General Assembly, the Auditor General shall commence a performance audit of the Department of Children and Family Services to determine whether the Department is meeting the requirements of this Section. Within 2 years after the audit's release, the Auditor General shall commence a follow-up performance audit to determine whether the Department has implemented the recommendations contained in the initial performance audit. Upon completion of each audit, the Auditor General shall report its findings to the General Assembly. The Auditor General's reports shall include any issues or deficiencies and recommendations. The audits required by this Section shall be in accordance with and subject to the Illinois State Auditing Act.

(Source: P.A. 101-237, eff. 1-1-20.)

(325 ILCS 5/7.4) (from Ch. 23, par. 2057.4)

Sec. 7.4. (a) The Department shall be capable of receiving reports of suspected child abuse or neglect 24 hours a day, 7 days a week. Whenever the Department receives a report alleging that a child is a truant as defined in Section 26-2a of the School Code, as now or hereafter amended, the Department shall notify the superintendent of the school district in which the child resides and the appropriate superintendent of the educational service region. The notification to the appropriate officials by the Department shall not be considered an allegation of abuse or neglect under this Act.

(a-5) The Department of Children and Family Services may implement a "differential response program" in accordance with criteria, standards, and procedures prescribed by rule. The program may provide that, upon receiving a report, the Department shall determine whether to conduct a family assessment or an investigation as appropriate to prevent or provide a remedy for child abuse or neglect.

For purposes of this subsection (a-5), "family assessment" means a comprehensive assessment of child safety, risk of subsequent child maltreatment, and family strengths and needs that is applied to a child maltreatment report that does not allege substantial child endangerment. "Family assessment" does not include a determination as to whether child maltreatment occurred but does determine the need for services to address the safety of family members and the risk of subsequent maltreatment.

For purposes of this subsection (a-5), "investigation" means fact-gathering related to the current safety of a child and the risk of subsequent abuse or neglect that determines whether a report of suspected child abuse or neglect should be indicated or unfounded and whether child protective services are needed.

Under the "differential response program" implemented under this subsection (a-5), the Department:

(1) Shall conduct an investigation on reports involving substantial child abuse or neglect.

(2) Shall begin an immediate investigation if, at any time when it is using a family assessment response, it determines that there is reason to believe that substantial child abuse or neglect or a serious threat to the child's safety exists.

(3) May conduct a family assessment for reports that do not allege substantial child endangerment. In determining that a family assessment is appropriate, the Department may consider issues, including, but not limited to, child safety, parental cooperation, and the need for an immediate response.

(4) Shall promulgate criteria, standards, and procedures that shall be applied in making this determination, taking into consideration the Safety-Based Child Welfare Intervention System ~~Child Endangerment Risk Assessment Protocol~~ of the Department.

(5) May conduct a family assessment on a report that was initially screened and assigned for an investigation.

In determining that a complete investigation is not required, the Department must document the reason for terminating the investigation and notify the local law enforcement agency or the Illinois State Police if the local law enforcement agency or Illinois State Police is conducting a joint investigation.

Once it is determined that a "family assessment" will be implemented, the case shall not be reported to the central register of abuse and neglect reports.

During a family assessment, the Department shall collect any available and relevant information to determine child safety, risk of subsequent abuse or neglect, and family strengths.

Information collected includes, but is not limited to, when relevant: information with regard to the person reporting the alleged abuse or neglect, including the nature of the reporter's relationship to the child and to the alleged offender, and the basis of the reporter's knowledge for the report; the child allegedly being abused or neglected; the alleged offender; the child's caretaker; and other collateral sources having relevant information related to the alleged abuse or neglect. Information relevant to the assessment must be asked for, and may include:

(A) The child's sex and age, prior reports of abuse or neglect, information relating to developmental functioning, credibility of the child's statement, and whether the information provided under this paragraph (A) is consistent with other information collected during the course of the assessment or investigation.

(B) The alleged offender's age, a record check for prior reports of abuse or neglect, and criminal charges and convictions. The alleged offender may submit supporting documentation relevant to the assessment.

(C) Collateral source information regarding the alleged abuse or neglect and care of the child. Collateral information includes, when relevant: (i) a medical examination of the child; (ii) prior medical records relating to the alleged maltreatment or care of the child maintained by any facility, clinic, or health care professional, and an interview with the treating professionals; and (iii) interviews with the child's caretakers, including the child's parent, guardian, foster parent, child care provider, teachers, counselors, family members, relatives, and other persons who may have knowledge regarding the alleged maltreatment and the care of the child.

(D) Information on the existence of domestic abuse and violence in the home of the child, and substance abuse.

Nothing in this subsection (a-5) precludes the Department from collecting other relevant information necessary to conduct the assessment or investigation. Nothing in this subsection (a-5) shall be construed to allow the name or identity of a reporter to be disclosed in violation of the protections afforded under Section 7.19 of this Act.

After conducting the family assessment, the Department shall determine whether services are needed to address the safety of the child and other family members and the risk of subsequent abuse or neglect.

Upon completion of the family assessment, if the Department concludes that no services shall be offered, then the case shall be closed. If the Department concludes that services shall be offered, the Department shall develop a family preservation plan and offer or refer services to the family.

At any time during a family assessment, if the Department believes there is any reason to stop the assessment and conduct an investigation based on the information discovered, the Department shall do so.

The procedures available to the Department in conducting investigations under this Act shall be followed as appropriate during a family assessment.

If the Department implements a differential response program authorized under this subsection (a-5), the Department shall arrange for an independent evaluation of the program for at least the first 3 years of implementation to determine whether it is meeting the goals in accordance with Section 2 of this Act.

The Department may adopt administrative rules necessary for the execution of this Section, in accordance with Section 4 of the Children and Family Services Act.

The Department shall submit a report to the General Assembly by January 15, 2018 on the implementation progress and recommendations for additional needed legislative changes.

(b)(1) The following procedures shall be followed in the investigation of all reports of suspected abuse or neglect of a child, except as provided in subsection (c) of this Section.

(2) If, during a family assessment authorized by subsection (a-5) or an investigation, it appears that the immediate safety or well-being of a child is endangered, that the family may flee or the child disappear, or that the facts otherwise so warrant, the Child Protective Service Unit shall commence an investigation immediately, regardless of the time of day or night. All other investigations shall be commenced within 24 hours of receipt of the report. Upon receipt of a report, the Child Protective Service Unit shall conduct a family assessment authorized by subsection (a-5) or begin an initial investigation and make an initial determination whether the report is a good faith indication of alleged child abuse or neglect.

(3) Based on an initial investigation, if the Unit determines the report is a good faith indication of alleged child abuse or neglect, then a formal investigation shall commence and, pursuant to Section 7.12 of this Act, may or may not result in an indicated report. The formal investigation shall include: direct contact with the subject or subjects of the report as soon as possible after the report is received; an evaluation of the environment of the child named in the report and any other children in the same environment; a determination of the risk to such children if they continue to remain in the existing environments, as well as a determination of the nature, extent and cause of any condition enumerated in such report; the name, age and condition of other children in the environment; and an evaluation as to whether there would be an immediate and urgent necessity to remove the child from the environment if appropriate family preservation services were provided. After seeing to the safety of the child or children, the Department shall forthwith notify the subjects of the report in writing, of the existence of the report and their rights existing under this Act in regard to amendment or expungement. To fulfill the requirements of this Section, the Child Protective Service Unit shall have the capability of providing or arranging for comprehensive emergency services to children and families at all times of the day or night.

(4) If (i) at the conclusion of the Unit's initial investigation of a report, the Unit determines the report to be a good faith indication of alleged child abuse or neglect that warrants a formal investigation by the Unit, the Department, any law enforcement agency or any other responsible agency and (ii) the person who is alleged to have caused the abuse or neglect is employed or otherwise engaged in an activity resulting in frequent contact with children and the alleged abuse or neglect are in the course of such employment or activity, then the Department shall, except in investigations where the Director determines that such notification would be detrimental to the Department's investigation, inform the appropriate supervisor or administrator of that employment or activity that the Unit has commenced a formal investigation pursuant to this Act, which may or may not result in an indicated report. The Department shall also notify the person being investigated, unless the Director determines that such notification would be detrimental to the Department's investigation.

(c) In an investigation of a report of suspected abuse or neglect of a child by a school employee at a school or on school grounds, the Department shall make reasonable efforts to follow the following procedures:

(1) Investigations involving teachers shall not, to the extent possible, be conducted when the teacher is scheduled to conduct classes. Investigations involving other school employees shall be conducted so as to minimize disruption of the school day. The school employee accused of child abuse or neglect may have his superior, his association or union representative and his attorney present at any interview or meeting at which the teacher or administrator is present. The accused school employee shall be informed by a representative of the Department, at any interview or meeting, of the accused school employee's due process rights and of the steps in the investigation process. These due process rights shall also include the right of the school employee to present countervailing evidence regarding the accusations. In an investigation in which the alleged perpetrator of abuse or neglect is a school employee, including, but not limited to, a school teacher or administrator, and the recommendation is to determine the report to be indicated, in addition to other procedures as set forth and defined in Department rules and procedures, the employee's due process rights shall also include: (i) the right to a copy of the investigation summary; (ii) the right to review the specific allegations which gave rise to the investigation; and (iii) the right to an administrator's teleconference which shall be convened to provide the school employee with the opportunity to present documentary evidence or other information that supports his or her position and to provide information before a final finding is entered.

(2) If a report of neglect or abuse of a child by a teacher or administrator does not involve allegations of sexual abuse or extreme physical abuse, the Child Protective Service Unit shall make reasonable efforts to conduct the initial investigation in coordination with the employee's supervisor.

If the Unit determines that the report is a good faith indication of potential child abuse or neglect, it shall then commence a formal investigation under paragraph (3) of subsection (b) of this Section.

(3) If a report of neglect or abuse of a child by a teacher or administrator involves an allegation of sexual abuse or extreme physical abuse, the Child Protective Unit shall commence an investigation under paragraph (2) of subsection (b) of this Section.

(c-5) In any instance in which a report is made or caused to made by a school district employee involving the conduct of a person employed by the school district, at the time the report was made, as required under Section 4 of this Act, the Child Protective Service Unit shall send a copy of its final finding report to the general superintendent of that school district.

(c-10) The Department may recommend that a school district remove a school employee who is the subject of an investigation from his or her employment position pending the outcome of the investigation; however, all employment decisions regarding school personnel shall be the sole responsibility of the school district or employer. The Department may not require a school district to remove a school employee from his or her employment position or limit the school employee's duties pending the outcome of an investigation.

(d) If the Department has contact with an employer, or with a religious institution or religious official having supervisory or hierarchical authority over a member of the clergy accused of the abuse of a child, in the course of its investigation, the Department shall notify the employer or the religious institution or religious official, in writing, when a report is unfounded so that any record of the investigation can be expunged from the employee's or member of the clergy's personnel or other records. The Department shall also notify the employee or the member of the clergy, in writing, that notification has been sent to the employer or to the appropriate religious institution or religious official informing the employer or religious institution or religious official that the Department's investigation has resulted in an unfounded report.

(d-1) Whenever a report alleges that a child was abused or neglected while receiving care in a hospital, including a freestanding psychiatric hospital licensed by the Department of Public Health, the Department shall send a copy of its final finding to the Director of Public Health and the Director of Healthcare and Family Services.

(e) Upon request by the Department, the Illinois State Police and law enforcement agencies are authorized to provide criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Illinois State Police Law to properly designated employees of the Department of Children and Family Services if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The request shall be in the form and manner required by the Illinois State Police. Any information obtained by the Department of Children and Family Services under this Section is confidential and may not be transmitted outside the Department of Children and Family Services other than to a court of competent jurisdiction or unless otherwise authorized by law. Any employee of the Department of Children and Family Services who transmits confidential information in violation of this Section or causes the information to be transmitted in violation of this Section is guilty of a Class A misdemeanor unless the transmittal of the information is authorized by this Section or otherwise authorized by law.

(f) For purposes of this Section, "child abuse or neglect" includes abuse or neglect of an adult resident as defined in this Act.

(Source: P.A. 101-43, eff. 1-1-20; 102-538, eff. 8-20-21.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Hunter, **Senate Bill No. 375** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Cervantes, **Senate Bill No. 505** was recalled from the order of third reading to the order of second reading.

Senator Cervantes offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 505

AMENDMENT NO. 1 . Amend Senate Bill 505 by replacing everything after the enacting clause with the following:

"Section 5. The Rehabilitation of Persons with Disabilities Act is amended by changing Section 3 as follows:

(20 ILCS 2405/3) (from Ch. 23, par. 3434)

Sec. 3. Powers and duties. The Department shall have the powers and duties enumerated herein:

(a) To cooperate with the federal government in the administration of the provisions of the federal Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act, and of the federal Social Security Act to the extent and in the manner provided in these Acts.

(b) To prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the vocational rehabilitation of persons with one or more disabilities, including the administrative activities under subsection (e) of this Section; to cooperate with State and local school authorities and other recognized agencies engaged in vocational rehabilitation services; and to cooperate with the Department of Children and Family Services, the Illinois State Board of Education, and others regarding the education of children with one or more disabilities.

(c) (Blank).

(d) To report in writing, to the Governor, annually on or before the first day of December, and at such other times and in such manner and upon such subjects as the Governor may require. The annual report shall contain (1) information on the programs and activities dedicated to vocational rehabilitation, independent living, and other community services and supports administered by the Director; (2) information on the development of vocational rehabilitation services, independent living services, and supporting services administered by the Director in the State; and (3) information detailing the amounts of money received from federal, State, and other sources, and of the objects and purposes to which the respective items of these several amounts have been devoted.

(e) (Blank).

(f) To establish a program of services to prevent the unnecessary institutionalization of persons in need of long term care and who meet the criteria for blindness or disability as defined by the Social Security Act, thereby enabling them to remain in their own homes. Such preventive services include any or all of the following:

(1) personal assistant services;

(2) homemaker services;

(3) home-delivered meals;

(4) adult day care services;

(5) respite care;

(6) home modification or assistive equipment;

(7) home health services;

(8) electronic home response;

(9) brain injury behavioral/cognitive services;

(10) brain injury habilitation;

(11) brain injury pre-vocational services; or

(12) brain injury supported employment.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the population for whom they are to be provided. Such eligibility standards may be based on the recipient's ability to pay for services; provided, however, that any portion of a person's income that is equal to or less than the "protected income" level shall not be considered by the Department in determining eligibility. The "protected income" level shall be determined by the Department, shall never be less than the federal poverty standard, and shall be adjusted each year to reflect changes in the Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor. The standards must provide that a person may not have more than $10,000 in assets to be eligible for the services, and the Department may increase or decrease the asset limitation by rule. The Department may not decrease the asset level below $10,000. Subject to federal approval, the Department shall allow a recipient's spouse, guardian, kin, or siblings to serve as his or her provider of personal care or similar services.

The services shall be provided, as established by the Department by rule, to eligible persons to prevent unnecessary or premature institutionalization, to the extent that the cost of the services, together with the other personal maintenance expenses of the persons, are reasonably related to the standards established for care in a group facility appropriate to their condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Illinois Department on Aging. The Department shall set rates and fees for services in a fair and equitable manner. Services identical to those offered by the Department on Aging shall be paid at the same rate.

Except as otherwise provided in this paragraph, personal assistants shall be paid at a rate negotiated between the State and an exclusive representative of personal assistants under a collective bargaining agreement. In no case shall the Department pay personal assistants an hourly wage that is less than the federal minimum wage. Within 30 days after July 6, 2017 (the effective date of Public Act 100-23), the hourly wage paid to personal assistants and individual maintenance home health workers shall be increased by $0.48 per hour. Wages and other benefits for personal assistants shall not count against benefits that guardians receive as outlined in Article XIa of the Probate Act of 1975.

Solely for the purposes of coverage under the Illinois Public Labor Relations Act, personal assistants providing services under the Department's Home Services Program shall be considered to be public employees and the State of Illinois shall be considered to be their employer as of July 16, 2003 (the effective date of Public Act 93-204), but not before. Solely for the purposes of coverage

under the Illinois Public Labor Relations Act, home care and home health workers who function as personal assistants and individual maintenance home health workers and who also provide services under the Department's Home Services Program shall be considered to be public employees, no matter whether the State provides such services through direct fee-for-service arrangements, with the assistance of a managed care organization or other intermediary, or otherwise, and the State of Illinois shall be considered to be the employer of those persons as of January 29, 2013 (the effective date of Public Act 97-1158), but not before except as otherwise provided under this subsection (f). The State shall engage in collective bargaining with an exclusive representative of home care and home health workers who function as personal assistants and individual maintenance home health workers working under the Home Services Program concerning their terms and conditions of employment that are within the State's control. Nothing in this paragraph shall be understood to limit the right of the persons receiving services defined in this Section to hire and fire home care and home health workers who function as personal assistants and individual maintenance home health workers working under the Home Services Program or to supervise them within the limitations set by the Home Services Program. The State shall not be considered to be the employer of home care and home health workers who function as personal assistants and individual maintenance home health workers working under the Home Services Program for any purposes not specifically provided in Public Act 93-204 or Public Act 97-1158, including but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Home care and home health workers who function as personal assistants and individual maintenance home health workers and who also provide services under the Department's Home Services Program shall not be covered by the State Employees Group Insurance Act of 1971.

The Department shall execute, relative to nursing home prescreening, as authorized by Section 4.03 of the Illinois Act on the Aging, written inter-agency agreements with the Department on Aging and the Department of Healthcare and Family Services, to effect the intake procedures and eligibility criteria for those persons who may need long term care. On and after July 1, 1996, all nursing home prescreenings for individuals 18 through 59 years of age shall be conducted by the Department, or a designee of the Department.

The Department is authorized to establish a system of recipient cost-sharing for services provided under this Section. The cost-sharing shall be based upon the recipient's ability to pay for services, but in no case shall the recipient's share exceed the actual cost of the services provided. Protected income shall not be considered by the Department in its determination of the recipient's ability to pay a share of the cost of services. The level of cost-sharing shall be adjusted each year to reflect changes in the "protected income" level. The Department shall deduct from the recipient's share of the cost of services any money expended by the recipient for disability-related expenses.

To the extent permitted under the federal Social Security Act, the Department, or the Department's authorized representative, may recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21 or blind or who has a permanent and total disability. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

(g) To establish such subdivisions of the Department as shall be desirable and assign to the various subdivisions the responsibilities and duties placed upon the Department by law.

(h) To cooperate and enter into any necessary agreements with the Department of Employment Security for the provision of job placement and job referral services to clients of the Department, including job service registration of such clients with Illinois Employment Security offices and making job listings maintained by the Department of Employment Security available to such clients.

(i) To possess all powers reasonable and necessary for the exercise and administration of the powers, duties and responsibilities of the Department which are provided for by law.

(j) (Blank).

(k) (Blank).

(l) To establish, operate, and maintain a Statewide Housing Clearinghouse of information on available government subsidized housing accessible to persons with disabilities and available privately owned housing accessible to persons with disabilities. The information shall include, but not be limited to, the location, rental requirements, access features and proximity to public transportation of available housing. The Clearinghouse shall consist of at least a computerized database for the storage and retrieval of information and a separate or shared toll free telephone number for use by those seeking information from the Clearinghouse. Department offices and personnel throughout the State shall also assist in the operation of the Statewide Housing Clearinghouse. Cooperation with local, State, and federal housing managers shall be sought and extended in order to frequently and promptly update the Clearinghouse's information.

(m) To assure that the names and case records of persons who received or are receiving services from the Department, including persons receiving vocational rehabilitation, home services, or other services, and those attending one of the Department's schools or other supervised facility shall be confidential and not be open to the general public. Those case records and reports or the information contained in those records and reports shall be disclosed by the Director only to proper law enforcement officials, individuals authorized by a court, the General Assembly or any committee or commission of the General Assembly, and other persons and for reasons as the Director designates by rule. Disclosure by the Director may be only in accordance with other applicable law.

(Source: P.A. 102-264, eff. 8-6-21; 102-826, eff. 5-13-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Cervantes, **Senate Bill No. 505** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS 2.

The following voted in the affirmative:

Anderson	Fine	Lightford	Simmons
Aquino	Fowler	Loughran Cappel	Sims
Belt	Gillespie	Martwick	Stadelman
Bennett	Glowiak Hilton	McClure	Stoller
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Plummer	Villanueva
Edly-Allen	Johnson	Porfirio	Villivalam
Ellman	Joyce	Preston	Mr. President

Faraci	Koehler	Rezin
Feigenholtz	Lewis	Rose

The following voted in the negative:

Chesney
Wilcox

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

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

SENATE BILL RECALLED

On motion of Senator Pacione-Zayas, **Senate Bill No. 646** was recalled from the order of third reading to the order of second reading.

Senator Pacione-Zayas offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 646

AMENDMENT NO. 1 . Amend Senate Bill 646 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Task Force for a Healing-Centered Illinois Act.

Section 5. Findings. The General Assembly makes the following findings:

(1) The short-term, long-term, and multi-generational impacts of trauma are well-documented and include increased risk for reduced life expectancy, cancer, cardiovascular disease, diabetes, smoking, substance abuse, depression, unplanned pregnancies, low birth weight, and suicide attempts as well as workplace absenteeism, unemployment, lower educational achievement, and lower wages.

(2) Trauma-informed and healing-centered principles, policies, and practices can prevent and mitigate the adverse health and social outcomes associated with trauma.

(3) Equitable strategies and a multisector approach are needed to ensure that all residents at every stage of life have the supports at home and in their communities that build well-being, buffer against negative experiences, foster healing, and make it possible to thrive.

(4) The State of Illinois is a national leader in supporting trauma-informed strategies and is committed to becoming a trauma-informed and healing-centered State.

(5) The State of Illinois has previously recognized the impact of trauma on its residents' health and well-being, including through Trauma-Informed Awareness resolutions in 2019, 2021, and 2022, the creation of the Whole Child Task Force in 2021, and the Children's Mental Health Transformation Initiative established in 2022.

(6) The State of Illinois has public entities, such as the State Board of Education, the Department of Human Services, the Department of Juvenile Justice, the Department of Public Health, and the Illinois Criminal Justice Information Authority, non-governmental entities, such as the Illinois Childhood Trauma Coalition and the Illinois ACEs Response Collaborative, and public-private entities, such as the Illinois Children's Mental Health Partnership, leading efforts related to being trauma-informed and healing-centered.

(7) Better coordination and alignment of existing trauma-informed and healing-centered activities among public and non-governmental agencies will lead to more effective, equitable, and consistently high-quality implementation of services and supports to Illinois residents.

(8) Designing a sustainable structure to support and measure trauma-informed, healing-centered activities is essential to long-term transformation and should take into consideration the importance of providing ongoing training and support to the multisector, multidisciplinary workforce, as well as ongoing research to inform the development and implementation of trauma-informed, healing-centered policies, practices, and programs.

Section 10. Purpose. The Healing-Centered Illinois Task Force is created to advance the State's efforts to become trauma-informed and healing-centered through improved alignment of existing efforts, common definitions and metrics, and strategic planning for long-term transformation. The Task Force shall have the following objectives:

(1) Recommend shared language and common definitions for the State to become trauma-informed and healing-centered across sectors by aligning language and definitions included in the work of the Whole Child Task Force, the Children's Mental Health Transformation Initiative, and the Illinois Children's Mental Health Plan.

(2) Ensure the meaningful inclusion in Task Force matters of young people, parents, survivors of trauma, and residents who have engaged with Illinois systems or policies, such as child welfare and the legal criminal system.

(3) Identify the current training capacity and the training needs to support healing-centered and trauma-informed environments among organizations, professional cohorts, educational institutions, and future practitioners and project how best to meet those needs.

(4) Design a process identifying what data are needed to understand the dimensions of trauma in the State and the status of the trauma-related work in Illinois and identify current relevant data sources in Illinois.

(5) Recommend a process for collecting and aggregating such data identified, as well as a process for improving transparency and accountability by developing and maintaining a platform of aggregated data that is accessible to a range of stakeholders, including the public.

(6) Identify existing State resources that are being invested to support trauma-informed and healing-centered work, develop recommendations to align these resources, and propose an approach and recommendations to support ongoing or expanded stable resources for this work.

(7) Identify what, if any, administrative or legislative policy changes are needed to advance goals to make Illinois a healing-centered or trauma-informed State.

(8) Recommend an overarching organizational structure to ensure coordination, alignment, and progress to make Illinois a trauma-informed, healing-centered State.

(9) Devise a set of benchmarks to measure success in advancing the State toward becoming trauma-informed and healing-centered and a process for measuring them.

Section 15. Membership. Members of the Healing-Centered Illinois Task Force must represent the diversity of this State and possess the expertise needed to perform the work required to meet the objectives of the Task Force set forth under Section 10. Members of the Task Force shall include the following:

(1) One representative of a statewide coalition addressing childhood trauma, appointed by the Lieutenant Governor.

(2) One representative of a statewide collaborative addressing trauma across the lifespan (birth through older adulthood), appointed by the Lieutenant Governor.

(3) One representative from the Resilience Education to Advance Community Healing (REACH) Statewide Initiative, appointed by the Superintendent of the Illinois State Board of Education.

(4) One member of the General Assembly, appointed by the President of the Senate.

(5) One member of the General Assembly, appointed by the Speaker of the House of Representatives.

(6) One member of the General Assembly, appointed by the Minority Leader of the Senate.

(7) One member of the General Assembly, appointed by the Minority Leader of the House of Representatives.

(8) The Director of the Governor's Children's Mental Health Transformation Initiative or the Director's designee.

(9) The Director of the Illinois Criminal Justice Information Authority or the Director's designee.

(10) The Director of Public Health or the Director's designee.

(11) The Secretary of Human Services or the Secretary's designee.

(12) The State Superintendent of Education or the State Superintendent's designee.

(13) The Director of Juvenile Justice or the Director's designee.

(14) The Director of Corrections or the Director's designee.

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

(16) The Director of Aging or the Director's designee.

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

(18) The Chair of the Illinois Law Enforcement Training Standards Board or the Chair's designee.

(19) The Director of the Administrative Office of the Illinois Courts or the Director's designee.

(20) Up to 5 additional representatives appointed by the Lieutenant Governor who have expertise in trauma-informed policies and practices within health care, public health, public education, the criminal legal system, violence prevention, child welfare, human services, adult behavioral health services, children's behavioral health services, or law enforcement.

(21) Up to 3 representatives who have been impacted by State systems, including the criminal legal system and child welfare, appointed by the Lieutenant Governor.

(22) At least one representative from student and youth counsels or advisory groups focused on advancing awareness and resources for mental health and trauma-informed services in diverse communities across the State, appointed by the Lieutenant Governor.

(23) At least one representative from an organization that brings parents together to improve mental health and supports for children and families, appointed by the Lieutenant Governor.

(24) One representative from a public-private partnership to support children's behavioral health, appointed by the Lieutenant Governor.

Section 20. Meetings. The Healing-Centered Illinois Task Force shall meet at the call of the Lieutenant Governor or his or her designee, who shall serve as the chairperson. The Office of the Lieutenant Governor shall provide administrative support to the Task Force. Members of the Task Force shall serve without compensation except those designated by the Lieutenant Governor at the time of appointment as community or system-impacted people may receive stipends as compensation for their time.

Section 25. Reports. The Healing-Centered Illinois Task Force shall submit a report of its findings and recommendations to the General Assembly and the Governor within one year after the effective date of this Act. The Task Force is dissolved, and this Act is repealed, one year after the date of the report.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Pacione-Zayas, **Senate Bill No. 646** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAY 1.

The following voted in the affirmative:

Aquino	Fowler	Lightford	Simmons
Belt	Gillespie	Loughran Cappel	Sims
Bennett	Glowiak Hilton	Martwick	Stadelman
Castro	Halpin	McClure	Stoller
Cervantes	Harris, N.	McConchie	Tracy
Chesney	Harriss, E.	Morrison	Turner, D.
Cunningham	Hastings	Murphy	Turner, S.
Curran	Holmes	Pacione-Zayas	Ventura
Edly-Allen	Hunter	Peters	Villa
Ellman	Johnson	Plummer	Villanueva

Faraci	Joyce	Porfirio	Villivalam
Feigenholtz	Koehler	Preston	Mr. President
Fine	Lewis	Rezin	

The following voted in the negative:

Bryant

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

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

Senator Bryant asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 646**.

SENATE BILLS RECALLED

On motion of Senator Koehler, **Senate Bill No. 684** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 684

AMENDMENT NO. 1 . Amend Senate Bill 684 by replacing everything after the enacting clause with the following:

"Section 5. The Airport Authorities Act is amended by adding Section 2.7.3 as follows:

(70 ILCS 5/2.7.3 new)

Sec. 2.7.3. Central Illinois Regional Airport Authority.

(a) The Central Illinois Regional Airport Authority is hereby established, the territory of which shall include all of the territory within the corporate limits of McLean County. Within 30 days after the initial appointments have been made under subsection (c), the Authority board shall notify the office of the Secretary of State of the establishment of the Central Illinois Regional Airport Authority, and the Secretary of State shall issue a certificate of incorporation to the Authority. Upon the issuance of a certificate of incorporation, the Central Illinois Regional Airport Authority is an organized airport authority under this Act.

(b) If all of the airport facilities of an existing airport authority are situated within McLean County on the effective date of this amendatory Act of the 103rd General Assembly, that existing airport authority is dissolved upon the establishment of the Central Illinois Regional Airport Authority. Upon dissolution, the rights to all property, assets, and liabilities, including bonded indebtedness, of the existing airport authority is assumed by the Central Illinois Regional Airport Authority.

(c) The Board of Commissioners of the Central Illinois Regional Airport Authority shall consist of the following commissioners who shall reside within its corporate limits and shall be appointed as follows:

(1) Three commissioners shall be appointed by the county chairman of McLean County. Of the commissioners appointed under this paragraph, one commissioner shall be appointed for a 3-year term, one commissioner shall be appointed for a 4-year term, and one commissioners shall be appointed for a 5-year term, as determined by lot. Their successors shall be appointed for 5-year terms.

(2) Two commissioners shall be appointed by the mayor of the City of Bloomington. Of the commissioners appointed under this paragraph, one commissioner shall be appointed for a 3-year term and one commissioner shall be appointed for a 4-year term, as determined by lot. Their successors shall be appointed for 5-year terms.

(3) Two commissioners shall be appointed by the mayor of the City of Normal. Of the commissioners appointed under this paragraph, one commissioner shall be appointed for a 4-year term and one commissioner shall be appointed for a 5-year term, as determined by lot. Their successors shall be appointed for 5-year terms.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 684** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 38; NAYS 18.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Sims
Belt	Glowiak Hilton	Loughran Cappel	Stadelman
Castro	Halpin	Martwick	Turner, D.
Cervantes	Harris, N.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
Edly-Allen	Holmes	Pacione-Zayas	Villanueva
Ellman	Hunter	Peters	Villivalam
Faraci	Johnson	Porfirio	Mr. President
Feigenholtz	Joyce	Preston	
Fine	Koehler	Simmons	

The following voted in the negative:

Anderson	DeWitte	McConchie	Tracy
Bennett	Fowler	Plummer	Turner, S.
Bryant	Harriss, E.	Rezin	Wilcox
Chesney	Lewis	Rose	
Curran	McClure	Stoller	

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

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

SENATE BILL RECALLED

On motion of Senator Cunningham, **Senate Bill No. 762** was recalled from the order of third reading to the order of second reading.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 762

AMENDMENT NO. 1 . Amend Senate Bill 762 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 408 and 534.4 and by adding Article XLVII as follows:

(215 ILCS 5/408) (from Ch. 73, par. 1020)

Sec. 408. Fees and charges.

(1) The Director shall charge, collect and give proper acquittances for the payment of the following fees and charges:

(a) For filing all documents submitted for the incorporation or organization or certification of a domestic company, except for a fraternal benefit society, $2,000.

(b) For filing all documents submitted for the incorporation or organization of a fraternal benefit society, $500.

(c) For filing amendments to articles of incorporation and amendments to declaration of organization, except for a fraternal benefit society, a mutual benefit association, a burial society or a farm mutual, $200.

(d) For filing amendments to articles of incorporation of a fraternal benefit society, a mutual benefit association or a burial society, $100.

(e) For filing amendments to articles of incorporation of a farm mutual, $50.

(f) For filing bylaws or amendments thereto, $50.

(g) For filing agreement of merger or consolidation:

(i) for a domestic company, except for a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, $2,000.

(ii) for a foreign or alien company, except for a fraternal benefit society, $600.

(iii) for a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, $200.

(h) For filing agreements of reinsurance by a domestic company, $200.

(i) For filing all documents submitted by a foreign or alien company to be admitted to transact business or accredited as a reinsurer in this State, except for a fraternal benefit society, $5,000.

(j) For filing all documents submitted by a foreign or alien fraternal benefit society to be admitted to transact business in this State, $500.

(k) For filing declaration of withdrawal of a foreign or alien company, $50.

(l) For filing annual statement by a domestic company, except a fraternal benefit society, a mutual benefit association, a burial society, or a farm mutual, $200.

(m) For filing annual statement by a domestic fraternal benefit society, $100.

(n) For filing annual statement by a farm mutual, a mutual benefit association, or a burial society, $50.

(o) For issuing a certificate of authority or renewal thereof except to a foreign fraternal benefit society, $400.

(p) For issuing a certificate of authority or renewal thereof to a foreign fraternal benefit society, $200.

(q) For issuing an amended certificate of authority, $50.

(r) For each certified copy of certificate of authority, $20.

(s) For each certificate of deposit, or valuation, or compliance or surety certificate, $20.

(t) For copies of papers or records per page, $1.

(u) For each certification to copies of papers or records, $10.

(v) For multiple copies of documents or certificates listed in subparagraphs (r), (s), and (u) of paragraph (1) of this Section, $10 for the first copy of a certificate of any type and $5 for each additional copy of the same certificate requested at the same time, unless, pursuant to paragraph (2) of this Section, the Director finds these additional fees excessive.

(w) For issuing a permit to sell shares or increase paid-up capital:

(i) in connection with a public stock offering, $300;

(ii) in any other case, $100.

(x) For issuing any other certificate required or permissible under the law, $50.

(y) For filing a plan of exchange of the stock of a domestic stock insurance company, a plan of demutualization of a domestic mutual company, or a plan of reorganization under Article XII, $2,000.

(z) For filing a statement of acquisition of a domestic company as defined in Section 131.4 of this Code, $2,000.

(aa) For filing an agreement to purchase the business of an organization authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act or of a health maintenance organization or a limited health service organization, $2,000.

(bb) For filing a statement of acquisition of a foreign or alien insurance company as defined in Section 131.12a of this Code, $1,000.

(cc) For filing a registration statement as required in Sections 131.13 and 131.14, the notification as required by Sections 131.16, 131.20a, or 141.4, or an agreement or transaction required by Sections 124.2(2), 141, 141a, or 141.1, $200.

(dd) For filing an application for licensing of:

(i) a religious or charitable risk pooling trust or a workers' compensation pool, $1,000;

(ii) a workers' compensation service company, $500;

(iii) a self-insured automobile fleet, $200; or

(iv) a renewal of or amendment of any license issued pursuant to (i), (ii), or (iii) above, $100.

(ee) For filing articles of incorporation for a syndicate to engage in the business of insurance through the Illinois Insurance Exchange, $2,000.

(ff) For filing amended articles of incorporation for a syndicate engaged in the business of insurance through the Illinois Insurance Exchange, $100.

(gg) For filing articles of incorporation for a limited syndicate to join with other subscribers or limited syndicates to do business through the Illinois Insurance Exchange, $1,000.

(hh) For filing amended articles of incorporation for a limited syndicate to do business through the Illinois Insurance Exchange, $100.

(ii) For a permit to solicit subscriptions to a syndicate or limited syndicate, $100.

(jj) For the filing of each form as required in Section 143 of this Code, $50 per form. Informational and advertising filings shall be $25 per filing. The fee for advisory and rating organizations shall be $200 per form.

(i) For the purposes of the form filing fee, filings made on insert page basis will be considered one form at the time of its original submission. Changes made to a form subsequent to its approval shall be considered a new filing.

(ii) Only one fee shall be charged for a form, regardless of the number of other forms or policies with which it will be used.

(iii) Fees charged for a policy filed as it will be issued regardless of the number of forms comprising that policy shall not exceed $1,500. For advisory or rating organizations, fees charged for a policy filed as it will be issued regardless of the number of forms comprising that policy shall not exceed $2,500.

(iv) The Director may by rule exempt forms from such fees.

(kk) For filing an application for licensing of a reinsurance intermediary, $500.

(ll) For filing an application for renewal of a license of a reinsurance intermediary, $200.

(mm) For filing a plan of division of a domestic stock company under Article IIB, $10,000.

(nn) For filing all documents submitted by a foreign or alien company to be a certified reinsurer in this State, except for a fraternal benefit society, $1,000.

(oo) For filing a renewal by a foreign or alien company to be a certified reinsurer in this State, except for a fraternal benefit society, $400.

(pp) For filing all documents submitted by a reinsurer domiciled in a reciprocal jurisdiction, $1,000.

(qq) For filing a renewal by a reinsurer domiciled in a reciprocal jurisdiction, $400.

(rr) For registering a captive management company or renewal thereof, $50.

(ss) For filing an insurance business transfer plan under Article XLVII, $25,000.

(2) When printed copies or numerous copies of the same paper or records are furnished or certified, the Director may reduce such fees for copies if he finds them excessive. He may, when he considers it in the public interest, furnish without charge to state insurance departments and persons other than companies, copies or certified copies of reports of examinations and of other papers and records.

(3) The expenses incurred in any performance examination authorized by law shall be paid by the company or person being examined. The charge shall be reasonably related to the cost of the examination including but not limited to compensation of examiners, electronic data processing costs, supervision and preparation of an examination report and lodging and travel expenses. All lodging and travel expenses shall be in accord with the applicable travel regulations as published by the Department of Central Management Services and approved by the Governor's Travel Control Board, except that out-of-state lodging and travel expenses related to examinations authorized under Section 132 shall be in accordance with travel rates

prescribed under paragraph 301-7.2 of the Federal Travel Regulations, 41 C.F.R. 301-7.2, for reimbursement of subsistence expenses incurred during official travel. All lodging and travel expenses may be reimbursed directly upon authorization of the Director. With the exception of the direct reimbursements authorized by the Director, all performance examination charges collected by the Department shall be paid to the Insurance Producer Administration Fund, however, the electronic data processing costs incurred by the Department in the performance of any examination shall be billed directly to the company being examined for payment to the Technology Management Revolving Fund.

(4) At the time of any service of process on the Director as attorney for such service, the Director shall charge and collect the sum of $40, which may be recovered as taxable costs by the party to the suit or action causing such service to be made if he prevails in such suit or action.

(5) (a) The costs incurred by the Department of Insurance in conducting any hearing authorized by law shall be assessed against the parties to the hearing in such proportion as the Director of Insurance may determine upon consideration of all relevant circumstances including: (1) the nature of the hearing; (2) whether the hearing was instigated by, or for the benefit of a particular party or parties; (3) whether there is a successful party on the merits of the proceeding; and (4) the relative levels of participation by the parties.

(b) For purposes of this subsection (5) costs incurred shall mean the hearing officer fees, court reporter fees, and travel expenses of Department of Insurance officers and employees; provided however, that costs incurred shall not include hearing officer fees or court reporter fees unless the Department has retained the services of independent contractors or outside experts to perform such functions.

(c) The Director shall make the assessment of costs incurred as part of the final order or decision arising out of the proceeding; provided, however, that such order or decision shall include findings and conclusions in support of the assessment of costs. This subsection (5) shall not be construed as permitting the payment of travel expenses unless calculated in accordance with the applicable travel regulations of the Department of Central Management Services, as approved by the Governor's Travel Control Board. The Director as part of such order or decision shall require all assessments for hearing officer fees and court reporter fees, if any, to be paid directly to the hearing officer or court reporter by the party(s) assessed for such costs. The assessments for travel expenses of Department officers and employees shall be reimbursable to the Director of Insurance for deposit to the fund out of which those expenses had been paid.

(d) The provisions of this subsection (5) shall apply in the case of any hearing conducted by the Director of Insurance not otherwise specifically provided for by law.

(6) The Director shall charge and collect an annual financial regulation fee from every domestic company for examination and analysis of its financial condition and to fund the internal costs and expenses of the Interstate Insurance Receivership Commission as may be allocated to the State of Illinois and companies doing an insurance business in this State pursuant to Article X of the Interstate Insurance Receivership Compact. The fee shall be the greater fixed amount based upon the combination of nationwide direct premium income and nationwide reinsurance assumed premium income or upon admitted assets calculated under this subsection as follows:

(a) Combination of nationwide direct premium income and nationwide reinsurance assumed premium.

(i) $150, if the premium is less than $500,000 and there is no reinsurance assumed premium;

(ii) $750, if the premium is $500,000 or more, but less than $5,000,000 and there is no reinsurance assumed premium; or if the premium is less than $5,000,000 and the reinsurance assumed premium is less than $10,000,000;

(iii) $3,750, if the premium is less than $5,000,000 and the reinsurance assumed premium is $10,000,000 or more;

(iv) $7,500, if the premium is $5,000,000 or more, but less than $10,000,000;

(v) $18,000, if the premium is $10,000,000 or more, but less than $25,000,000;

(vi) $22,500, if the premium is $25,000,000 or more, but less than $50,000,000;

(vii) $30,000, if the premium is $50,000,000 or more, but less than $100,000,000;

(viii) $37,500, if the premium is $100,000,000 or more.

(b) Admitted assets.

(i) $150, if admitted assets are less than $1,000,000;

(ii) $750, if admitted assets are $1,000,000 or more, but less than $5,000,000;

(iii) $3,750, if admitted assets are $5,000,000 or more, but less than $25,000,000;

(iv) $7,500, if admitted assets are $25,000,000 or more, but less than $50,000,000;

(v) $18,000, if admitted assets are $50,000,000 or more, but less than $100,000,000;

(vi) $22,500, if admitted assets are $100,000,000 or more, but less than $500,000,000;

(vii) $30,000, if admitted assets are $500,000,000 or more, but less than $1,000,000,000;

(viii) $37,500, if admitted assets are $1,000,000,000 or more.

(c) The sum of financial regulation fees charged to the domestic companies of the same affiliated group shall not exceed $250,000 in the aggregate in any single year and shall be billed by the Director to the member company designated by the group.

(7) The Director shall charge and collect an annual financial regulation fee from every foreign or alien company, except fraternal benefit societies, for the examination and analysis of its financial condition and to fund the internal costs and expenses of the Interstate Insurance Receivership Commission as may be allocated to the State of Illinois and companies doing an insurance business in this State pursuant to Article X of the Interstate Insurance Receivership Compact. The fee shall be a fixed amount based upon Illinois direct premium income and nationwide reinsurance assumed premium income in accordance with the following schedule:

(a) $150, if the premium is less than $500,000 and there is no reinsurance assumed premium;

(b) $750, if the premium is $500,000 or more, but less than $5,000,000 and there is no reinsurance assumed premium; or if the premium is less than $5,000,000 and the reinsurance assumed premium is less than $10,000,000;

(c) $3,750, if the premium is less than $5,000,000 and the reinsurance assumed premium is $10,000,000 or more;

(d) $7,500, if the premium is $5,000,000 or more, but less than $10,000,000;

(e) $18,000, if the premium is $10,000,000 or more, but less than $25,000,000;

(f) $22,500, if the premium is $25,000,000 or more, but less than $50,000,000;

(g) $30,000, if the premium is $50,000,000 or more, but less than $100,000,000;

(h) $37,500, if the premium is $100,000,000 or more.

The sum of financial regulation fees under this subsection (7) charged to the foreign or alien companies within the same affiliated group shall not exceed $250,000 in the aggregate in any single year and shall be billed by the Director to the member company designated by the group.

(8) Beginning January 1, 1992, the financial regulation fees imposed under subsections (6) and (7) of this Section shall be paid by each company or domestic affiliated group annually. After January 1, 1994, the fee shall be billed by Department invoice based upon the company's premium income or admitted assets as shown in its annual statement for the preceding calendar year. The invoice is due upon receipt and must be paid no later than June 30 of each calendar year. All financial regulation fees collected by the Department shall be paid to the Insurance Financial Regulation Fund. The Department may not collect financial examiner per diem charges from companies subject to subsections (6) and (7) of this Section undergoing financial examination after June 30, 1992.

(9) In addition to the financial regulation fee required by this Section, a company undergoing any financial examination authorized by law shall pay the following costs and expenses incurred by the Department: electronic data processing costs, the expenses authorized under Section 131.21 and subsection (d) of Section 132.4 of this Code, and lodging and travel expenses.

Electronic data processing costs incurred by the Department in the performance of any examination shall be billed directly to the company undergoing examination for payment to the Technology Management Revolving Fund. Except for direct reimbursements authorized by the Director or direct payments made under Section 131.21 or subsection (d) of Section 132.4 of this Code, all financial regulation fees and all financial examination charges collected by the Department shall be paid to the Insurance Financial Regulation Fund.

All lodging and travel expenses shall be in accordance with applicable travel regulations published by the Department of Central Management Services and approved by the Governor's Travel Control Board, except that out-of-state lodging and travel expenses related to examinations authorized under Sections 132.1 through 132.7 shall be in accordance with travel rates prescribed under paragraph 301-7.2 of the Federal Travel Regulations, 41 C.F.R. 301-7.2, for reimbursement of subsistence expenses incurred during official travel. All lodging and travel expenses may be reimbursed directly upon the authorization of the Director.

In the case of an organization or person not subject to the financial regulation fee, the expenses incurred in any financial examination authorized by law shall be paid by the organization or person being examined. The charge shall be reasonably related to the cost of the examination including, but not limited to, compensation of examiners and other costs described in this subsection.

(10) Any company, person, or entity failing to make any payment of $150 or more as required under this Section shall be subject to the penalty and interest provisions provided for in subsections (4) and (7) of Section 412.

(11) Unless otherwise specified, all of the fees collected under this Section shall be paid into the Insurance Financial Regulation Fund.

(12) For purposes of this Section:

(a) "Domestic company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of this State, and in addition includes a not-for-profit corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act, a health maintenance organization, and a limited health service organization.

(b) "Foreign company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of any state of the United States other than this State and in addition includes a health maintenance organization and a limited health service organization which is incorporated or organized under the laws of any state of the United States other than this State.

(c) "Alien company" means a company as defined in Section 2 of this Code which is incorporated or organized under the laws of any country other than the United States.

(d) "Fraternal benefit society" means a corporation, society, order, lodge or voluntary association as defined in Section 282.1 of this Code.

(e) "Mutual benefit association" means a company, association or corporation authorized by the Director to do business in this State under the provisions of Article XVIII of this Code.

(f) "Burial society" means a person, firm, corporation, society or association of individuals authorized by the Director to do business in this State under the provisions of Article XIX of this Code.

(g) "Farm mutual" means a district, county and township mutual insurance company authorized by the Director to do business in this State under the provisions of the Farm Mutual Insurance Company Act of 1986.

(Source: P.A. 102-775, eff. 5-13-22.)

(215 ILCS 5/534.4) (from Ch. 73, par. 1065.84-4)

Sec. 534.4. "Insolvent company" means a company organized as a stock company, mutual company, reciprocal or Lloyds (a) which holds a certificate of authority to transact insurance in this State either at the time the policy was issued or when the insured event occurred, or any company which has assumed or has been allocated such policy obligation through merger, division, insurance business transfer, consolidation, or reinsurance, whether or not such assuming company held a certificate of authority to transact insurance in this State at the time such policy was issued or when the insured event occurred; and (b) against which a final Order of Liquidation with a finding of insolvency to which there is no further right of appeal has been entered by a court of competent jurisdiction in the company's State of domicile after the effective date of this Article.

(Source: P.A. 100-1190, eff. 4-5-19.)

(215 ILCS 5/Art. XLVII heading new)

ARTICLE XLVII. INSURANCE BUSINESS TRANSFERS

(215 ILCS 5/1701 new)

Sec. 1701. Short title. This Article may be cited as the Insurance Business Transfer Law.

(215 ILCS 5/1703 new)

Sec. 1703. Purpose and intent. The purpose of this Article is to provide a mechanism for insurers to transfer or assume blocks of insurance business in an efficient and cost-effective manner that provides needed legal finality for such transfers in order to provide for improved operational and capital efficiency for insurance companies, while protecting the interests of the policyholders, reinsurers, and claimants of the subject business. This new process is intended to stimulate the economy by attracting segments of the insurance industry to this State, make this State an attractive home jurisdiction for insurance companies, encourage economic growth and increased investment in the financial services sector, and increase the availability of quality insurance industry jobs in this State. These purposes are accomplished by providing a basis and procedures for the transfer and statutory novation of policies from a transferring insurer to an assuming insurer by way of an insurance business transfer without the affirmative consent of policyholders or reinsureds, but with consideration of their interests. This Article establishes the requirements for notice and disclosure and standards and procedures for the approval of the transfer and novation by a court

pursuant to an insurance business transfer plan. This Article does not limit or restrict other means of effecting a transfer or novation.

(215 ILCS 5/1705 new)

Sec. 1705. Definitions. As used in this Article:

"Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the person specified.

"Applicant" means a transferring insurer or reinsurer applying under this Article.

"Assuming insurer" means an insurer domiciled in Illinois and authorized to transact the type of business described in clause (c) of Class 1, clauses (b) through (l) of Class 2, or Class 3 of Section 4 that seeks to assume policies from a transferring insurer pursuant to this Article.

"Court" means the circuit court of Sangamon County or Cook County.

"Department" means the Department of Insurance.

"Director" means the Director of Insurance.

"Implementation order" means an order issued by a court under this Article.

"Insurance business transfer" means a transfer and novation that, once approved pursuant to this Article, transfers insurance obligations or risks, or both, of existing or in-force contracts of insurance or reinsurance from a transferring insurer to an assuming insurer, and effects a novation of the transferred contracts of insurance or reinsurance with the result that the assuming insurer becomes directly liable to the policyholders of the transferring insurer and the transferring insurer's insurance obligations or risks, or both, under the contracts are extinguished.

"Insurance business transfer plan" means the plan submitted to the Department to accomplish the transfer and novation pursuant to an insurance business transfer, including any associated transfer of assets and rights from or on behalf of the transferring insurer to the assuming insurer. An "insurance business transfer plan" is limited to the types of insurance described in clause (c) of Class 1, clauses (b) through (l) of Class 2, or Class 3 of Section 4.

"Independent expert" means the impartial person procured to assist the Director and the court in connection with their review of a proposed transaction. The independent expert shall:

(i) have no current or past, direct or indirect, financial interest in either the assuming insurer or transferring insurer or any of their respective affiliates,

(ii) have not been employed by or acted as an officer, director, consultant, or other independent contractor for either the assuming insurer or transferring insurer or any of their respective affiliates within the past 12 months,

(iii) not currently be appointed by the Director to assist in any capacity in any proceeding initiated under Article XIII, and

(iv) receive no compensation in connection with the transaction governed by this Article other than a fee based on a fixed or hourly basis that is not contingent on the approval or consummation of an insurance business transfer.

"Insurer" means an insurance, surety, or reinsurance company, corporation, partnership, association, society, order, individual, or aggregation of individuals engaging in or proposing or attempting to engage in insurance or surety business, including the exchanging of reciprocal or inter-insurance contracts between individuals, partnerships, and corporations.

"Policy" means a policy, certificate of insurance, or a contract of reinsurance pursuant to which an insurer agrees to assume an obligation or risk, or both, of the policyholder or to make payments on behalf of, or to, the policyholder or its beneficiaries, and includes property and casualty insurance. "Policy" does not include any policy, contract, or certificate of life, accident, or health insurance, including those defined in clause (a) or (b) of Class 1 or clause (a) of Class 2 of Section 4.

"Policyholder" means an insured or a reinsured under a policy that is part of the subject business.

"State guaranty association" means the Illinois Insurance Guaranty Fund, the Illinois Life and Health Guaranty Association, or any similar organization in another state.

"Subject business" means the policy or policies that are the subject of the insurance business transfer plan.

"Transfer and novation" means the transfer of insurance obligations or risks, or both, of existing or in-force policies from a transferring insurer to an assuming insurer that is intended to effect a novation of the transferred policies with the result that the assuming insurer becomes directly liable to the policyholders of the transferring insurer on the transferred policies and the transferring insurer's obligations or risks, or both, under the transferred policies are extinguished.

"Transferring insurer" means an insurer or reinsurer that transfers and novates or seeks to transfer and novate obligations or risks, or both, under one or more policies to an assuming insurer pursuant to an insurance business transfer plan.

(215 ILCS 5/1710 new)

Sec. 1710. Court authority. Notwithstanding any other provision of law, a court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this Article. No provision of this Article shall be construed to preclude a court from, on its own motion, taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules or to prevent an abuse of power.

(215 ILCS 5/1715 new)

Sec. 1715. Notice requirements.

(a) Whenever notice is required to be given by an applicant under this Article, except as otherwise permitted by a court or the Director, the applicant shall within 15 days after the event triggering the requirement transmit the notice:

(1) to the chief insurance regulator in each jurisdiction:

(A) in which the applicant holds or has ever held a certificate of authority; and

(B) in which policies that are part of the subject business were issued or policyholders currently reside;

(2) to the National Conference of Insurance Guaranty Funds, the National Organization of Life and Health Insurance Guaranty Associations, and all state insurance guaranty associations for the states:

(A) in which the applicant holds or has ever held a certificate of authority; and

(B) in which policies that are part of the subject business were issued or policyholders currently reside;

(3) to reinsurers of the applicant pursuant to the notice provisions of the reinsurance agreements applicable to the policies that are part of the subject business or, where an agreement has no provision for notice, by internationally recognized delivery service;

(4) to all policyholders holding policies that are part of the subject business at their last known address as indicated by the records of the applicant or to the address to which premium notices or other policy documents are sent. A notice of transfer shall also be sent to the transferring insurer's agents or brokers of record on the subject business; and

(5) by publication in a newspaper of general circulation in the state in which the applicant has its principal place of business and in such other publications that the Director requires.

(b) If notice is given in accordance with this Section, any orders under this Article shall be conclusive with respect to all intended recipients of the notice whether or not they receive actual notice.

(c) If this Article requires that the applicant provide notice but the Director has been named receiver of the applicant pursuant to Article XIII, the Director shall provide the required notice.

(d) Notice under this Section may take the form of first-class mail, facsimile, or electronic notice. The court may order that notice take a specific form.

(215 ILCS 5/1720 new)

Sec. 1720. Application procedure.

(a) Before filing an insurance business transfer plan, the applicant shall file with the Department a notice of its intention to file a plan and shall pay the required fee. Upon request, the applicant and the assuming insurer shall provide the Department with any information necessary for the Department to procure an independent expert that meets the requirements of this Article.

(b) An insurance business transfer plan shall be filed by the applicant with the Director for his or her review and approval. The plan may be supplemented by other information deemed necessary by the Director, and shall contain the following information or an explanation as to why the following information is not included:

(1) the name, address, and telephone number of the transferring insurer and the assuming insurer and their respective direct and indirect controlling persons, if any;

(2) a summary of the insurance business transfer plan;

(3) an identification and description of the subject business;

(4) the most recent audited financial statements and statutory annual and quarterly reports of the transferring insurer and the assuming insurer filed with their domiciliary regulator;

(5) the most recent actuarial report and opinion that quantify the liabilities associated with the subject business;

(6) pro forma financial statements showing the projected statutory balance sheet, results of operation, and cash flows of the assuming insurer for the 3 years following the proposed transfer and novation;

(7) officers' certificates of the transferring insurer and the assuming insurer attesting that each has obtained all required internal approvals and authorizations regarding the insurance business transfer plan and completed all necessary and appropriate actions relating thereto;

(8) a proposal for plan implementation and administration, including the form of notice to be provided under the insurance business transfer plan to any policyholder whose policy is part of the subject business;

(9) a full description as to how notice under the insurance business transfer plan shall be provided;

(10) a description of any reinsurance arrangements that would pass to the assuming insurer under the insurance business transfer plan;

(11) a description of any guarantees or additional reinsurance that will cover the subject business following the transfer and novation;

(12) a statement describing the assuming insurer's proposed investment policies and any contemplated third-party claims management and administration arrangements;

(13) a description of how the transferring and assuming insurers will be licensed for the purpose of preserving state guaranty association coverage;

(14) a description of the financial implications of the transaction including solvency, capital adequacy, cash flow, reserves, asset quality, and risk-based capital;

(15) an analysis of the assuming insurer's corporate governance structure to ensure that there is proper board management oversight and expertise to manage the subject business;

(16) an evaluation of the competency, experience, and integrity of the persons who would control the operation of an involved insurer;

(17) a certified statement that the transaction is not being made for improper purposes, including fraud;

(18) evidence of approval or nonobjection of the transfer from the chief insurance regulator of the state of the transferring insurer's domicile; and

(19) a report from the independent expert that shall provide the following:

(A) a statement of the independent expert's professional qualifications and descriptions of the experience that qualifies him or her as an expert suitable for the engagement;

(B) a certified statement from the independent expert that he or she meets the standards for an independent expert under this Article;

(C) a description of the scope of the report;

(D) a summary of the terms of the insurance business transfer plan to the extent relevant to the report;

(E) a listing and summaries of documents, reports, and other material information the independent expert has considered in preparing the report and whether any information requested was not provided;

(F) the extent to which the independent expert has relied on information provided by or judgment of others;

(G) the people on whom the independent expert has relied and why, in his or her opinion, such reliance is reasonable;

(H) the independent expert's opinion of the likely effects of the insurance business transfer plan on policyholders, reinsurers, and claimants, distinguishing between:

(i) transferring policyholders, reinsurers, and claimants;

(ii) policyholders, reinsurers, and claimants of the transferring insurer whose policies will not be transferred; and

(iii) policyholders, reinsurers, and claimants of the assuming insurer;

(I) the facts and circumstances supporting each opinion that the independent expert expresses in the report; and

(J) consideration as to whether the security position of policyholders that are affected by the insurance business transfer are materially adversely affected by the transfer, including, but not limited to, state guaranty association coverage.

(c) The independent expert's report as required by paragraph (19) of subsection (b) shall also include, but not be limited to, a review of and report on the following:

(1) analysis of the transferring insurer's actuarial review of resources for the subject business to determine the reserve adequacy;

(2) analysis of the financial condition of the transferring and assuming insurers and the effect the transfer will have on the financial condition of each company;

(3) review of the plans or proposals the assuming insurer has with respect to the administration of the policies subject to the proposed transfer;

(4) whether the proposed transfer has a material, adverse impact on the policyholders, reinsurers, and claimants of the transferring and the assuming insurers;

(5) analysis of the assuming insurer's corporate governance structure to ensure that there is proper board and management oversight and expertise to manage the subject business;

(6) analysis of whether any policyholder or group of policyholders will lose or gain state guaranty association coverage as a result of the transaction; and

(7) any other information that the Director requests in order to review the insurance business transfer.

(d) After the receipt of a complete insurance business transfer plan, the Director shall review the plan to determine if the applicant is authorized to submit it to a court.

(e) The Director shall authorize the submission of the insurance business transfer plan to a court unless he or she finds that the insurance business transfer would have a material adverse impact on the interests of policyholders, reinsurers, or claimants that are part of the subject business.

(f) If the Director determines that the insurance business transfer would have a material adverse impact on the interests of policyholders, reinsurers, or claimants that are part of the subject business, he or she shall notify the applicant and specify any modifications, supplements, or amendments and any additional information or documentation with respect to the plan that must be provided to the Director before he or she shall allow the applicant to proceed with the court filing.

(g) The applicant shall have 30 days following the date the Director notifies him or her of a determination under subsection (f) to file an amended insurance business transfer plan providing the modifications, supplements, or amendments and additional information or documentation as requested by the Director. If necessary, the applicant may request in writing an extension of time of 30 days. If the applicant does not make an amended filing within the time period provided in this subsection, including any extension of time granted by the Director, the insurance business transfer plan filing shall terminate and a subsequent filing by the applicant shall be considered a new filing which shall require compliance with all provisions of this Article as if the prior filing had never been made.

(h) When the modification, supplement, amendment, or additional information requested in subsection (f) is received, the Director shall review the amended plan in accordance with subsection (c).

(i) If the Director determines that the plan may proceed with the court filing, the Director shall confirm that fact in writing to the applicant.

(215 ILCS 5/1725 new)

Sec. 1725. Application to the court for approval of a plan.

(a) Within 30 days after notice from the Director that the applicant may proceed with the court filing, the applicant shall apply to the court for approval of the insurance business transfer plan. Upon written request by the applicant, the Director may extend the period for filing an application with the court for an additional 30 days.

(b) The applicant shall inform the court of the reasons why he or she petitions the court to find no material adverse impact to policyholders, reinsurers, or claimants affected by the proposed transfer.

(c) The application shall be in the form of a verified petition for implementation of the insurance business transfer plan in the court. The petition shall include the insurance business transfer plan and shall identify any documents and witnesses which the applicant intends to present at a hearing regarding the petition.

(d) The Director shall be a party to the proceedings before the court concerning the petition and shall be served with copies of all filings. The Director's position in the proceeding shall not be limited by his or

her initial review of the plan. The Director shall have all the rights of a litigant under the Illinois Supreme Court Rules and the Code of Civil Procedure, including, but not limited to, the right to appeal.

(e) Following the filing of the petition, the applicant shall file a motion for a scheduling order setting a hearing on the petition.

(f) Within 15 days after receipt of the scheduling order, the applicant shall cause notice of the hearing to be provided in accordance with the notice provisions of Section 1715. Following the date of distribution of the notice, there shall be a 60-day comment period. The notice and all comments received shall be part of the court record.

(g) The notice shall be filed with and approved by the court before distribution, and the Director shall be given the opportunity to review and comment on the sufficiency of the notice before court approval. The notice shall state or provide:

(1) the date and time of the approval hearing;

(2) the name, address, and telephone number of the assuming insurer and transferring insurer;

(3) that the recipient may comment on or object to the transfer and novation;

(4) the procedures and deadline for submitting comments or objections on the plan;

(5) a summary of any effect that the transfer and novation will have on the policyholder's rights;

(6) a statement that the assuming insurer is authorized to assume the subject business and that court approval of the plan shall extinguish all rights of policyholders under policies that are part of the subject business against the transferring insurer;

(7) a statement regarding whether any policyholder or group of policyholders may or will lose or gain state guaranty association coverage as a result of the transfer and the implication of losing or gaining state guaranty association coverage;

(8) that recipients shall not have the opportunity to opt out of or otherwise reject the transfer and novation;

(9) contact information for the Department where the policyholder may obtain further information;

(10) information on how an electronic copy of the insurance business transfer plan may be accessed. If policyholders are unable to readily access electronic copies, the applicant shall provide hard copies by first-class mail; and

(11) any other information that the court may require.

(h) Any person, including by their legal representative, who considers himself, herself, or itself to be adversely affected can present evidence or comments to the court at the approval hearing. Any person participating in the approval hearing must follow the process established by the court and shall bear his or her own costs and attorney's fees.

(215 ILCS 5/1730 new)

Sec. 1730. Approval; denial; insurance business transfer plans.

(a) After the comment period pursuant to subsection (f) of Section 1725 has ended the insurance business transfer plan shall be presented by the applicant for approval by the court.

(b) At any time before the court issues an order approving the insurance business transfer plan, the applicant may withdraw the petition without prejudice.

(c) If the court finds that the implementation of the insurance business transfer plan would not materially adversely affect the interests of policyholders, reinsurers, or claimants that are part of the subject business, the court shall enter a judgment and implementation order. The judgment and implementation order shall:

(1) order implementation of the insurance business transfer plan;

(2) order a statutory novation with respect to all policyholders or reinsureds and their respective policies and reinsurance agreements under the subject business, including the extinguishment of all rights of policyholders under policies that are part of the subject business against the transferring insurer, and providing that the transferring insurer shall have no further rights, obligations, or liabilities with respect to such policies, and that the assuming insurer shall have all such rights, obligations, and liabilities as if it were the original insurer of such policies;

(3) release the transferring insurer from all obligations or liabilities under policies that are part of the subject business;

(4) authorize and order the transfer of property or liabilities, including, but not limited to, the ceded reinsurance of transferred policies and contracts on the subject business, notwithstanding any

non-assignment provisions in any such reinsurance contracts. The subject business shall vest in and become liabilities of the assuming insurer;

(5) order that the applicant provide notice of the transfer and novation in accordance with the notice provisions in Section 1715; and

(6) make such other provisions with respect to incidental, consequential, and supplementary matters as are necessary to assure the insurance business transfer plan is fully and effectively carried out.

(d) If the court finds that the insurance business transfer plan should not be approved, the court by its order shall deny the petition.

(e) The applicant shall have 30 days following the withdrawal or denial of the petition to file an amended business transfer plan with the Director in accordance with Section 1720.

(f) Nothing in this Section in any way affects the right of appeal of any party.

(215 ILCS 5/1735 new)

Sec. 1735. Rules. The Department may adopt rules that are consistent with the provisions of this Article.

(215 ILCS 5/1740 new)

Sec. 1740. Confidentiality. The portion of the application for an insurance business transfer that would otherwise be confidential, including any documents, materials, communications, or other information submitted to the Director in contemplation of such application, shall not lose such confidentiality, except (i) the Director may disclose confidential information as needed to procure the independent expert and ensure that the expert meets the requirements under this Article and (ii) if the Director determines that disclosure of confidential information is necessary to fully and fairly advise policyholders and others entitled to notice of the material implications of the insurance business transfer plan.

(215 ILCS 5/1745 new)

Sec. 1745. Department oversight. Insurers engaging in an insurance business transfer under this Article consent to the jurisdiction of the Director with regard to any aspect of the transferred business or business transfer plan, including the authority of the Director to conduct financial analysis and examinations, regardless of whether the insurer has a certificate of authority or another basis for the Director's jurisdiction exists.

(215 ILCS 5/1750 new)

Sec. 1750. Fees and costs.

(a) All expenses incurred by the Director for the compensation, costs, and expenses of the independent expert and any consultants retained by the independent expert incurred in fulfilling the obligations of the independent expert under this Article shall be paid by the applicant.

(b) The Director may retain the services of any attorneys, actuaries, accountants, and other professionals and specialists as may be reasonably necessary to assist the Director in reviewing the insurance business transfer plan. All expenses incurred by the Director in connection with proceedings under this Article, including, but not limited to, expenses for the services of any attorneys, actuaries, accountants, and other professionals and specialists, shall be paid by the applicant.

(c) The transferring insurer and the assuming insurer shall jointly be obligated to pay all debts incurred pursuant to this Section. Nothing in this Article shall be construed to create any duty for the independent expert to any party other than the Department or a court.

(d) Failure to pay any of the requisite fees or costs within 30 days after demand shall be grounds for the Director to request that a court dismiss the petition for approval of the insurance business transfer plan before the filing of an implementation order by the court or, if after the filing of an implementation order, the Director may suspend or revoke the assuming insurer's certificate of authority to transact insurance business in this State. The Director may also take any other action authorized by law against an insurer who fails to pay the requisite fees or costs.

Section 99. Effective date. This Act takes effect upon becoming law, except that the changes to Section 408 and Article XLVII of the Illinois Insurance Code take effect January 1, 2025.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 762** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

At the hour of 1:47 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 1:48 o'clock p.m., the Senate resumed consideration of business.
Senator Hunter, presiding.

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 163

Offered by Senator Harmon and all Senators:
Mourns the death of Paul Peters.

SENATE RESOLUTION NO. 164

Offered by Senator Harmon and all Senators:
Mourns the death of Robert McGrath of New Jersey.

SENATE RESOLUTION NO. 165

Offered by Senator Harmon and all Senators:
Mourns the passing of Jim Vinicky.

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

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its March 29, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Floor Amendment No. 4 to Senate Bill 1701**.

Executive: **Floor Amendment No. 1 to Senate Bill 380; Floor Amendment No. 2 to Senate Bill 761; Floor Amendment No. 2 to Senate Bill 850; Floor Amendment No. 1 to Senate Bill 990; Floor Amendment No. 3 to Senate Bill 2152; Floor Amendment No. 2 to Senate Bill 2213**.

Licensed Activities: **Committee Amendment No. 2 to Senate Bill 218**.

Local Government: **Floor Amendment No. 1 to Senate Bill 895**.

Revenue: **Floor Amendment No. 1 to Senate Bill 1148; Committee Amendment No. 2 to Senate Bill 1627; Floor Amendment No. 3 to Senate Bill 2277**.

State Government: **Floor Amendment No. 1 to Senate Bill 421; Floor Amendment No. 2 to Senate Bill 836**.

Senate Special Committee on Pensions: **Floor Amendment No. 4 to Senate Bill 1646**.

Senator Lightford, Chair of the Committee on Assignments, during its March 29, 2023 meeting, reported that the Committee recommends that **Floor Amendment No. 2 to Senate Bill 273** be re-referred from the Committee on Transportation to the Committee on Assignments.

Senator Lightford, Chair of the Committee on Assignments, during its March 29, 2023 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 2 to Senate Bill 273

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Lightford, Chair of the Committee on Assignments, during its March 29, 2023 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 161

The foregoing resolution was placed on the Senate Calendar.

At the hour of 2:00 o'clock p.m., Senator Lightford, presiding.

POSTING NOTICE WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bill No. 559** so that the measure may be heard in the Committee on Executive that is scheduled to meet March 29, 2023.

The motion prevailed.

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 855** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 855

AMENDMENT NO. 1 . Amend Senate Bill 855 by replacing everything after the enacting clause with the following:

"Section 1. This Act may be referred to as the Residential Facility Safety and Support Act.

Section 5. The Department of Human Services Act is amended by changing Section 1-17 as follows:
(20 ILCS 1305/1-17)

Sec. 1-17. Inspector General.

(a) Nature and purpose. It is the express intent of the General Assembly to ensure the health, safety, and financial condition of individuals receiving services in this State due to mental illness, developmental disability, or both by protecting those persons from acts of abuse, neglect, or both by service providers. To that end, the Office of the Inspector General for the Department of Human Services is created to investigate and report upon allegations of the abuse, neglect, or financial exploitation of individuals receiving services within mental health facilities, developmental disabilities facilities, and community agencies operated, licensed, funded, or certified by the Department of Human Services, but not licensed or certified by any other State agency.

(b) Definitions. The following definitions apply to this Section:

"Agency" or "community agency" means (i) a community agency licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service, or (ii) a program licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service.

"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Day" means working day, unless otherwise specified.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

"Department" means the Department of Human Services.

"Developmental disability" means "developmental disability" as defined in the Mental Health and Developmental Disabilities Code.

"Egregious neglect" means a finding of neglect as determined by the Inspector General that (i) represents a gross failure to adequately provide for, or a callused indifference to, the health, safety, or medical needs of an individual and (ii) results in an individual's death or other serious deterioration of an individual's physical condition or mental condition.

"Employee" means any person who provides services at the facility or agency on-site or off-site. The service relationship can be with the individual or with the facility or agency. Also, "employee" includes any employee or contractual agent of the Department of Human Services or the community agency involved in providing or monitoring or administering mental health or developmental disability services. This includes but is not limited to: owners, operators, payroll personnel, contractors, subcontractors, and volunteers.

"Facility" or "State-operated facility" means a mental health facility or developmental disabilities facility operated by the Department.

"Financial exploitation" means taking unjust advantage of an individual's assets, property, or financial resources through deception, intimidation, or conversion for the employee's, facility's, or agency's own advantage or benefit.

"Finding" means the Office of Inspector General's determination regarding whether an allegation is substantiated, unsubstantiated, or unfounded.

"Health Care Worker Registry" or "Registry" means the Health Care Worker Registry under the Health Care Worker Background Check Act.

"Individual" means any person receiving mental health service, developmental disabilities service, or both from a facility or agency, while either on-site or off-site.

"Material obstruction of an investigation" means the purposeful interference with an investigation of physical abuse, sexual abuse, mental abuse, neglect, or financial exploitation and includes, but is not limited to, the withholding or altering of documentation or recorded evidence; influencing, threatening, or impeding witness testimony; presenting untruthful information during an interview; failing to cooperate with an investigation conducted by the Office of the Inspector General. If an employee, following a criminal investigation of physical abuse, sexual abuse, mental abuse, neglect, or financial exploitation, is convicted of an offense that is factually predicated on the employee presenting untruthful information during the course of the investigation, that offense constitutes obstruction of an investigation. Obstruction of an investigation does not include: an employee's lawful exercising of his or her constitutional right against self-incrimination, an employee invoking his or her lawful rights to union representation as provided by a collective bargaining agreement or the Illinois Public Labor Relations Act, or a union representative's lawful activities providing representation under a collective bargaining agreement or the Illinois Public Labor Relations Act. Obstruction of an investigation is considered material when it could significantly impair an investigator's ability to gather all relevant facts. An employee shall not be placed on the Health Care Worker Registry for presenting untruthful information during an interview conducted by the Office of the Inspector General, unless, prior to the interview, the employee was provided with any previous signed statements he or she made during the course of the investigation.

"Mental abuse" means the use of demeaning, intimidating, or threatening words, signs, gestures, or other actions by an employee about an individual and in the presence of an individual or individuals that results in emotional distress or maladaptive behavior, or could have resulted in emotional distress or maladaptive behavior, for any individual present.

"Mental illness" means "mental illness" as defined in the Mental Health and Developmental Disabilities Code.

"Mentally ill" means having a mental illness.

"Mitigating circumstance" means a condition that (i) is attendant to a finding, (ii) does not excuse or justify the conduct in question, but (iii) may be considered in evaluating the severity of the conduct, the culpability of the accused, or both the severity of the conduct and the culpability of the accused.

"Neglect" means an employee's, agency's, or facility's failure to provide adequate medical care, personal care, or maintenance and that, as a consequence, (i) causes an individual pain, injury, or emotional distress, (ii) results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or (iii) places the individual's health or safety at substantial risk.

"Person with a developmental disability" means a person having a developmental disability.

"Physical abuse" means an employee's non-accidental and inappropriate contact with an individual that causes bodily harm. "Physical abuse" includes actions that cause bodily harm as a result of an employee directing an individual or person to physically abuse another individual.

"Presenting untruthful information" means making a false statement, material to an investigation of physical abuse, sexual abuse, mental abuse, neglect, or financial exploitation, knowing the statement is false.

"Recommendation" means an admonition, separate from a finding, that requires action by the facility, agency, or Department to correct a systemic issue, problem, or deficiency identified during an investigation.

"Required reporter" means any employee who suspects, witnesses, or is informed of an allegation of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Secretary" means the Chief Administrative Officer of the Department.

"Sexual abuse" means any sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual behavior that results in sexual contact, intimate physical contact, sexual behavior, or intimate physical behavior. Sexual abuse also includes (i) an employee's actions that result in the sending or showing of sexually explicit images to an individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual or (ii) an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual.

"Sexually explicit images" includes, but is not limited to, any material which depicts nudity, sexual conduct, or sado-masochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse.

"Substantiated" means there is a preponderance of the evidence to support the allegation.

"Unfounded" means there is no credible evidence to support the allegation.

"Unsubstantiated" means there is credible evidence, but less than a preponderance of evidence to support the allegation.

(c) Appointment. The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary and the Governor.

(d) Operation and appropriation. The Inspector General shall function independently within the Department with respect to the operations of the Office, including the performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department.

(e) Powers and duties. The Inspector General shall investigate reports of suspected mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation of individuals in any mental health or developmental disabilities facility or agency and shall have authority to take immediate action to prevent any one or more of the following from happening to individuals under its jurisdiction: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. Upon written request of an agency of this State, the Inspector General may assist another agency of the State in investigating reports of the abuse, neglect, or abuse and neglect of persons with mental illness, persons with developmental disabilities, or persons with both. To comply with the requirements of subsection (k) of this Section, the Inspector General shall also review all reportable deaths for which there is no allegation of abuse or neglect. Nothing in this Section shall preempt any duties of the Medical Review Board set forth in the Mental Health and Developmental Disabilities Code. The Inspector General shall have no authority to investigate alleged violations of the State Officials and Employees Ethics Act. Allegations of misconduct under the State Officials and Employees Ethics Act shall be referred to the Office of the Governor's Executive Inspector General for investigation.

(f) Limitations. The Inspector General shall not conduct an investigation within an agency or facility if that investigation would be redundant to or interfere with an investigation conducted by another State agency. The Inspector General shall have no supervision over, or involvement in, the routine programmatic, licensing, funding, or certification operations of the Department. Nothing in this subsection limits investigations by the Department that may otherwise be required by law or that may be necessary in the Department's capacity as central administrative authority responsible for the operation of the State's mental health and developmental disabilities facilities.

(g) Rulemaking authority. The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations as well as for initiating, conducting, and completing investigations based upon the nature of the allegation or allegations. The rules shall clearly establish that if 2 or more State agencies could investigate an allegation, the Inspector General shall not conduct an investigation that would be redundant to, or interfere with, an investigation conducted by another State agency. The rules shall further clarify the method and circumstances under which the Office of Inspector General may interact with the licensing, funding, or certification units of the Department in preventing further occurrences of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, and financial exploitation.

(h) Training programs. The Inspector General shall (i) establish a comprehensive program to ensure that every person authorized to conduct investigations receives ongoing training relative to investigation techniques, communication skills, and the appropriate means of interacting with persons receiving treatment for mental illness, developmental disability, or both mental illness and developmental disability, and (ii) establish and conduct periodic training programs for facility and agency employees concerning the prevention and reporting of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. The Inspector General shall further ensure (i) every person authorized to conduct investigations at community agencies receives ongoing training in Title 59, Parts 115, 116, and 119 of the Illinois Administrative Code, and (ii) every person authorized to conduct investigations shall receive ongoing training in Title 59, Part 50 of the Illinois Administrative Code. Nothing in this Section shall be deemed to prevent the Office of Inspector General from conducting any other training as determined by the Inspector General to be necessary or helpful.

(i) Duty to cooperate.

(1) The Inspector General shall at all times be granted access to any facility or agency for the purpose of investigating any allegation, conducting unannounced site visits, monitoring compliance with a written response, or completing any other statutorily assigned duty. The Inspector General shall

conduct unannounced site visits to each facility at least annually for the purpose of reviewing and making recommendations on systemic issues relative to preventing, reporting, investigating, and responding to all of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation.

(2) Any employee who fails to cooperate with an Office of the Inspector General investigation is in violation of this Act. Failure to cooperate with an investigation includes, but is not limited to, any one or more of the following: (i) creating and transmitting a false report to the Office of the Inspector General hotline, (ii) providing false information to an Office of the Inspector General Investigator during an investigation, (iii) colluding with other employees to cover up evidence, (iv) colluding with other employees to provide false information to an Office of the Inspector General investigator, (v) destroying evidence, (vi) withholding evidence, or (vii) otherwise obstructing an Office of the Inspector General investigation. Additionally, any employee who, during an unannounced site visit or written response compliance check, fails to cooperate with requests from the Office of the Inspector General is in violation of this Act.

(j) Subpoena powers. The Inspector General shall have the power to subpoena witnesses and compel the production of all documents and physical evidence relating to his or her investigations and any hearings authorized by this Act. This subpoena power shall not extend to persons or documents of a labor organization or its representatives insofar as the persons are acting in a representative capacity to an employee whose conduct is the subject of an investigation or the documents relate to that representation. Any person who otherwise fails to respond to a subpoena or who knowingly provides false information to the Office of the Inspector General by subpoena during an investigation is guilty of a Class A misdemeanor.

(k) Reporting allegations and deaths.

(1) Allegations. If an employee witnesses, is told of, or has reason to believe an incident of mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation has occurred, the employee, agency, or facility shall report the allegation by phone to the Office of the Inspector General hotline according to the agency's or facility's procedures, but in no event later than 4 hours after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. A required reporter as defined in subsection (b) of this Section who knowingly or intentionally fails to comply with these reporting requirements is guilty of a Class A misdemeanor.

(2) Deaths. Absent an allegation, a required reporter shall, within 24 hours after initial discovery, report by phone to the Office of the Inspector General hotline each of the following:

(i) Any death of an individual occurring within 14 calendar days after discharge or transfer of the individual from a residential program or facility.

(ii) Any death of an individual occurring within 24 hours after deflection from a residential program or facility.

(iii) Any other death of an individual occurring at an agency or facility or at any Department-funded site.

(3) Retaliation. It is a violation of this Act for any employee or administrator of an agency or facility to take retaliatory action against an employee who acts in good faith in conformance with his or her duties as a required reporter.

(l) Reporting to law enforcement. Reporting criminal acts. Within 24 hours after determining that there is credible evidence indicating that a criminal act may have been committed or that special expertise may be required in an investigation, the Inspector General shall notify the Illinois State Police or other appropriate law enforcement authority, or ensure that such notification is made. The Illinois State Police shall investigate any report from a State-operated facility indicating a possible murder, sexual assault, or other felony by an employee. All investigations conducted by the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(m) Investigative reports. Upon completion of an investigation, the Office of Inspector General shall issue an investigative report identifying whether the allegations are substantiated, unsubstantiated, or unfounded. Within 10 business days after the transmittal of a completed investigative report substantiating an allegation, finding an allegation is unsubstantiated, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where any one or more of the following occurred: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, ~~or~~ financial exploitation, or material obstruction of an investigation. The director of the facility or agency shall be responsible for maintaining the confidentiality of the investigative report

consistent with State and federal law. In a substantiated case, the investigative report shall include any mitigating or aggravating circumstances that were identified during the investigation. If the case involves substantiated neglect, the investigative report shall also state whether egregious neglect was found. An investigative report may also set forth recommendations. All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. Unsubstantiated and unfounded reports shall not be disclosed except as allowed under Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act. Raw data used to compile the investigative report shall not be subject to release unless required by law or a court order. "Raw data used to compile the investigative report" includes, but is not limited to, any one or more of the following: the initial complaint, witness statements, photographs, investigator's notes, police reports, or incident reports. If the allegations are substantiated, the victim, the victim's guardian, and the accused shall be provided with a redacted copy of the investigative report. Death reports where there was no allegation of abuse or neglect shall only be released pursuant to applicable State or federal law or a valid court order. Unredacted investigative reports, as well as raw data, may be shared with a local law enforcement entity, a State's Attorney's office, or a county coroner's office upon written request.

(n) Written responses, clarification requests, and reconsideration requests.

(1) Written responses. Within 30 calendar days from receipt of a substantiated investigative report or an investigative report which contains recommendations, absent a reconsideration request, the facility or agency shall file a written response that addresses, in a concise and reasoned manner, the actions taken to: (i) protect the individual; (ii) prevent recurrences; and (iii) eliminate the problems identified. The response shall include the implementation and completion dates of such actions. If the written response is not filed within the allotted 30 calendar day period, the Secretary shall determine the appropriate corrective action to be taken.

(2) Requests for clarification. The facility, agency, victim or guardian, or the subject employee may request that the Office of Inspector General clarify the finding or findings for which clarification is sought.

(3) Requests for reconsideration. The facility, agency, victim or guardian, or the subject employee may request that the Office of the Inspector General reconsider the finding or findings or the recommendations. A request for reconsideration shall be subject to a multi-layer review and shall include at least one reviewer who did not participate in the investigation or approval of the original investigative report. After the multi-layer review process has been completed, the Inspector General shall make the final determination on the reconsideration request. The investigation shall be reopened if the reconsideration determination finds that additional information is needed to complete the investigative record.

(o) Disclosure of the finding by the Inspector General. The Inspector General shall disclose the finding of an investigation to the following persons: (i) the Governor, (ii) the Secretary, (iii) the director of the facility or agency, (iv) the alleged victims and their guardians, (v) the complainant, and (vi) the accused. This information shall include whether the allegations were deemed substantiated, unsubstantiated, or unfounded.

(p) Secretary review. Upon review of the Inspector General's investigative report and any agency's or facility's written response, the Secretary shall accept or reject the written response and notify the Inspector General of that determination. The Secretary may further direct that other administrative action be taken, including, but not limited to, any one or more of the following: (i) additional site visits, (ii) training, (iii) provision of technical assistance relative to administrative needs, licensure, or certification, or (iv) the imposition of appropriate sanctions.

(q) Action by facility or agency. Within 30 days of the date the Secretary approves the written response or directs that further administrative action be taken, the facility or agency shall provide an implementation report to the Inspector General that provides the status of the action taken. The facility or agency shall be allowed an additional 30 days to send notice of completion of the action or to send an updated implementation report. If the action has not been completed within the additional 30-day period, the facility or agency shall send updated implementation reports every 60 days until completion. The Inspector General shall conduct a review of any implementation plan that takes more than 120 days after approval to complete, and shall monitor compliance through a random review of approved written responses, which may include, but are not limited to: (i) site visits, (ii) telephone contact, and (iii) requests for additional documentation evidencing compliance.

(r) Sanctions. Sanctions, if imposed by the Secretary under Subdivision (p)(iv) of this Section, shall be designed to prevent further acts of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation or some combination of one or more of those acts at a facility or agency, and may include any one or more of the following:

(1) Appointment of on-site monitors.

(2) Transfer or relocation of an individual or individuals.

(3) Closure of units.

(4) Termination of any one or more of the following: (i) Department licensing, (ii) funding, or (iii) certification.

The Inspector General may seek the assistance of the Illinois Attorney General or the office of any State's Attorney in implementing sanctions.

(s) Health Care Worker Registry.

(1) Reporting to the Registry. The Inspector General shall report to the Department of Public Health's Health Care Worker Registry, a public registry, the identity and finding of each employee of a facility or agency against whom there is a final investigative report prepared by the Office of the Inspector General containing a substantiated allegation of physical or sexual abuse, financial exploitation, ~~or~~ egregious neglect of an individual, or material obstruction of an investigation, unless the Inspector General requests a stipulated disposition of the investigative report that does not include the reporting of the employee's name to the Health Care Worker Registry and the Secretary of Human Services agrees with the requested stipulated disposition.

(2) Notice to employee. Prior to reporting the name of an employee, the employee shall be notified of the Department's obligation to report and shall be granted an opportunity to request an administrative hearing, the sole purpose of which is to determine if the substantiated finding warrants reporting to the Registry. Notice to the employee shall contain a clear and concise statement of the grounds on which the report to the Registry is based, offer the employee an opportunity for a hearing, and identify the process for requesting such a hearing. Notice is sufficient if provided by certified mail to the employee's last known address. If the employee fails to request a hearing within 30 days from the date of the notice, the Inspector General shall report the name of the employee to the Registry. Nothing in this subdivision (s)(2) shall diminish or impair the rights of a person who is a member of a collective bargaining unit under the Illinois Public Labor Relations Act or under any other federal labor statute.

(3) Registry hearings. If the employee requests an administrative hearing, the employee shall be granted an opportunity to appear before an administrative law judge to present reasons why the employee's name should not be reported to the Registry. The Department shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that the substantiated finding warrants reporting to the Registry. After considering all the evidence presented, the administrative law judge shall make a recommendation to the Secretary as to whether the substantiated finding warrants reporting the name of the employee to the Registry. The Secretary shall render the final decision. The Department and the employee shall have the right to request that the administrative law judge consider a stipulated disposition of these proceedings.

(4) Testimony at Registry hearings. A person who makes a report or who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such a report, as to any evidence of abuse or neglect, or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged perpetrator of abuse or neglect, or the individual alleged as the victim in the report, and the person making or investigating the report. Testimony at hearings is exempt from the confidentiality requirements of subsection (f) of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act.

(5) Employee's rights to collateral action. No reporting to the Registry shall occur and no hearing shall be set or proceed if an employee notifies the Inspector General in writing, including any supporting documentation, that he or she is formally contesting an adverse employment action resulting from a substantiated finding by complaint filed with the Illinois Civil Service Commission, or which otherwise seeks to enforce the employee's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against an employee as a result of a finding of physical abuse, sexual abuse, or egregious neglect is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement and if that

employee's name has already been sent to the Registry, the employee's name shall be removed from the Registry.

(6) Removal from Registry. At any time after the report to the Registry, but no more than once in any 12-month period, an employee may petition the Department in writing to remove his or her name from the Registry. Upon receiving notice of such request, the Inspector General shall conduct an investigation into the petition. Upon receipt of such request, an administrative hearing will be set by the Department. At the hearing, the employee shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that removal of the name from the Registry is in the public interest. The parties may jointly request that the administrative law judge consider a stipulated disposition of these proceedings.

(t) Review of Administrative Decisions. The Department shall preserve a record of all proceedings at any formal hearing conducted by the Department involving Health Care Worker Registry hearings. Final administrative decisions of the Department are subject to judicial review pursuant to provisions of the Administrative Review Law.

(u) Quality Care Board. There is created, within the Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or care of persons with developmental disabilities. Two members appointed by the Governor shall be persons with a disability or parents of persons with a disability. Members shall serve without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum allowing the Board to conduct its business. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to ensure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

(1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged abuse, neglect, or both abuse and neglect.

(2) Review existing regulations relating to the operation of facilities.

(3) Advise the Inspector General as to the content of training activities authorized under this Section.

(4) Recommend policies concerning methods for improving the intergovernmental relationships between the Office of the Inspector General and other State or federal offices.

(v) Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of reports and investigations made under this Act for the prior fiscal year with respect to individuals receiving mental health or developmental disabilities services. The report shall detail the imposition of sanctions, if any, and the final disposition of any corrective or administrative action directed by the Secretary. The summaries shall not contain any confidential or identifying information of any individual, but shall include objective data identifying any trends in the number of reported allegations, the timeliness of the Office of the Inspector General's investigations, and their disposition, for each facility and Department-wide, for the most recent 3-year time period. The report shall also identify, by facility, the staff-to-patient ratios taking account of direct care staff only. The report shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(w) Program audit. The Auditor General shall conduct a program audit of the Office of the Inspector General on an as-needed basis, as determined by the Auditor General. The audit shall specifically include the Inspector General's compliance with the Act and effectiveness in investigating reports of allegations occurring in any facility or agency. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 following the audit period.

(x) Nothing in this Section shall be construed to mean that an individual is a victim of abuse or neglect because of health care services appropriately provided or not provided by health care professionals.

(y) Nothing in this Section shall require a facility, including its employees, agents, medical staff members, and health care professionals, to provide a service to an individual in contravention of that individual's stated or implied objection to the provision of that service on the ground that that service conflicts with the individual's religious beliefs or practices, nor shall the failure to provide a service to an individual be considered abuse under this Section if the individual has objected to the provision of that service based on his or her religious beliefs or practices.

(Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21; 102-883, eff. 5-13-22; 102-1071, eff. 6-10-22; revised 7-26-22.)

Section 10. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 7.3 as follows:

(20 ILCS 1705/7.3)

Sec. 7.3. Health Care Worker Registry~~; finding of abuse or neglect~~. The Department shall require that no facility, service agency, or support agency providing mental health or developmental disability services that is licensed, certified, operated, or funded by the Department shall employ a person, in any capacity, who is identified by the Health Care Worker Registry as having been the subject of a substantiated finding of physical abuse, sexual abuse, financial exploitation, egregious neglect, or material obstruction of an investigation ~~abuse or neglect of a service recipient~~. Any owner or operator of a community agency who is identified by the Health Care Worker Registry as having been the subject of a substantiated finding of physical abuse, sexual abuse, financial exploitation, egregious neglect, or material obstruction of an investigation ~~abuse or neglect of a service recipient~~ is prohibited from any involvement in any capacity with the provision of Department funded mental health or developmental disability services. The Department shall establish and maintain the rules that are necessary or appropriate to effectuate the intent of this Section. The provisions of this Section shall not apply to any facility, service agency, or support agency licensed or certified by a State agency other than the Department, unless operated by the Department of Human Services.

(Source: P.A. 100-432, eff. 8-25-17.)

Section 15. The Health Care Worker Background Check Act is amended by changing Section 25 as follows:

(225 ILCS 46/25)

Sec. 25. Hiring of people with criminal records by health care employers and long-term care facilities.

(a) A health care employer or long-term care facility may hire, employ, or retain any individual in a position involving direct care for clients, patients, or residents, or access to the living quarters or the financial, medical, or personal records of clients, patients, or residents who has been convicted of committing or attempting to commit one or more of the following offenses only with a waiver described in Section 40: those defined in Sections 8-1(b), 8-1.1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 9-3.4, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9.1, 11-9.2, 11-9.3, 11-9.4-1, 11-9.5, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-1, 12-2, 12-3.05, 12-3.1, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-20.5, 12-21, 12-21.5, 12-21.6, 12-32, 12-33, 12C-5, 12C-10, 16-1, 16-1.3, 16-25, 16A-3, 17-3, 17-56, 18-1, 18-2, 18-3, 18-4, 18-5, 19-1, 19-3, 19-4, 19-6, 20-1, 20-1.1, 24-1, 24-1.2, 24-1.5, 24-1.8, 24-3.8, or 33A-2, or subdivision (a)(4) of Section 11-14.4, or in subsection (a) of Section 12-3 or subsection (a) or (b) of Section 12-4.4a, of the Criminal Code of 1961 or the Criminal Code of 2012; those provided in Section 4 of the Wrongs to Children Act; those provided in Section 53 of the Criminal Jurisprudence Act; those defined in subsection (c), (d), (e), (f), or (g) of Section 5 or Section 5.1, 5.2, 7, or 9 of the Cannabis Control Act; those defined in the Methamphetamine Control and Community Protection Act; those defined in Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act; or subsection (a) of Section 3.01, Section 3.02, or Section 3.03 of the Humane Care for Animals Act.

(a-1) A health care employer or long-term care facility may hire, employ, or retain any individual in a position involving direct care for clients, patients, or residents, or access to the living quarters or the financial, medical, or personal records of clients, patients, or residents who has been convicted of committing or attempting to commit one or more of the following offenses only with a waiver described in

Section 40: those offenses defined in Section 12-3.3, 12-4.2-5, 16-2, 16-30, 16G-15, 16G-20, 17-33, 17-34, 17-36, 17-44, 18-5, 20-1.2, 24-1.1, 24-1.2-5, 24-1.6, 24-3.2, or 24-3.3, or subsection (b) of Section 17-32, subsection (b) of Section 18-1, or subsection (b) of Section 20-1, of the Criminal Code of 1961 or the Criminal Code of 2012; Section 4, 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card Act; or Section 11-9.1A of the Criminal Code of 1961 or the Criminal Code of 2012 or Section 5.1 of the Wrongs to Children Act; or (ii) violated Section 50-50 of the Nurse Practice Act.

A health care employer is not required to retain an individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility is required to retain an individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses enumerated in this subsection.

(b) A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in subsection (a) or (a-1), as verified by court records, records from a state agency, or an FBI criminal history record check, unless the applicant or employee obtains a waiver pursuant to Section 40 of this Act. This shall not be construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided.

(c) A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents, who has a finding by the Department of abuse, neglect, misappropriation of property, or theft denoted on the Health Care Worker Registry.

(d) A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents if the individual has a verified and substantiated finding of abuse, neglect, or financial exploitation, as identified within the Adult Protective Service Registry established under Section 7.5 of the Adult Protective Services Act.

(e) A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents who has a finding by the Department of Human Services denoted on the Health Care Worker Registry of physical or sexual abuse, financial exploitation, ~~or~~ egregious neglect, or material obstruction of an investigation ~~of an individual denoted on the Health Care Worker Registry~~.

(Source: P.A. 99-872, eff. 1-1-17; 100-432, eff. 8-25-17.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 855** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman

Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator D. Turner, **Senate Bill No. 896** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO SENATE BILL 896

AMENDMENT NO. 1 . Amend Senate Bill 896 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 12-218 and by adding Section 12-218.5 as follows:

(625 ILCS 5/12-218)

Sec. 12-218. Auxiliary accent lighting on motorcycles.

(a) A motorcycle registered in this State may be equipped with, and a person operating the motorcycle may use, standard bulb running lights or light-emitting diode (L.E.D.) pods and strips as auxiliary lighting with the intent of protecting the driver.

(b) Auxiliary lighting authorized under subsection (a) of this Section:

(1) shall not project a beam of light of an intensity greater than 25 candlepower or its equivalent from a single lamp or single light-emitting diode (L.E.D.);

(2) shall not be directed horizontally;

(3) shall be so directed that no part of the beam will strike the level of the surface on which the motorcycle stands at a distance of more than 10 feet from the motorcycle;

(4) shall be directed towards the ground;

(5) shall not emit ~~red or~~ blue light;

(6) shall not be:

(A) blinking;

(B) flashing;

(C) oscillating; or

(D) rotating; and

(7) shall not be attached to the wheels of the motorcycle.

(Source: P.A. 99-242, eff. 8-3-15.)

(625 ILCS 5/12-218.5 new)

Sec. 12-218.5. Optional lighting on motorcycles.

(a) A motorcycle may be equipped with 2 forward facing electric turn signals mounted on or near the handlebar grip assembly, or on the front fork assembly, or front fender shroud. The lamps shall be mounted on the same level and as widely spaced laterally as practicable, and when signaling, shall emit a white or amber light.

(b) A motorcycle may be equipped with 2 forward facing electric driving lights which display a steady-on white or amber light. These lights may be in addition to but not in lieu of the required lamps on motorcycles under Section 11-201 and may be used either when the provisions of Section 11-201 are required or not required. The driving lights under this subsection (b) may by the same lamp housing specified under subsection (a) which shall only be actuated to a flashing signal to comply with the requirements of Section 11-208.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator D. Turner, **Senate Bill No. 896** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

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

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

SENATE BILL RECALLED

On motion of Senator Bennett, **Senate Bill No. 994** was recalled from the order of third reading to the order of second reading.

Senator Bennett offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 994

AMENDMENT NO. 1 . Amend Senate Bill 994 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 19-1 as follows:

(105 ILCS 5/19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in the Local Government Debt Limitation Act.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(a-5) After January 1, 2018, no school district may issue bonds under Sections 19-2 through 19-7 of this Code and rely on an exception to the debt limitations in this Section unless it has complied with the requirements of Section 21 of the Bond Issue Notification Act and the bonds have been approved by referendum.

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and

approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed $4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of $5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than $29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than $140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed $4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of August 14, 1998 (the effective date of Public Act 90-757).

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than $10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than $7,700,000;

(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least $737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least $295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed $450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students

in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed $225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed $225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-25) In addition to all other authority to issue bonds, Rochester Community Unit School District 3A may issue bonds with an aggregate principal amount not to exceed $18,500,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at the general primary election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of a new high school building; the addition of classrooms and support facilities at the high school, middle school, and elementary school; the altering, repairing, and equipping of existing school buildings; and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by a law that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before December 31, 2012, but the aggregate principal amount issued in all such bond issues combined must not exceed $18,500,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the primary election held in 2008.

The debt incurred on any bonds issued under this subsection (p-25) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed $30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal amount issued in all such bond issuances combined must not exceed $30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an aggregate principal amount not to exceed $13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill Elementary School building is required because of the age of that school building.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed $13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-40) In addition to all other authority to issue bonds, Mascoutah Community Unit District 19 may issue bonds with an aggregate principal amount not to exceed $55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at a regular election held on or after November 4, 2008.

(2) At the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new high school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing high school building, (ii) the existing high school building will be demolished, and (iii) the sale of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed $55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at a regular election held on or after November 4, 2008.

The debt incurred on any bonds issued under this subsection (p-40) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-45) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.5 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 18.5% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-50) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.10 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 43% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-55) In addition to all other authority to issue bonds, Belle Valley School District 119 may issue bonds with an aggregate principal amount not to exceed $47,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 7, 2009.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of mine subsidence in an existing school building and because of the age and condition of another existing school building and (ii) the issuance of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $47,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 7, 2009.

The debt incurred on any bonds issued under this subsection (p-55) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-55) must mature within not to exceed 30 years from their date, notwithstanding any other law to the contrary.

(p-60) In addition to all other authority to issue bonds, Wilmington Community Unit School District Number 209-U may issue bonds with an aggregate principal amount not to exceed $2,285,000, but only if all of the following conditions are met:

(1) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 21, 2006.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects approved by the voters were and are required because of the age and condition of the school district's prior and existing school buildings and (ii) the issuance of the bonds is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued in one or more bond issuances on or before March 1, 2011, but the aggregate principal amount issued in all those bond issuances combined must not exceed $2,285,000.

(4) The bonds are issued in accordance with this Article.

The debt incurred on any bonds issued under this subsection (p-60) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-65) In addition to all other authority to issue bonds, West Washington County Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed $32,200,000 and maturing over a period not exceeding 25 years, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after February 2, 2010.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (A) all or a portion of the existing Okawville Junior/Senior High School Building will be demolished; (B) the building and equipping of a new school building to be attached to and the alteration, repair, and equipping of the remaining portion of the Okawville Junior/Senior High School Building is required because of the age and current condition of that school building; and (C) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,200,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-65) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-70) In addition to all other authority to issue bonds, Cahokia Community Unit School District 187 may issue bonds with an aggregate principal amount not to exceed $50,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 2, 2010.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2016, but the aggregate principal amount issued in all such bond issuances combined must not exceed $50,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 2, 2010.

The debt incurred on any bonds issued under this subsection (p-70) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-70) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-75) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, the execution of leases on or after January 1, 2007 and before July 1, 2011 by the Board of Education of Peoria School District 150 with a public building commission for leases entered into pursuant to the Public Building Commission Act shall not be considered indebtedness for purposes of any statutory debt limitation.

This subsection (p-75) applies only if the State Board of Education or the Capital Development Board makes one or more grants to Peoria School District 150 pursuant to the School Construction Law. The amount exempted from the debt limitation as prescribed in this subsection (p-75) shall be no greater than the amount of one or more grants awarded to Peoria School District 150 by the State Board of Education or the Capital Development Board.

(p-80) In addition to all other authority to issue bonds, Ridgeland School District 122 may issue bonds with an aggregate principal amount not to exceed $50,000,000 for the purpose of refunding or continuing to refund bonds originally issued pursuant to voter approval at the general election held on November 7, 2000, and the debt incurred on any bonds issued under this subsection (p-80) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-80) may be issued in one or more issuances and must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-85) In addition to all other authority to issue bonds, Hall High School District 502 may issue bonds with an aggregate principal amount not to exceed $32,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 9, 2013.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building, (ii) the existing school building should be demolished in its entirety or the existing school building should be demolished except for the 1914 west wing of the building, and (iii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $32,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 9, 2013.

The debt incurred on any bonds issued under this subsection (p-85) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-85) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-90) In addition to all other authority to issue bonds, Lebanon Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed $7,500,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at the general primary election on February 2, 2010.

(2) At or prior to the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new elementary school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing Lebanon Elementary School building, (ii) a portion of the existing Lebanon Elementary School building will be demolished and the remaining portion will be altered, repaired, and equipped, and (iii) the sale of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before April 1, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed $7,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-90) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-95) In addition to all other authority to issue bonds, Monticello Community Unit School District 25 may issue bonds with an aggregate principal amount not to exceed $35,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 4, 2014.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2020, but the aggregate principal amount issued in all such bond issuances combined must not exceed $35,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 4, 2014.

The debt incurred on any bonds issued under this subsection (p-95) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-95) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-100) In addition to all other authority to issue bonds, the community unit school district created in the territory comprising Milford Community Consolidated School District 280 and Milford Township High School District 233, as approved at the general primary election held on March 18, 2014, may issue bonds with an aggregate principal amount not to exceed $17,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 4, 2014.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2020, but the aggregate principal amount issued in all such bond issuances combined must not exceed $17,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 4, 2014.

The debt incurred on any bonds issued under this subsection (p-100) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-100) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-105) In addition to all other authority to issue bonds, North Shore School District 112 may issue bonds with an aggregate principal amount not to exceed $150,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 15, 2016.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of new buildings and improving the sites thereof and the building and equipping of additions to, altering, repairing, equipping, and renovating existing buildings and improving the sites thereof are required as a result of the age and condition of the district's existing buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $150,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 15, 2016.

The debt incurred on any bonds issued under this subsection (p-105) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-105) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-110) In addition to all other authority to issue bonds, Sandoval Community Unit School District 501 may issue bonds with an aggregate principal amount not to exceed $2,000,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at an election held on March 20, 2012.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required because of the age and current condition of the Sandoval Elementary School building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 19, 2022, but the aggregate principal amount issued in all such bond issuances combined must not exceed $2,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the election held on March 20, 2012.

The debt incurred on any bonds issued under this subsection (p-110) and on any bonds issued to refund or continue to refund the bonds shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-115) In addition to all other authority to issue bonds, Bureau Valley Community Unit School District 340 may issue bonds with an aggregate principal amount not to exceed $25,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 15, 2016.

(2) Prior to the issuances of the bonds, the school board determines, by resolution, that (i) the renovating and equipping of some existing school buildings, the building and equipping of new school buildings, and the demolishing of some existing school buildings are required as a result of the age and condition of existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2021, but the aggregate principal amount issued in all such bond issuances combined must not exceed $25,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 15, 2016.

The debt incurred on any bonds issued under this subsection (p-115) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-115) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-120) In addition to all other authority to issue bonds, Paxton-Buckley-Loda Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed $28,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 8, 2016.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects as described in said proposition, relating to the building and equipping of one or more school buildings or additions to existing school buildings, are required as a result of the age and condition of the District's existing buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $28,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 8, 2016.

The debt incurred on any bonds issued under this subsection (p-120) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-120) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-125) In addition to all other authority to issue bonds, Hillsboro Community Unit School District 3 may issue bonds with an aggregate principal amount not to exceed $34,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 15, 2016.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) altering, repairing, and equipping the high school agricultural/vocational building, demolishing the high school main, cafeteria, and gym buildings, building and equipping a school building, and improving sites are required as a result of the age and condition of the district's existing buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $34,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 15, 2016.

The debt incurred on any bonds issued under this subsection (p-125) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-125) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-130) In addition to all other authority to issue bonds, Waltham Community Consolidated School District 185 may incur indebtedness in an aggregate principal amount not to exceed $9,500,000 to build and equip a new school building and improve the site thereof, but only if all the following conditions are met:

(1) A majority of the voters of the district voting on an advisory question voted in favor of the question regarding the use of funding sources to build a new school building without increasing property tax rates at the general election held on November 8, 2016.

(2) Prior to incurring the debt, the school board enters into intergovernmental agreements with the City of LaSalle to pledge moneys in a special tax allocation fund associated with tax increment financing districts LaSalle I and LaSalle III and with the Village of Utica to pledge moneys in a special tax allocation fund associated with tax increment financing district Utica I for the purposes of repaying the debt issued pursuant to this subsection (p-130). Notwithstanding any other provision of law to the contrary, the intergovernmental agreement may extend these tax increment financing districts as necessary to ensure repayment of the debt.

(3) Prior to incurring the debt, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of the district's existing buildings and (ii) the debt is authorized by a statute that exempts the debt from the district's statutory debt limitation.

(4) The debt is incurred, in one or more issuances, not later than January 1, 2021, and the aggregate principal amount of debt issued in all such issuances combined must not exceed $9,500,000.

The debt incurred under this subsection (p-130) and on any bonds issued to pay, refund, or continue to refund such debt shall not be considered indebtedness for purposes of any statutory debt limitation. Debt issued under this subsection (p-130) and any bonds issued to pay, refund, or continue to refund such debt must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-11 of this Code and subsection (b) of Section 17 of the Local Government Debt Reform Act, to the contrary.

(p-133) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds heretofore or hereafter issued by East Prairie School District 73 with an aggregate principal amount not to exceed $47,353,147 and approved by the voters of the district at the general election held on November 8, 2016, and any bonds issued to refund or continue to refund the bonds, shall not be considered indebtedness for the purposes of any statutory debt limitation and may mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-135) In addition to all other authority to issue bonds, Brookfield LaGrange Park School District Number 95 may issue bonds with an aggregate principal amount not to exceed $20,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 4, 2017.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the additions and renovations to the Brook Park Elementary and S. E. Gross Middle School buildings are required to accommodate enrollment growth, replace outdated facilities, and create spaces consistent with 21st century learning and (ii) the issuance of the bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $20,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 4, 2017.

The debt incurred on any bonds issued under this subsection (p-135) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-140) The debt incurred on any bonds issued by Wolf Branch School District 113 under Section 17-2.11 of this Code for the purpose of repairing or replacing all or a portion of a school building that has been damaged by mine subsidence in an aggregate principal amount not to exceed $17,500,000 and on any bonds issued to refund or continue to refund those bonds shall not be considered indebtedness for purposes of any statutory debt limitation and must mature no later than 25 years from the date of issuance, notwithstanding any other provision of law to the contrary, including Section 19-3 of this Code. The maximum allowable amount of debt exempt from statutory debt limitations under this subsection (p-140) shall be reduced by an amount equal to any grants awarded by the State Board of Education or Capital Development Board for the explicit purpose of repairing or reconstructing a school building damaged by mine subsidence.

(p-145) In addition to all other authority to issue bonds, Greenview Community Unit School District 200 may issue bonds with an aggregate principal amount not to exceed $3,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the bonding is necessary for construction and expansion of the district's kindergarten through grade 12 facility.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $3,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-145) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-145) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-150) In addition to all other authority to issue bonds, Komarek School District 94 may issue bonds with an aggregate principal amount not to exceed $20,800,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping additions to, altering, repairing, equipping, or demolishing a portion of, or improving the site of the district's existing school building is required as a result of the age and condition of the existing building and (ii) the issuance of the bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, no later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all of the bond issuances combined may not exceed $20,800,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-150) and on any bonds issued to refund or continue to refund those bonds may not be considered indebtedness for purposes of any statutory debt limitation. Notwithstanding any other law to the contrary, including Section 19-3, bonds issued under this subsection (p-150) and any bonds issued to refund or continue to refund those bonds must mature within 30 years from their date of issuance.

(p-155) In addition to all other authority to issue bonds, Williamsville Community Unit School District 15 may issue bonds with an aggregate principal amount not to exceed $40,000,000, but only if all of the following conditions are met:

(1) The voters of the school district approve a proposition for the bond issuance at an election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $40,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-155) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-155) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-160) In addition to all other authority to issue bonds, Berkeley School District 87 may issue bonds with an aggregate principal amount not to exceed $105,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at the general primary election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping a school building to replace the Sunnyside Intermediate and MacArthur Middle School buildings; building and equipping additions to and altering, repairing, and equipping the Riley Intermediate and Northlake Middle School buildings; altering, repairing, and equipping the Whittier Primary and Jefferson Primary School buildings; improving sites; renovating instructional spaces; providing STEM (science, technology, engineering, and mathematics) labs; and constructing life safety, security, and infrastructure improvements are required to replace outdated facilities and to provide safe spaces consistent with 21st century learning and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $105,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-160) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-165) In addition to all other authority to issue bonds, Elmwood Park Community Unit School District 401 may issue bonds with an aggregate principal amount not to exceed $55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of an addition to the John Mills Elementary School building; the renovating, altering, repairing, and equipping of the John Mills and Elmwood Elementary School buildings; the installation of safety and security improvements; and the improvement of school sites are required as a result of the age and condition of the district's existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-165) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-165) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-170) In addition to all other authority to issue bonds, Maroa-Forsyth Community Unit School District 2 may issue bonds with an aggregate principal amount not to exceed $33,000,000, but only if all of the following conditions are met:

(1) The voters of the school district approve a proposition for the bond issuance at an election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $33,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-170) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-170) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-175) In addition to all other authority to issue bonds, Schiller Park School District 81 may issue bonds with an aggregate principal amount not to exceed $30,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping a school building to replace the Washington Elementary School building, installing fire suppression systems, security systems, and federal Americans with Disability Act of 1990 compliance measures, acquiring land, and improving the site are required to accommodate enrollment growth, replace an outdated facility, and create spaces consistent with 21st century learning and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $30,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-175) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-175) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 27 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-180) In addition to all other authority to issue bonds, Iroquois County Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed $17,125,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 6, 2021.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping a new school building in the City of Watseka; altering, repairing, renovating, and equipping portions of the existing facilities of the district; and making site improvements is necessary because of the age and condition of the district's existing school facilities and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $17,125,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after April 6, 2021.

The debt incurred on any bonds issued under this subsection (p-180) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-180) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-185) In addition to all other authority to issue bonds, Field Community Consolidated School District 3 may issue bonds with an aggregate principal amount not to exceed $2,600,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 6, 2021.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to alter, repair, renovate, and equip the existing facilities of the district, including, but not limited to, roof replacement, lighting replacement, electrical upgrades, restroom repairs, and gym renovations, and make site improvements because of the age and condition of the district's existing school facilities and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $2,600,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after April 6, 2021.

The debt incurred on any bonds issued under this subsection (p-185) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-185) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-190) In addition to all other authority to issue bonds, Mahomet-Seymour Community Unit School District 3 may issue bonds with an aggregate principal amount not to exceed $97,900,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to build and equip a new junior high school building, build and equip a new transportation building, and build and equip additions to, renovate, and make site improvements at the Lincoln Trail Elementary building, Middletown Prairie Elementary building, and Mahomet-Seymour High School building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $97,900,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-190) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-190) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-195) In addition to all other authority to issue bonds, New Berlin Community Unit School District 16 may issue bonds with an aggregate principal amount not to exceed $23,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to alter, repair, and equip the junior/senior high school building, including creating new classroom, gym, and other instructional spaces, renovating the J.V. Kirby Pretzel Dome, improving heating, cooling, and ventilation systems, installing school safety and security improvements, removing asbestos, and making site improvements, and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $23,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-195) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-195) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-200) In addition to all other authority to issue bonds, Highland Community Unit School District 5 may issue bonds with an aggregate principal amount not to exceed $40,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to improve the sites of, build, and equip a new primary school building and build and equip additions to and alter, repair, and equip existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $40,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-200) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-200) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-205) In addition to all other authority to issue bonds, Sullivan Community Unit School District 300 may issue bonds with an aggregate principal amount not to exceed $25,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects set forth in the proposition for the issuance of the bonds are required because of the age, condition, or capacity of the school district's existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $25,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-205) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-205) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-210) In addition to all other authority to issue bonds, Manhattan School District 114 may issue bonds with an aggregate principal amount not to exceed $85,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age, condition, or capacity of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuances of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $85,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-210) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-210) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-215) In addition to all other authority to issue bonds, Golf Elementary School District 67 may issue bonds with an aggregate principal amount not to exceed $56,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to build and equip a new school building and improve the site thereof and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $56,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-215) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-215) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-220) In addition to all other authority to issue bonds, Washington School District 52 may issue bonds with an aggregate principal amount not to exceed $20,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 4, 2023.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the issuance of the bonds were and are required because of the age, condition, or capacity of the district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed $20,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after April 4, 2023.

The debt incurred on any bonds issued under this subsection (p-220) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-220) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 101-646, eff. 6-26-20; 102-316, eff. 8-6-21; 102-949, eff. 5-27-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Bennett, **Senate Bill No. 994** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Plummer	Villanueva
Edly-Allen	Johnson	Porfirio	Villivalam
Ellman	Joyce	Preston	Wilcox
Faraci	Koehler	Rezin	Mr. President
Feigenholtz	Lewis	Simmons	

The following voted in the negative:

Rose

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

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

SENATE BILL RECALLED

On motion of Senator McConchie, **Senate Bill No. 1066** was recalled from the order of third reading to the order of second reading.

Senator McConchie offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1066

AMENDMENT NO. 1 . Amend Senate Bill 1066 by replacing everything after the enacting clause with the following:

"Section 5. The Director of the Department of Natural Resources, on behalf of the State of Illinois, is authorized to execute and deliver to Lake County, a body politic organized and existing under the laws of the State of Illinois, for and in consideration of $1 paid to said Department, a quit claim deed to the following described real property, to wit:

PARCEL 1:
That part of the Northwest Quarter of Section 9, Township 44 North, Range 9 East of the Third Principal Meridian, in Lake County, Illinois, bearings and distances are based on the Illinois Coordinate System, NAD 83(2011) East Zone, with a combination factor of 0.9999453206, described as follows:
Commencing at the southeast corner of the Northwest Quarter of said Section 9; thence on an Illinois Coordinate System NAD 83(2011) East Zone bearing of North 0 degrees 33 minutes 15 seconds West along the east line of the Northwest Quarter of said Section 9, a distance of 125.06 feet to the point of beginning; thence South 89 degrees 26 minutes 45 seconds West, a distance of 43.06 feet to the westerly right of way line of Darrell Road, as monumented and occupied; thence northwesterly 137.33 feet along a curve to the right having a radius of 1989.89 feet, the chord of said curve bears North 33 degrees 01 minute 39 seconds West, 137.31 feet; thence North 24 degrees 07 minutes 53 seconds West, a distance of 45.06 feet; thence North 23 degrees 50 minutes 04 seconds West, a distance of 45.96 feet; thence North 19 degrees 10 minutes 05 seconds West, a distance of 465.78 feet; thence North 13 degrees 39 minutes 44 seconds West, a distance of 52.11 feet to the westerly right of way line of Darrell Road recorded August 21, 1953 as document number 800144; thence North 70 degrees 49 minutes 55 seconds East, a distance of 40.00 feet to the center line of Darrell Road recorded December 10, 1953 as document number 810817; thence South 19 degrees 10 minutes 05 seconds East along the said center line of Darrell Road, a distance of 198.63 feet to a point of curvature on said center line; thence southeasterly 486.75 feet along the said center line of Darrell Road on a curve to the left having a radius of 1909.90 feet, the chord of said curve bears South 26 degrees 28 minutes 09 seconds East, 485.43 feet to the east line of the Northwest Quarter of said Section 9; thence South 0 degrees 33 minutes 15 seconds East along the east line of the Northwest Quarter of said Section 9, a distance of 79.43 feet to the point of beginning.
Said parcel containing 0.990 acre, more or less, of which 0.749 acre, more or less, was previously dedicated or used for highway purposes.

PARCEL 2:
That part of the Northwest Quarter of Section 9, Township 44 North, Range 9 East of the Third Principal Meridian, in Lake County, Illinois, bearings and distances are based on the Illinois Coordinate System, NAD 83(2011) East Zone, with a combination factor of 0.9999453206, described as follows:
Commencing at the southeast corner of the Northwest Quarter of said Section 9; thence on an Illinois Coordinate System NAD 83(2011) East Zone bearing of North 0 degrees 33 minutes 15 seconds West along the east line of the Northwest Quarter of said Section 9, a distance of 1.51 feet to the westerly right of way line of Darrell Road, as monumented and occupied; thence North 19 degrees 46 minutes 03 seconds West along the said westerly right of way line of Darrell Road, as monumented and occupied, a distance of 313.36 feet to the southwesterly right of way line of Darrell Road recorded August 21, 1953 as document number 800144; thence northwesterly 362.61 feet along the said southwesterly right of way line of Darrell Road on a curve to the right having a radius of 1949.89 feet, the chord of said curve bears North 24 degrees 29 minutes 44 seconds West, 362.09 feet to a point of tangency on said southwesterly right of way line; thence North 19 degrees 10 minutes 05 seconds West along the westerly right of way line of Darrell Road recorded as document number 800144, a distance of 430.90 feet to the point of beginning; thence South 70 degrees 49 minutes 55 seconds West, a distance of 10.00 feet to a point 10.00 feet normally distant Westerly of the said westerly right of way line of Darrell Road; thence North 19 degrees 10 minutes 05 seconds West along a line 10.00 feet normally distant Westerly of and parallel with the said westerly right of way line of Darrell Road, a distance of 231.76 feet; thence North 70 degrees 49 minutes 55 seconds East, a distance of 50.00 feet to the center line of Darrell Road recorded December 10, 1953 as document number 810817; thence South 19 degrees 10 minutes 05 seconds East along the said center line of Darrell Road, a distance of 231.76 feet; thence South 70 degrees 49 minutes 55 seconds West, a distance of 40.00 feet to the point of beginning.
Said parcel containing 0.266 acre, more or less, of which 0.213 acre, more or less, was previously dedicated or used for highway purposes.

PARCEL 3:

That part of the Northwest Quarter of Section 9, Township 44 North, Range 9 East of the Third Principal Meridian, in Lake County, Illinois, bearings and distances are based on the Illinois Coordinate System, NAD 83(2011) East Zone, with a combination factor of 0.9999453206, described as follows:

Commencing at the southeast corner of the Northwest Quarter of said Section 9; thence on an Illinois Coordinate System NAD 83(2011) East Zone bearing of North 0 degrees 33 minutes 15 seconds West along the east line of the Northwest Quarter of said Section 9, a distance of 1.51 feet to the westerly right of way line of Darrell Road, as monumented and occupied; thence North 19 degrees 46 minutes 03 seconds West along the said westerly right of way line of Darrell Road, as monumented and occupied, a distance of 313.36 feet to the southwesterly right of way line of Darrell Road recorded August 21, 1953 as document number 800144; thence northwesterly 362.61 feet along the said southwesterly right of way line of Darrell Road on a curve to the right having a radius of 1949.89 feet, the chord of said curve bears North 24 degrees 29 minutes 44 seconds West, 362.09 feet to a point of tangency on said southwesterly right of way line; thence North 19 degrees 10 minutes 05 seconds West along the westerly right of way line of Darrell Road recorded as document number 800144, a distance of 1275.24 feet to the point of beginning; thence South 70 degrees 49 minutes 55 seconds West, a distance of 10.00 feet to a point 10.00 feet normally distant Westerly of the said westerly right of way line of Darrell Road; thence North 19 degrees 10 minutes 05 seconds West along a line 10.00 feet normally distant Westerly of and parallel with the said westerly right of way line of Darrell Road, a distance of 20.00 feet; thence North 70 degrees 49 minutes 55 seconds East, a distance of 50.00 feet to the center line of Darrell Road recorded December 10, 1953 as document number 810817; thence South 19 degrees 10 minutes 05 seconds East along the said center line of Darrell Road, a distance of 20.00 feet; thence South 70 degrees 49 minutes 55 seconds West, a distance of 40.00 feet to the point of beginning.

Said parcel containing 0.023 acre, more or less, of which 0.018 acre, more or less, was previously dedicated or used for highway purposes.

Section 10. The conveyances of real property authorized by Section 5 shall be made subject to: (1) existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants, and restrictions of record; and (2) the express condition that if said real property ceases to be used for public purposes, it shall revert to the State of Illinois, Department of Natural Resources.

Section 15. The Director of Natural Resources shall obtain a certified copy of the portions of this Act within 60 days after its effective date and, upon receipt of the payment required by Section 5, if any payment is required, shall record the certified document in the Recorder's Office in the county in which the land is located.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator McConchie, **Senate Bill No. 1066** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

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

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

SENATE BILL RECALLED

On motion of Senator Stoller, **Senate Bill No. 1067** was recalled from the order of third reading to the order of second reading.

Senator Stoller offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1067

AMENDMENT NO. 1 . Amend Senate Bill 1067 by replacing everything after the enacting clause with the following:

"Section 5. The Director of the Department of Natural Resources, on behalf of the State of Illinois, is authorized to execute and deliver to Fulton Township, a unit of local government organized and existing under the laws of the State of Illinois, of the County of Whiteside, State of Illinois, for and in consideration of $1 paid to said Department, a quit claim deed to the following described real property, to wit:

A part of a parcel of land conveyed to the People of the State of Illinois by Order Vesting Title filed as Case Number 84 ED 515, more particularly described as:

The West 85 feet as measured perpendicular to the Westerly right of way line of the abandoned Chicago, Burlington and Quincy Railroad lying Westerly of the abandoned right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad as it extends over and across the East Half of Section 11, Township 22 North Range 3 East of the Fourth Principal Meridian in Whiteside County Illinois, excepting that part thereof conveyed to Fulton Flood Control District, Whiteside County, Illinois, described as follows, to wit: All of the 100-foot wide right of way to Burlington Northern, Inc.'s former Fulton to Ebner, Illinois Branch Line as it crosses the Southwest Quarter of the Southeast Quarter and the Southerly 200 feet of the Northwest Quarter of the Southeast Quarter of Section 11, Township 22 North, Range 3 East of the Fourth Principal Meridian, Whiteside County, Illinois, in a Northeasterly and Southwesterly direction.

Section 10. The conveyance of real property authorized by Section 5 shall be made subject to: (1) existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants, and restrictions of record; and (2) the express condition that if said real property ceases to be used for public purposes, it shall revert to the State of Illinois, Department of Natural Resources.

Section 15. The Director of Natural Resources shall obtain a certified copy of the portions of this Act after its effective date and, upon receipt of the payment required by Section 5, shall record the certified document in the Recorder's Office in the County in which the land is located.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Stoller, **Senate Bill No. 1067** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Johnson, **Senate Bill No. 1251** was recalled from the order of third reading to the order of second reading.

Senator Johnson offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1251

AMENDMENT NO. 2 . Amend Senate Bill 1251, AS AMENDED, by inserting immediately below the enacting clause the following:

"Section 1. This Act may be referred to as the Donald (DJ) Stallworth, III Act.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Johnson, **Senate Bill No. 1251** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Simmons, **Senate Bill No. 1282** was recalled from the order of third reading to the order of second reading.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1282

AMENDMENT NO. 1 . Amend Senate Bill 1282 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

(Text of Section before amendment by P.A. 102-768)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,

356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, and 356z.60 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section with respect to Sections 370c and 370c.1 of the Illinois Insurance Code; all other requirements of this Section shall be enforced by the Department of Central Management Services.

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

(Source: P.A. 101-13, eff. 6-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; revised 12-13-22.)

(Text of Section after amendment by P.A. 102-768)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.61 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section with respect to Sections 370c and 370c.1 of the Illinois Insurance Code; all other requirements of this Section shall be enforced by the Department of Central Management Services.

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

(Source: P.A. 101-13, eff. 6-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-768, eff. 1-1-24; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.61 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and

procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.
(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:
(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.61 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.
(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:
(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.61 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.
(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 25. The Illinois Insurance Code is amended by adding Section 356z.61 as follows:
(215 ILCS 5/356z.61 new)

Sec. 356z.61. Coverage for liver disease screening. A group or individual policy of accident and health insurance or a managed care plan that is amended, delivered, issued, or renewed on or after January 1, 2025 shall provide coverage for preventative liver disease screenings for individuals 35 years of age or older and under the age of 65 at high risk for liver disease, including liver ultrasounds and alpha-fetoprotein blood tests every 6 months, without imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided; except that this Section does not apply to coverage of liver disease screenings to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code.

Section 30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 355.2, 355.3, 355b, 355c, 356g.5-1, 356m, 356q, 356v, 356w, 356x, 356y, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.33, 356z.35, 356z.36, 356z.40, 356z.41, 356z.46, 356z.47, 356z.48, 356z.50, 356z.51, 356z.53 ~~256z.53~~, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 364, 364.01, 364.3, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including

without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

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

(Source: P.A. 101-13, eff. 6-12-19; 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-371, eff. 1-1-20; 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-34, eff. 6-25-21; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-589, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; revised 1-22-23.)

Section 35. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

(215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 355.2, 355.3, 355b, 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61, 364.3, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code. Nothing in this Section shall require a limited health care plan to cover any service that is not a limited health service. For purposes of the Illinois Insurance Code, except for

Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

(1) a corporation under the laws of this State; or

(2) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 40. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

(215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355b, 356g, 356g.5, 356g.5-1, 356q, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 364.01, 364.3, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

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

(Source: P.A. 101-13, eff. 6-12-19; 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 45. The Illinois Public Aid Code is amended by changing Section 5-16.8 as follows:

(305 ILCS 5/5-16.8)

Sec. 5-16.8. Required health benefits. The medical assistance program shall (i) provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6, 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46, 356z.47, 356z.51, 356z.53, 356z.56, 356z.59, ~~and~~ 356z.60, and 356z.61 of the Illinois Insurance Code, (ii) be subject to the provisions of Sections 356z.19, 356z.44, 356z.49, 364.01, 370c, and 370c.1 of the Illinois Insurance Code, and (iii) be subject to the provisions of subsection (d-5) of Section 10 of the Network Adequacy and Transparency Act.

The Department, by rule, shall adopt a model similar to the requirements of Section 356z.39 of the Illinois Insurance Code.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

To ensure full access to the benefits set forth in this Section, on and after January 1, 2016, the Department shall ensure that provider and hospital reimbursement for post-mastectomy care benefits required under this Section are no lower than the Medicare reimbursement rate.

(Source: P.A. 101-81, eff. 7-12-19; 101-218, eff. 1-1-20; 101-281, eff. 1-1-20; 101-371, eff. 1-1-20; 101-574, eff. 1-1-20; 101-649, eff. 7-7-20; 102-30, eff. 1-1-22; 102-144, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-530, eff. 1-1-22; 102-642, eff. 1-1-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

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.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Simmons, **Senate Bill No. 1282** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS 2.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Simmons
Aquino	Fine	Lightford	Sims
Belt	Fowler	Loughran Cappel	Stadelman
Bennett	Gillespie	Martwick	Stoller
Bryant	Glowiak Hilton	McClure	Syverson
Castro	Halpin	McConchie	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	

The following voted in the negative:

Plummer
Wilcox

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

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

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 1289** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1289

AMENDMENT NO. 1 . Amend Senate Bill 1289 on page 1, line 17, after the period, by inserting "Fees incurred directly by a dental care provider from third parties related to transmitting an automated clearing house network claim, transaction management, data management, or portal services and other fees

charged by third parties that are not in the control of the dental plan carrier shall not be prohibited by this Section.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 1289** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Sims
Aquino	Fine	Martwick	Stadelman
Belt	Fowler	McClure	Stoller
Bennett	Gillespie	McConchie	Syverson
Bryant	Glowiak Hilton	Morrison	Tracy
Castro	Halpin	Murphy	Turner, D.
Cervantes	Harris, N.	Pacione-Zayas	Turner, S.
Chesney	Holmes	Peters	Ventura
Cunningham	Hunter	Plummer	Villa
Curran	Johnson	Porfirio	Villanueva
DeWitte	Joyce	Preston	Villivalam
Edly-Allen	Koehler	Rezin	Wilcox
Ellman	Lewis	Rose	Mr. President
Faraci	Lightford	Simmons	

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

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

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1289**.

On motion of Senator Peters, **Senate Bill No. 1462** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 44; NAYS 12.

The following voted in the affirmative:

Aquino	Gillespie	Loughran Cappel	Stadelman
Belt	Glowiak Hilton	Martwick	Syverson
Castro	Halpin	McConchie	Turner, D.
Cervantes	Harris, N.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
Curran	Holmes	Pacione-Zayas	Villanueva
DeWitte	Hunter	Peters	Villivalam

Edly-Allen	Johnson	Plummer	Mr. President
Ellman	Joyce	Porfirio	
Faraci	Koehler	Preston	
Feigenholtz	Lewis	Simmons	
Fine	Lightford	Sims	

The following voted in the negative:

Anderson	Fowler	Rose
Bennett	Harriss, E.	Tracy
Bryant	McClure	Turner, S.
Chesney	Rezin	Wilcox

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

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

Senator Stoller asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 1462**.

On motion of Senator Peters, **Senate Bill No. 1463** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 37; NAYS 19.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Sims
Belt	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Ventura
Cervantes	Harris, N.	Morrison	Villa
Cunningham	Hastings	Murphy	Villanueva
Edly-Allen	Holmes	Pacione-Zayas	Villivalam
Ellman	Hunter	Peters	Mr. President
Faraci	Johnson	Porfirio	
Feigenholtz	Joyce	Preston	
Fine	Koehler	Simmons	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

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

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

SENATE BILL RECALLED

On motion of Senator Bennett, **Senate Bill No. 1470** was recalled from the order of third reading to the order of second reading.

Senator Bennett offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1470

AMENDMENT NO. 1 . Amend Senate Bill 1470 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 10-19, 10-19.05, 10-20.56, 10-29, 10-30, 18-12, and 34-18.66 and by adding Sections 10-31 and 34-18.82 as follows:

(105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

Sec. 10-19. Length of school term - experimental programs. Each school board shall annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to insure 176 days of actual pupil attendance, computable under Section 10-19.05, except that for the 1980-1981 school year only 175 days of actual pupil attendance shall be required because of the closing of schools pursuant to Section 24-2 on January 29, 1981 upon the appointment by the President of that day as a day of thanksgiving for the freedom of the Americans who had been held hostage in Iran. Any days allowed by law for teachers' institutes but not used as such or used as parental institutes as provided in Section 10-22.18d shall increase the minimum term by the school days not so used. Except as provided in Section 10-19.1, the board may not extend the school term beyond such closing date unless that extension of term is necessary to provide the minimum number of computable days. In case of such necessary extension school employees shall be paid for such additional time on the basis of their regular contracts. A school board may specify a closing date earlier than that set on the annual calendar when the schools of the district have provided the minimum number of computable days under this Section. Nothing in this Section prevents the board from employing superintendents of schools, principals and other nonteaching personnel for a period of 12 months, or in the case of superintendents for a period in accordance with Section 10-23.8, or prevents the board from employing other personnel before or after the regular school term with payment of salary proportionate to that received for comparable work during the school term. Remote learning days, blended remote learning days, and up to 5 remote and blended remote learning planning days established under Section 10-30 or 34-18.66 or remote learning days established under Section 10-31 or 34-18.82 shall be deemed pupil attendance days for calculation of the length of a school term under this Section.

A school board may make such changes in its calendar for the school term as may be required by any changes in the legal school holidays prescribed in Section 24-2. A school board may make changes in its calendar for the school term as may be necessary to reflect the utilization of teachers' institute days as parental institute days as provided in Section 10-22.18d.

The calendar for the school term and any changes must be submitted to and approved by the regional superintendent of schools before the calendar or changes may take effect.

With the prior approval of the State Board of Education and subject to review by the State Board of Education every 3 years, any school board may, by resolution of its board and in agreement with affected exclusive collective bargaining agents, establish experimental educational programs, including but not limited to ~~programs for e-learning days as authorized under Section 10-20.56 of this Code,~~ self-directed learning~~,~~ or outside of formal class periods, which programs when so approved shall be considered to comply with the requirements of this Section as respects numbers of days of actual pupil attendance and with the other requirements of this Act as respects courses of instruction.

(Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

(105 ILCS 5/10-19.05)

Sec. 10-19.05. Daily pupil attendance calculation.

(a) Except as otherwise provided in this Section, for a pupil of legal school age and in kindergarten or any of grades 1 through 12, a day of attendance shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of (i) teachers or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18. Days of attendance by pupils through verified participation in an e-learning program adopted by a school board and verified by the regional office of education or intermediate service center for the school district under Section 10-20.56 of this Code, a

remote and blended remote learning day plan under Section 10-30 or 34-18.66 of this Code, or a remote learning plan under Section 10-31 or 34-18.82 of this Code shall be considered as full days of attendance under this Section.

(b) A pupil regularly enrolled in a public school for only a part of the school day may be counted on the basis of one-sixth of a school day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent of schools and approval by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 10 days per school year, provided that a district conducts an in-service training program for teachers in accordance with Section 10-22.39 of this Code, or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day required for a legal school calendar pursuant to Section 10-19 of this Code; (2) when, of the 5 days allowed under item (1), a maximum of 4 days are used for parent-teacher conferences, or, in lieu of 4 such days, 2 full days are used, in which case each such day may be counted as a calendar day required under Section 10-19 of this Code, provided that the full-day, parent-teacher conference consists of (i) a minimum of 5 clock hours of parent-teacher conferences, (ii) both a minimum of 2 clock hours of parent-teacher conferences held in the evening following a full day of student attendance and a minimum of 3 clock hours of parent-teacher conferences held on the day immediately following evening parent-teacher conferences, or (iii) multiple parent-teacher conferences held in the evenings following full days of student attendance in which the time used for the parent-teacher conferences is equivalent to a minimum of 5 clock hours; and (3) when days in addition to those provided in items (1) and (2) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as a half day of attendance; however, these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils and pupils in full-day kindergartens, and a session of 2 or more hours may be counted as a half day of attendance by pupils in kindergartens that provide only half days of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as a half day of attendance; however, for such children whose educational needs require a session of 4 or more clock hours, a session of at least 4 clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten that provides for only a half day of attendance by each pupil shall not have more than one half day of attendance counted in any one day. However, kindergartens may count 2 and a half days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens that provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in the case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under rules of the State Board of Education.

(i) On the days when the State's final accountability assessment is administered under subsection (c) of Section 2-3.64a-5 of this Code, the day of attendance for a pupil whose school day must be shortened to

accommodate required testing procedures may be less than 5 clock hours and shall be counted toward the 176 days of actual pupil attendance required under Section 10-19 of this Code, provided that a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(j) Pupils enrolled in a remote educational program established under Section 10-29 of this Code may be counted on the basis of a one-fifth day of attendance for every clock hour of instruction attended in the remote educational program, provided that, in any month, the school district may not claim for a student enrolled in a remote educational program more days of attendance than the maximum number of days of attendance the district can claim (i) for students enrolled in a building holding year-round classes if the student is classified as participating in the remote educational program on a year-round schedule or (ii) for students enrolled in a building not holding year-round classes if the student is not classified as participating in the remote educational program on a year-round schedule.

(j-5) The clock hour requirements of subsections (a) through (j) of this Section do not apply if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act. The State Superintendent of Education may establish minimum clock hour requirements under Sections 10-30 and 34-18.66 if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act.

(k) Pupil participation in any of the following activities shall be counted toward the calculation of clock hours of school work per day:

(1) Instruction in a college course in which a student is dually enrolled for both high school credit and college credit.

(2) Participation in a Supervised Career Development Experience, as defined in Section 10 of the Postsecondary and Workforce Readiness Act, in which student participation and learning outcomes are supervised by an educator licensed under Article 21B.

(3) Participation in a youth apprenticeship, as jointly defined in rules of the State Board of Education and Department of Commerce and Economic Opportunity, in which student participation and outcomes are supervised by an educator licensed under Article 21B.

(4) Participation in a blended learning program approved by the school district in which course content, student evaluation, and instructional methods are supervised by an educator licensed under Article 21B.

(Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

(105 ILCS 5/10-20.56)

Sec. 10-20.56. E-learning days.

(a) The State Board of Education shall establish and maintain, for implementation in school districts, a program for use of electronic-learning (e-learning) days, as described in this Section. School districts may utilize a program approved under this Section for use during remote learning days and blended remote learning days under Section 10-30 or 34-18.66.

(b) The school board of a school district may, by resolution, adopt a research-based program or research-based programs for e-learning days district-wide that shall permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code or because a school was selected to be a polling place under Section 11-4.1 of the Election Code. The research-based program or programs may not exceed the minimum number of emergency days in the approved school calendar and must be verified by the regional office of education or intermediate service center for the school district on or before September 1st annually to ensure access for all students. The regional office of education or intermediate service center shall ensure that the specific needs of all students are met, including special education students and English learners, and that all mandates are still met using the proposed research-based program. The e-learning program may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners. The e-learning program shall address the school district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program. If a proposed program does not address this responsibility, the school district must propose an alternate program.

(c) Before its adoption by a school board, the school board must hold a public hearing on a school district's initial proposal for an e-learning program or for renewal of such a program, at a regular or special meeting of the school board, in which the terms of the proposal must be substantially presented and an

opportunity for allowing public comments must be provided. Notice of such public hearing must be provided at least 10 days prior to the hearing by:

(1) publication in a newspaper of general circulation in the school district;

(2) written or electronic notice designed to reach the parents or guardians of all students enrolled in the school district; and

(3) written or electronic notice designed to reach any exclusive collective bargaining representatives of school district employees and all those employees not in a collective bargaining unit.

(d) The regional office of education or intermediate service center for the school district must timely verify that a proposal for an e-learning program has met the requirements specified in this Section and that the proposal contains provisions designed to reasonably and practicably accomplish the following:

(1) to ensure and verify at least 5 clock hours of instruction or school work, as required under Section 10-19.05, for each student participating in an e-learning day;

(2) to ensure access from home or other appropriate remote facility for all students participating, including computers, the Internet, and other forms of electronic communication that must be utilized in the proposed program;

(2.5) to ensure that non-electronic materials are made available to students participating in the program who do not have access to the required technology or to participating teachers or students who are prevented from accessing the required technology;

(3) to ensure appropriate learning opportunities for students with special needs;

(4) to monitor and verify each student's electronic participation;

(5) to address the extent to which student participation is within the student's control as to the time, pace, and means of learning;

(6) to provide effective notice to students and their parents or guardians of the use of particular days for e-learning;

(7) to provide staff and students with adequate training for e-learning days' participation;

(8) to ensure an opportunity for any collective bargaining negotiations with representatives of the school district's employees that would be legally required, including all classifications of school district employees who are represented by collective bargaining agreements and who would be affected in the event of an e-learning day;

(9) to review and revise the program as implemented to address difficulties confronted; and

(10) to ensure that the protocol regarding general expectations and responsibilities of the program is communicated to teachers, staff, and students at least 30 days prior to utilizing an e-learning day.

The school board's approval of a school district's initial e-learning program and renewal of the e-learning program shall be for a term of 3 years. Any e-learning program adopted or renewed before the effective date of this amendatory Act of the 103rd General Assembly may continue until the expiration of its term, at which time the school district shall implement remote learning days under Section 10-31 or Section 34-18.82 of this Code rather than an e-learning program under this Section.

(d-5) A school district shall pay to its contractors who provide educational support services to the district, including, but not limited to, custodial, transportation, or food service providers, their daily, regular rate of pay or billings rendered for any e-learning day that is used because a school was selected to be a polling place under Section 11-4.1 of the Election Code, except that this requirement does not apply to contractors who are paid under contracts that are entered into, amended, or renewed on or after March 15, 2022 or to contracts that otherwise address compensation for such e-learning days.

(d-10) A school district shall pay to its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employee would have reported for work but for the closure, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-15) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if any closure

precludes them from performing their regularly scheduled duties and employees would have reported for work but for the closure. The employees who provide the support services covered by such contracts shall be paid their daily bid package rates and benefits as defined by their local operating agreements or collective bargaining agreements, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-20) A school district shall make full payment or reimbursement to an employee or contractor as specified in subsection (d-10) or (d-15) of this Section for any school closure or e-learning day in the 2021-2022 school year that occurred prior to the effective date of this amendatory Act of the 102nd General Assembly if the employee or contractor did not receive pay or was required to use earned paid time off, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(e) The State Board of Education may adopt rules consistent with the provision of this Section.

(f) For purposes of subsections (d-10), (d-15), and (d-20) of this Section:

"Employee" means anyone employed by a school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

(Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20; 102-584, eff. 6-1-22; 102-697, eff. 4-5-22.)

(105 ILCS 5/10-29)

Sec. 10-29. Remote educational programs.

(a) For purposes of this Section, "remote educational program" means an educational program delivered to students in the home or other location outside of a school building that meets all of the following criteria:

(1) A student may participate in the program only after the school district, pursuant to adopted school board policy, and a person authorized to enroll the student under Section 10-20.12b of this Code determine that a remote educational program will best serve the student's individual learning needs. The adopted school board policy shall include, but not be limited to, all of the following:

(A) Criteria for determining that a remote educational program will best serve a student's individual learning needs. The criteria must include consideration of, at a minimum, a student's prior attendance, disciplinary record, and academic history.

(B) Any limitations on the number of students or grade levels that may participate in a remote educational program.

(C) A description of the process that the school district will use to approve participation in the remote educational program. The process must include without limitation a requirement that, for any student who qualifies to receive services pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004, the student's participation in a remote educational program receive prior approval from the student's individualized education program team.

(D) A description of the process the school district will use to develop and approve a written remote educational plan that meets the requirements of subdivision (5) of this subsection (a).

(E) A description of the system the school district will establish to determine student participation in instruction in accordance with the remote educational program.

(F) A description of the process for renewing a remote educational program at the expiration of its term.

(G) Such other terms and provisions as the school district deems necessary to provide for the establishment and delivery of a remote educational program.

(2) The school district has determined that the remote educational program's curriculum is aligned to State learning standards and that the program offers instruction and educational experiences consistent with those given to students at the same grade level in the district.

(3) The remote educational program is delivered by instructors that meet the following qualifications:

(A) they are licensed under Article 21B of this Code;

(B) (blank); and

(C) they have responsibility for all of the following elements of the program: planning instruction, diagnosing learning needs, prescribing content delivery through class activities,

assessing learning, reporting outcomes to administrators and parents and guardians, and evaluating the effects of instruction.

(4) During the period of time from and including the opening date to the closing date of the regular school term of the school district established pursuant to Section 10-19 of this Code, participation in a remote educational program may be claimed for evidence-based funding purposes under Section 18-8.15 of this Code on any calendar day, notwithstanding whether the day is a day of pupil attendance or institute day on the school district's calendar or any other provision of law restricting instruction on that day. If the district holds year-round classes in some buildings, the district shall classify each student's participation in a remote educational program as either on a year-round or a non-year-round schedule for purposes of claiming evidence-based funding. Outside of the regular school term of the district, the remote educational program may be offered as part of any summer school program authorized by this Code.

(5) Each student participating in a remote educational program must have a written remote educational plan that has been approved by the school district and a person authorized to enroll the student under Section 10-20.12b of this Code. The school district and a person authorized to enroll the student under Section 10-20.12b of this Code must approve any amendment to a remote educational plan. The remote educational plan must include, but is not limited to, all of the following:

(A) Specific achievement goals for the student aligned to State learning standards.

(B) A description of all assessments that will be used to measure student progress, which description shall indicate the assessments that will be administered at an attendance center within the school district.

(C) A description of the progress reports that will be provided to the school district and the person or persons authorized to enroll the student under Section 10-20.12b of this Code.

(D) Expectations, processes, and schedules for interaction between a teacher and student.

(E) A description of the specific responsibilities of the student's family and the school district with respect to equipment, materials, phone and Internet service, and any other requirements applicable to the home or other location outside of a school building necessary for the delivery of the remote educational program.

(F) If applicable, a description of how the remote educational program will be delivered in a manner consistent with the student's individualized education program required by Section 614(d) of the federal Individuals with Disabilities Education Improvement Act of 2004 or plan to ensure compliance with Section 504 of the federal Rehabilitation Act of 1973.

(G) A description of the procedures and opportunities for participation in academic and extracurricular activities and programs within the school district.

(H) The identification of a parent, guardian, or other responsible adult who will provide direct supervision of the program. The plan must include an acknowledgment by the parent, guardian, or other responsible adult that he or she may engage only in non-teaching duties not requiring instructional judgment or the evaluation of a student. The plan shall designate the parent, guardian, or other responsible adult as non-teaching personnel or volunteer personnel under subsection (a) of Section 10-22.34 of this Code.

(I) The identification of a school district administrator who will oversee the remote educational program on behalf of the school district and who may be contacted by the student's parents with respect to any issues or concerns with the program.

(J) The term of the student's participation in the remote educational program, which may not extend for longer than 12 months, unless the term is renewed by the district in accordance with subdivision (7) of this subsection (a).

(K) A description of the specific location or locations in which the program will be delivered. If the remote educational program is to be delivered to a student in any location other than the student's home, the plan must include a written determination by the school district that the location will provide a learning environment appropriate for the delivery of the program. The location or locations in which the program will be delivered shall be deemed a long distance teaching reception area under subsection (a) of Section 10-22.34 of this Code.

(L) Certification by the school district that the plan meets all other requirements of this Section.

(6) Students participating in a remote educational program must be enrolled in a school district attendance center pursuant to the school district's enrollment policy or policies. A student

participating in a remote educational program must be tested as part of all assessments administered by the school district pursuant to Section 2-3.64a-5 of this Code at the attendance center in which the student is enrolled and in accordance with the attendance center's assessment policies and schedule. The student must be included within all accountability determinations for the school district and attendance center under State and federal law.

(7) The term of a student's participation in a remote educational program may not extend for longer than 12 months, unless the term is renewed by the school district. The district may only renew a student's participation in a remote educational program following an evaluation of the student's progress in the program, a determination that the student's continuation in the program will best serve the student's individual learning needs, and an amendment to the student's written remote educational plan addressing any changes for the upcoming term of the program.

For purposes of this Section, a remote educational program does not include instruction delivered to students through an e-learning program approved under Section 10-20.56 of this Code, a remote and blended remote learning day plan under Section 10-30 or 34-18.66 of this Code, or a remote learning plan under Section 10-31 or 34-18.82 of this Code.

(b) A school district may, by resolution of its school board, establish a remote educational program.

(c) (Blank).

(d) The impact of remote educational programs on wages, hours, and terms and conditions of employment of educational employees within the school district shall be subject to local collective bargaining agreements.

(e) The use of a home or other location outside of a school building for a remote educational program shall not cause the home or other location to be deemed a public school facility.

(f) A remote educational program may be used, but is not required, for instruction delivered to a student in the home or other location outside of a school building that is not claimed for evidence-based funding purposes under Section 18-8.15 of this Code.

(g) School districts that, pursuant to this Section, adopt a policy for a remote educational program must submit to the State Board of Education a copy of the policy and any amendments thereto, as well as data on student participation in a format specified by the State Board of Education. The State Board of Education may perform or contract with an outside entity to perform an evaluation of remote educational programs in this State.

(h) The State Board of Education may adopt any rules necessary to ensure compliance by remote educational programs with the requirements of this Section and other applicable legal requirements.

(Source: P.A. 101-81, eff. 7-12-19; 102-894, eff. 5-20-22.)

(105 ILCS 5/10-30)

Sec. 10-30. Remote and blended remote learning; public health emergency. This Section applies if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act.

(1) If the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the State Superintendent of Education may declare a requirement to use remote learning days or blended remote learning days for a school district, multiple school districts, a region, or the entire State. During remote learning days, schools shall conduct instruction remotely. During blended remote learning days, schools may utilize hybrid models of in-person and remote instruction. Once declared, remote learning days or blended remote learning days shall be implemented in grades pre-kindergarten through 12 as days of attendance and shall be deemed pupil attendance days for calculation of the length of a school term under Section 10-19.

(2) For purposes of this Section, a remote learning day or blended remote learning day may be met through a district's implementation of an e-learning program under Section 10-20.56 or a remote learning plan under Section 10-31.

(3) For any district that does not implement an e-learning program under Section 10-20.56 or a remote learning plan under Section 10-31, the district shall adopt a remote and blended remote learning day plan approved by the district superintendent. Each district may utilize remote and blended remote learning planning days, consecutively or in separate increments, to develop, review, or amend its remote and blended remote learning day plan or provide professional development to staff regarding remote education. Up to 5 remote and blended remote learning planning days may be deemed pupil attendance days for calculation of the length of a school term under Section 10-19.

(4) Each remote and blended remote learning day plan shall address the following:

(i) accessibility of the remote instruction to all students enrolled in the district;

(ii) if applicable, a requirement that the remote learning day and blended remote learning day activities reflect State learning standards;

(iii) a means for students to confer with an educator, as necessary;

(iv) the unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14, students who are English learners as defined in Section 14C-2, and students experiencing homelessness under the Education for Homeless Children Act, or vulnerable student populations;

(v) how the district will take attendance and monitor and verify each student's remote participation; and

(vi) transitions from remote learning to on-site learning upon the State Superintendent's declaration that remote learning days or blended remote learning days are no longer deemed necessary.

(5) The district superintendent shall periodically review and amend the district's remote and blended remote learning day plan, as needed, to ensure the plan meets the needs of all students.

(6) Each remote and blended remote learning day plan shall be posted on the district's Internet website where other policies, rules, and standards of conduct are posted and shall be provided to students and faculty.

(7) This Section does not create any additional employee bargaining rights and does not remove any employee bargaining rights.

(8) Statutory and regulatory curricular mandates and offerings may be administered via a district's remote and blended remote learning day plan, except that a district may not offer individual behind-the-wheel instruction required by Section 27-24.2 via a district's remote and blended remote learning day plan. This Section does not relieve schools and districts from completing all statutory and regulatory curricular mandates and offerings.

(Source: P.A. 101-643, eff. 6-18-20.)

(105 ILCS 5/10-31 new)

Sec. 10-31. Remote learning.

(a) A school district may utilize a remote learning day meeting the requirements of this Section in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code or because a school was selected to be a polling place under Section 11-4.1 of the Election Code. However, in no case may a school district utilize more than 5 remote learning days under this Section in a school year. A remote learning day under this Section shall be deemed a pupil attendance day for calculation of the length of the school term under Section 10-19 of this Code.

(b) The district superintendent must approve a remote learning plan for the district before the district may utilize a remote learning day under this Section. The remote learning plan must address all of the following:

(1) The accessibility of remote instruction, including non-electronic materials, to all students enrolled in the district.

(2) The requirement that remote learning day activities reflect State learning standards, if applicable.

(3) A means for a student to confer with an educator, as necessary.

(4) The unique needs of a student in a special population, including, but not limited to, a student eligible for special education services under Article 14 of this Code, a student who is an English learner, as defined in Section 14C-2 of this Code, or a student who is a homeless person, child, or youth, as defined in the Education for Homeless Children Act, or other vulnerable student population.

(5) How the district will take attendance and monitor and verify each student's remote participation.

(6) An assurance of at least 5 clock hours of school work, as required under Section 10-19.05 of this Code, for each student participating in the remote learning day.

Before the district superintendent approves a remote learning plan, the school board must hold a public hearing on the district's initial proposal for a remote learning plan or for renewal of a remote learning plan at a regular or special meeting of the school board, at which meeting the terms of the proposal or renewal must be substantially presented and an opportunity for allowing public comments must be provided.

Approval of a remote learning plan by the district superintendent shall be for an initial term of 3 years. Every 3 years thereafter, the district superintendent shall review the plan and make any necessary changes. During the 3-year term of a remote learning plan, the district superintendent may periodically review and amend the plan as needed to ensure that the plan meets the needs of all students and faculty.

The remote learning plan must be posted on the district's Internet website where other policies, rules, and standards of conduct are posted and must be provided to students and faculty. Any changes to the remote learning plan must be posted on the district's Internet website.

(c) The district must provide effective notice to students and their parents or guardians of the use of a particular day as a remote learning day.

(d) The district must provide students and faculty with adequate training on how to participate in a remote learning day.

(e) The district shall ensure an opportunity for any collective bargaining negotiations with representatives of the district's employees that would be legally required, including all classifications of district employees who are represented by a collective bargaining agreement and who would be affected in the event a remote learning day is used.

(f) Statutory and regulatory curricular mandates and offerings may be administered via remote learning under the remote learning plan. This Section does not relieve a school or district from completing all statutory and regulatory curricular mandates and offerings.

(g) A remote learning day may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between educators and students if such utilization meets the needs of all learners.

(h) A school district shall pay its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, and administrative staff, their daily, regular rate of pay and benefits rendered for any school closure, remote learning day, or e-learning day if the closure, remote learning day, or e-learning day precludes them from performing their regularly scheduled duties and they would have reported for work but for the closure, remote learning day, or e-learning day; however, this requirement does not apply if the day is rescheduled and the employees will be paid their daily, regular rate of pay and benefits for the rescheduled day if services are rendered.

(i) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure, remote learning day or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employees would have reported for work but for the closure, remote learning day, or e-learning day, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(j) The State Board of Education may adopt rules consistent with the provisions of this Section that are necessary to implement this Section.

(105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

Sec. 18-12. Dates for filing State aid claims. The school board of each school district, a regional office of education, a laboratory school, or a State-authorized charter school shall require teachers, principals, or superintendents to furnish from records kept by them such data as it needs in preparing and certifying to the State Superintendent of Education its report of claims provided in Section 18-8.05 or 18-8.15 of this Code. The claim shall be based on the latest available equalized assessed valuation and tax rates, as provided in Section 18-8.05 or 18-8.15, shall use the average daily attendance as determined by the method outlined in Section 18-8.05 or 18-8.15, and shall be certified and filed with the State Superintendent of Education by June 21 for districts and State-authorized charter schools with an official school calendar end date before June 15 or within 2 weeks following the official school calendar end date for districts, regional offices of education, laboratory schools, or State-authorized charter schools with a school year end date of June 15 or later. Failure to so file by these deadlines constitutes a forfeiture of the right to receive payment by the State until such claim is filed. The State Superintendent of Education shall voucher for payment those claims to the State Comptroller as provided in Section 18-11.

Except as otherwise provided in this Section, if any school district fails to provide the minimum school term specified in Section 10-19, the State aid claim for that year shall be reduced by the State

Superintendent of Education in an amount equivalent to 1/176 or .56818% for each day less than the number of days required by this Code.

If the State Superintendent of Education determines that the failure to provide the minimum school term was occasioned by an act or acts of God, or was occasioned by conditions beyond the control of the school district which posed a hazardous threat to the health and safety of pupils, the State aid claim need not be reduced.

If a school district is precluded from providing the minimum hours of instruction required for a full day of attendance due to (A) an adverse weather condition, (B) a condition beyond the control of the school district that poses a hazardous threat to the health and safety of students, or (C) beginning with the 2016-2017 school year, the utilization of the school district's facilities for not more than 2 school days per school year by local or county authorities for the purpose of holding a memorial or funeral services in remembrance of a community member, then the partial day of attendance may be counted if (i) the school district has provided at least one hour of instruction prior to the closure of the school district, (ii) a school building has provided at least one hour of instruction prior to the closure of the school building, or (iii) the normal start time of the school district is delayed.

If, prior to providing any instruction, a school district must close one or more but not all school buildings after consultation with a local emergency response agency or due to a condition beyond the control of the school district, then the school district may claim attendance for up to 2 school days based on the average attendance of the 3 school days immediately preceding the closure of the affected school building or, if approved by the State Board of Education, utilize the provisions of an e-learning program under Section 10-20.56 of this Code or a remote learning plan under Section 10-31 or 34-18.82 of this Code for the affected school building ~~as prescribed in Section 10-20.56 of this Code~~. The partial or no day of attendance described in this Section and the reasons therefore shall be certified within a month of the closing or delayed start by the school district superintendent to the regional superintendent of schools for forwarding to the State Superintendent of Education for approval.

Other than the utilization of any e-learning days as prescribed in Section 10-20.56 of this Code or remote learning days as prescribed in Section 10-31 or 34-18.82 of this Code, no exception to the requirement of providing a minimum school term may be approved by the State Superintendent of Education pursuant to this Section unless a school district has first used all emergency days provided for in its regular calendar.

If the State Superintendent of Education declares that an energy shortage exists during any part of the school year for the State or a designated portion of the State, a district may operate the school attendance centers within the district 4 days of the week during the time of the shortage by extending each existing school day by one clock hour of school work, and the State aid claim shall not be reduced, nor shall the employees of that district suffer any reduction in salary or benefits as a result thereof. A district may operate all attendance centers on this revised schedule, or may apply the schedule to selected attendance centers, taking into consideration such factors as pupil transportation schedules and patterns and sources of energy for individual attendance centers.

Electronically submitted State aid claims shall be submitted by duly authorized district individuals over a secure network that is password protected. The electronic submission of a State aid claim must be accompanied with an affirmation that all of the provisions of Section 18-8.05 or 18-8.15 and Sections 10-22.5 and 24-4 of this Code are met in all respects.

(Source: P.A. 99-194, eff. 7-30-15; 99-657, eff. 7-28-16; 100-28, eff. 8-4-17; 100-465, eff. 8-31-17; 100-863, eff. 8-14-18.)

(105 ILCS 5/34-18.66)

Sec. 34-18.66. Remote and blended remote learning; public health emergency. This Section applies if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act.

(1) If the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the State Superintendent of Education may declare a requirement to use remote learning days or blended remote learning days for the school district, multiple school districts, a region, or the entire State. During remote learning days, schools shall conduct instruction remotely. During blended remote learning days, schools may utilize hybrid models of in-person and remote instruction. Once declared, remote learning days or blended remote learning days shall be implemented in grades pre-kindergarten through 12 as days of attendance and

shall be deemed pupil attendance days for calculation of the length of a school term under Section 10-19.

(2) For purposes of this Section, a remote learning day or blended remote learning day may be met through the district's implementation of an e-learning program under Section 10-20.56 or a remote learning plan under Section 34-18.82.

(3) If the district does not implement an e-learning program under Section 10-20.56 or a remote learning plan under Section 34-18.82, the district shall adopt a remote and blended remote learning day plan approved by the general superintendent of schools. The district may utilize remote and blended remote learning planning days, consecutively or in separate increments, to develop, review, or amend its remote and blended remote learning day plan or provide professional development to staff regarding remote education. Up to 5 remote and blended remote learning planning days may be deemed pupil attendance days for calculation of the length of a school term under Section 10-19.

(4) Each remote and blended remote learning day plan shall address the following:

(i) accessibility of the remote instruction to all students enrolled in the district;

(ii) if applicable, a requirement that the remote learning day and blended remote learning day activities reflect State learning standards;

(iii) a means for students to confer with an educator, as necessary;

(iv) the unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14, students who are English learners as defined in Section 14C-2, and students experiencing homelessness under the Education for Homeless Children Act, or vulnerable student populations;

(v) how the district will take attendance and monitor and verify each student's remote participation; and

(vi) transitions from remote learning to on-site learning upon the State Superintendent's declaration that remote learning days or blended remote learning days are no longer deemed necessary.

(5) The general superintendent of schools shall periodically review and amend the district's remote and blended remote learning day plan, as needed, to ensure the plan meets the needs of all students.

(6) Each remote and blended remote learning day plan shall be posted on the district's Internet website where other policies, rules, and standards of conduct are posted and shall be provided to students and faculty.

(7) This Section does not create any additional employee bargaining rights and does not remove any employee bargaining rights.

(8) Statutory and regulatory curricular mandates and offerings may be administered via the district's remote and blended remote learning day plan, except that the district may not offer individual behind-the-wheel instruction required by Section 27-24.2 via the district's remote and blended remote learning day plan. This Section does not relieve schools and the district from completing all statutory and regulatory curricular mandates and offerings.

(Source: P.A. 101-643, eff. 6-18-20.)

(105 ILCS 5/34-18.82 new)

Sec. 34-18.82. Remote learning.

(a) The school district may utilize a remote learning day meeting the requirements of this Section in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code or because a school was selected to be a polling place under Section 11-4.1 of the Election Code. However, in no case may the district utilize more than 5 remote learning days under this Section in a school year. A remote learning day under this Section shall be deemed a pupil attendance day for calculation of the length of the school term under Section 10-19 of this Code.

(b) The general superintendent of schools must approve a remote learning plan for the district before the district may utilize a remote learning day under this Section. The remote learning plan must address all of the following:

(1) The accessibility of remote instruction, including non-electronic materials, to all students enrolled in the district.

(2) The requirement that remote learning day activities reflect State learning standards, if applicable.

(3) A means for a student to confer with an educator, as necessary.

(4) The unique needs of a student in a special population, including, but not limited to, a student eligible for special education services under Article 14 of this Code, a student who is an English learner, as defined in Section 14C-2 of this Code, or a student who is a homeless person, child, or youth, as defined in the Education for Homeless Children Act, or other vulnerable student population.

(5) How the district will take attendance and monitor and verify each student's remote participation.

(6) An assurance of at least 5 clock hours of school work, as required under Section 10-19.05 of this Code, for each student participating in the remote learning day.

Before the general superintendent approves a remote learning plan, the school board must hold a public hearing on the district's initial proposal for a remote learning plan or for renewal of a remote learning plan at a regular or special meeting of the school board, at which meeting the terms of the proposal or renewal must be substantially presented and an opportunity for allowing public comments must be provided.

Approval of a remote learning plan by the general superintendent of schools shall be for an initial term of 3 years. Every 3 years thereafter, the general superintendent of schools shall review the plan and make any necessary changes. During the 3-year term of a remote learning plan, the general superintendent of schools may periodically review and amend the plan as needed to ensure that the plan meets the needs of all students and faculty.

The remote learning plan must be posted on the district's Internet website where other policies, rules, and standards of conduct are posted and must be provided to students and faculty. Any changes to the remote learning plan must be posted on the district's Internet website.

(c) The district must provide effective notice to students and their parents or guardians of the use of a particular day as a remote learning day.

(d) The district must provide students and faculty with adequate training on how to participate in a remote learning day.

(e) The district shall ensure an opportunity for any collective bargaining negotiations with representatives of the district's employees that would be legally required, including all classifications of district employees who are represented by a collective bargaining agreement and who would be affected in the event a remote learning day is used.

(f) Statutory and regulatory curricular mandates and offerings may be administered via remote learning under the remote learning plan. This Section does not relieve a school or the district from completing all statutory and regulatory curricular mandates and offerings.

(g) A remote learning day may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between educators and students if such utilization meets the needs of all learners.

(h) The district shall pay its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, and administrative staff, their daily, regular rate of pay and benefits rendered for any school closure, remote learning day, or e-learning day if the closure, remote learning day, or e-learning day precludes them from performing their regularly scheduled duties and they would have reported for work but for the closure, remote learning day, or e-learning day; however, this requirement does not apply if the day is rescheduled and the employees will be paid their daily, regular rate of pay and benefits for the rescheduled day if services are rendered.

(i) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure, remote learning day or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employees would have reported for work but for the closure, remote learning day, or e-learning day, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(j) The State Board of Education may adopt rules consistent with the provisions of this Section that are necessary to implement this Section.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Bennett, **Senate Bill No. 1470** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS 3.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stadelman
Aquino	Gillespie	Martwick	Stoller
Belt	Glowiak Hilton	McClure	Syverson
Bennett	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Wilcox
Faraci	Koehler	Rose	Mr. President
Feigenholtz	Lewis	Simmons	
Fine	Lightford	Sims	

The following voted in the negative:

Bryant
Chesney
Plummer

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

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

SENATE BILL RECALLED

On motion of Senator N. Harris, **Senate Bill No. 1495** was recalled from the order of third reading to the order of second reading.

Senator N. Harris offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1495

AMENDMENT NO. 2 . Amend Senate Bill 1495, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 1510, 1515, 1550, 1555, 1560, 1570, 1575, 1585, and 1590 as follows:

(215 ILCS 5/1510)

Sec. 1510. Definitions. In this Article:

"Adjusting a claim for loss or damage covered by an insurance contract" means negotiating values, damages, or depreciation or applying the loss circumstances to insurance policy provisions.

"Adjusting insurance claims" means representing an insured with an insurer for compensation and, while representing that insured, either negotiating values, damages, or depreciation or applying the loss circumstances to insurance policy provisions.

"Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

"Department" means the Department of Insurance.

"Director" means the Director of Insurance.

"Fingerprints" means an impression of the lines on the finger taken for the purpose of identification. The impression may be electronic or in ink converted to electronic format.

"Home state" means the District of Columbia and any state or territory of the United States where the public adjuster's principal place of residence or principal place of business is located. If neither the state in which the public adjuster maintains the principal place of residence nor the state in which the public adjuster maintains the principal place of business has a substantially similar law governing public adjusters, the public adjuster may declare another state in which it becomes licensed and acts as a public adjuster to be the home state.

"Individual" means a natural person.

"Person" means an individual or a business entity.

"Public adjuster" means any person who, for compensation or any other thing of value on behalf of the insured:

(i) acts, ~~or~~ aids, or represents the insured solely in relation to first party claims arising under insurance contracts that insure the real or personal property of the insured, ~~on behalf of an insured~~ in adjusting a claim for loss or damage covered by an insurance contract;

(ii) advertises for employment as a public adjuster of insurance claims or solicits business or represents himself or herself to the public as a public adjuster of first party insurance claims for losses or damages arising out of policies of insurance that insure real or personal property; or

(iii) directly or indirectly solicits business, investigates or adjusts losses, or advises an insured about first party claims for losses or damages arising out of policies of insurance that insure real or personal property for another person engaged in the business of adjusting losses or damages covered by an insurance policy for the insured.

"Uniform individual application" means the current version of the National Association of Directors (NAIC) Uniform Individual Application for resident and nonresident individuals.

"Uniform business entity application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Business Entity Application for resident and nonresident business entities.

"Webinar" means an online educational presentation during which a live and participating instructor and participating viewers, whose attendance is periodically verified throughout the presentation, actively engage in discussion and in the submission and answering of questions.

(Source: P.A. 102-135, eff. 7-23-21.)

(215 ILCS 5/1515)

Sec. 1515. License required.

(a) A person shall not act, advertise, solicit, or hold himself out as a public adjuster or to be in the business of adjusting insurance claims in this State, nor attempt to obtain a contract for public adjusting services, unless the person is licensed as a public adjuster in accordance with this Article.

(b) A person licensed as a public adjuster shall not misrepresent to a claimant that he or she is an adjuster representing an insurer in any capacity, including acting as an employee of the insurer or acting as an independent adjuster unless so appointed by an insurer in writing to act on the insurer's behalf for that specific claim or purpose. A licensed public adjuster is prohibited from charging that specific claimant a fee when appointed by the insurer and the appointment is accepted by the public adjuster.

(c) A business entity acting as a public adjuster is required to obtain a public adjuster license. Application shall be made using the Uniform Business Entity Application. Before approving the application, the Director shall find that:

(1) the business entity has paid the required fees to be registered as a business entity in this State; and

(2) all officers, shareholders, and persons with ownership interests in the business entity are licensed public adjusters responsible for the business entity's compliance with the insurance laws, rules, and regulations of this State.

(d) Notwithstanding subsections (a) through (c) of this Section, a license as a public adjuster shall not be required of the following:

(1) an attorney admitted to practice in this State, when acting in his or her professional capacity as an attorney;

(2) a person who negotiates or settles claims arising under a life or health insurance policy or an annuity contract;

(3) a person employed only for the purpose of obtaining facts surrounding a loss or furnishing technical assistance to a licensed public adjuster, including photographers, estimators, private investigators, engineers, and handwriting experts;

(4) a licensed health care provider, or employee of a licensed health care provider, who prepares or files a health claim form on behalf of a patient; or

(5) a person who settles subrogation claims between insurers.

(e) All contracts entered into that are in violation of this Section are void and invalid.

(Source: P.A. 96-1332, eff. 1-1-11.)

(215 ILCS 5/1550)

Sec. 1550. Applicant convictions.

(a) The Director and the Department shall not require applicants to report the following information and shall not collect or consider the following criminal history records in connection with a public adjuster license application:

(1) Juvenile adjudications of delinquent minors as defined in Section 5-105 of the Juvenile Court Act of 1987, subject to the restrictions set forth in Section 5-130 of that Act.

(2) Law enforcement records, court records, and conviction records of an individual who was 17 years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult.

(3) Records of arrest not followed by a formal charge or conviction.

(4) Records of arrest where charges were dismissed unless related to the duties and responsibilities of a public adjuster. However, applicants shall not be asked to report any arrests, and any arrest not followed by a conviction shall not be the basis of a denial and may be used only to assess an applicant's rehabilitation.

(5) Convictions overturned by a higher court.

(6) Convictions or arrests that have been sealed or expunged.

(b) The Director, upon a finding that an applicant for a license under this Act was previously convicted of any ~~a~~ felony or a misdemeanor involving dishonesty or fraud, shall consider any mitigating factors and evidence of rehabilitation contained in the applicant's record, including any of the following factors and evidence, to determine if a license may be denied because the prior conviction will impair the ability of the applicant to engage in the position for which a license is sought:

(1) the bearing, if any, of the offense for which the applicant was previously convicted on the duties, functions, and responsibilities of the position for which a license is sought;

(2) whether the conviction suggests a future propensity to endanger the safety and property of others while performing the duties and responsibilities for which a license is sought;

(3) if the applicant was previously licensed or employed in this State or other states or jurisdictions, then the lack of prior misconduct arising from or related to the licensed position or position of employment;

(4) whether 5 years since a felony conviction or 3 years since release from confinement for the conviction, whichever is later, have passed without a subsequent conviction;

(5) successful completion of sentence and, for applicants serving a term of parole or probation, a progress report provided by the applicant's probation or parole officer that documents the applicant's compliance with conditions of supervision;

(6) evidence of the applicant's present fitness and professional character;

(7) evidence of rehabilitation or rehabilitative effort during or after incarceration or during or after a term of supervision, including, but not limited to, a certificate of good conduct under Section 5-5.5-25 of the Unified Code of Corrections or certificate of relief from disabilities under Section 5-5.5-10 of the Unified Code of Corrections; and

(8) any other mitigating factors that contribute to the person's potential and current ability to perform the duties and responsibilities of a public adjuster.

(c) If a nonresident licensee meets the standards set forth in items (1) through (4) of subsection (a) of Section 1540 and has received consent pursuant to 18 U.S.C. 1033(e)(2) from his or her home state, the Director shall grant the nonresident licensee a license.

(d) If the Director refuses to issue a license to an applicant based on a conviction or convictions, in whole or in part, then the Director shall notify the applicant of the denial in writing with the following included in the notice of denial:

(1) a statement about the decision to refuse to issue a license;

(2) a list of convictions that the Director determined will impair the applicant's ability to engage in the position for which a license is sought;

(3) a list of the convictions that were the sole or partial basis for the refusal to issue a license; and

(4) a summary of the appeal process or the earliest the applicant may reapply for a license, whichever is applicable.

(Source: P.A. 100-286, eff. 1-1-18.)

(215 ILCS 5/1555)

Sec. 1555. License denial, nonrenewal, or revocation.

(a) The Director may place on probation, suspend, revoke, deny, or refuse to issue or renew a public adjuster's license or may levy a civil penalty or any combination of actions, for any one or more of the following causes:

(1) providing incorrect, misleading, incomplete, or materially untrue information in the license application;

(2) violating any insurance laws, or violating any regulation, subpoena, or order of the Director or of another state's Director;

(3) obtaining or attempting to obtain a license through misrepresentation or fraud;

(4) improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business;

(5) intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

(6) having been convicted of any ~~a~~ felony or a misdemeanor involving dishonesty or fraud, unless the individual demonstrates to the Director sufficient rehabilitation to warrant the public trust; consideration of such conviction of an applicant shall be in accordance with Section 1550;

(7) having admitted or been found to have committed any insurance unfair trade practice or insurance fraud;

(8) using fraudulent, coercive, or dishonest practices; or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere;

(9) having an insurance license or public adjuster license or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory;

(10) forging another's name to an application for insurance or to any document related to an insurance transaction;

(11) cheating, including improperly using notes or any other reference material, to complete an examination for an insurance license or public adjuster license;

(12) knowingly accepting insurance business from or transacting business with an individual who is not licensed but who is required to be licensed by the Director;

(13) failing to comply with an administrative or court order imposing a child support obligation;

(14) failing to pay State income tax or comply with any administrative or court order directing payment of State income tax;

(15) failing to comply with or having violated any of the standards set forth in Section 1590 of this Law; ~~or~~

(16) failing to maintain the records required by Section 1585 of this Law.

(b) If the action by the Director is to nonrenew, suspend, or revoke a license or to deny an application for a license, the Director shall notify the applicant or licensee and advise, in writing, the applicant or licensee of the reason for the suspension, revocation, denial, or nonrenewal of the applicant's or licensee's license. The applicant or licensee may make written demand upon the Director within 30 days after the date of mailing for a hearing before the Director to determine the reasonableness of the Director's action. The

hearing must be held within not fewer than 20 days nor more than 30 days after the mailing of the notice of hearing and shall be held pursuant to 50 Ill. Adm. Code 2402.

(c) The license of a business entity may be suspended, revoked, or refused if the Director finds, after hearing, that an individual licensee's violation was known or should have been known by one or more of the partners, officers, or managers acting on behalf of the business entity and the violation was neither reported to the Director, nor corrective action taken.

(d) In addition to or in lieu of any applicable denial, suspension or revocation of a license, a person may, after hearing, be subject to a civil penalty. In addition to or instead of any applicable denial, suspension, or revocation of a license, a person may, after hearing, be subject to a civil penalty of up to $10,000 for each cause for denial, suspension, or revocation, however, the civil penalty may total no more than $100,000.

(e) The Director shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by this Article against any person who is under investigation for or charged with a violation of this Article even if the person's license or registration has been surrendered or has lapsed by operation of law.

(f) Any individual whose public adjuster's license is revoked or whose application is denied pursuant to this Section shall be ineligible to apply for a public adjuster's license for 5 years. A suspension pursuant to this Section may be for any period of time up to 5 years.

(Source: P.A. 100-286, eff. 1-1-18.)

(215 ILCS 5/1560)

Sec. 1560. Bond or letter of credit.

(a) Prior to the issuance of a license as a public adjuster and for the duration of the license, the applicant shall secure evidence of financial responsibility in a format prescribed by the Director through a surety bond or irrevocable letter of credit, subject to all of the following requirements:

(1) A surety bond executed and issued by an insurer authorized to issue surety bonds in this State, which bond:

(A) shall be in the minimum amount of $50,000 ~~$20,000~~;

(B) shall be in favor of this State and shall specifically authorize recovery by the Director on behalf of any person in this State who sustained damages as the result of erroneous acts, failure to act, conviction of fraud, or conviction of unfair practices in his or her capacity as a public adjuster; and

(C) shall not be terminated unless at least 30 days' prior written notice will have been filed with the Director and given to the licensee; and

(2) An irrevocable letter of credit issued by a qualified financial institution, which letter of credit:

(A) shall be in the minimum amount of $50,000 ~~$20,000~~;

(B) shall be to an account to the Director and subject to lawful levy of execution on behalf of any person to whom the public adjuster has been found to be legally liable as the result of erroneous acts, failure to act, fraudulent acts, or unfair practices in his or her capacity as a public adjuster; and

(C) shall not be terminated unless at least 30 days' prior written notice will have been filed with the and given to the licensee.

(b) The issuer of the evidence of financial responsibility shall notify the Director upon termination of the bond or letter of credit, unless otherwise directed by the Director.

(c) The Director may ask for the evidence of financial responsibility at any time he or she deems relevant.

(d) The authority to act as a public adjuster shall automatically terminate if the evidence of financial responsibility terminates or becomes impaired.

(Source: P.A. 96-1332, eff. 1-1-11.)

(215 ILCS 5/1570)

Sec. 1570. Public adjuster fees.

(a) A public adjuster shall not pay a commission, service fee, or other valuable consideration to a person for investigating or settling claims in this State if that person is required to be licensed under this Article and is not so licensed.

(b) A person shall not accept a commission, service fee, or other valuable consideration for investigating or settling claims in this State if that person is required to be licensed under this Article and is not so licensed.

(c) A public adjuster may pay or assign commission, service fees, or other valuable consideration to persons who do not investigate or settle claims in this State, unless the payment would violate State law.

(d) If the loss giving rise to the claim for which the public adjuster was retained arises from damage to property that is anything but a personal residence, a ~~A~~ public adjuster may not charge, agree to, or accept any compensation, payment, commission ~~commissions~~, fee, or other valuable consideration in excess of 10% of the amount of the insurance settlement claim paid by the insurer on any claim resulting from a catastrophic event, unless approved in writing by the Director. Application for exception to the 10% limit must be made in writing. The request must contain specific reasons as to why the consideration should be in excess of 10% and proof that the policyholder would accept the consideration. The Director must act on any request within 5 business days after receipt of the request.

For the purpose of this subsection (d), "catastrophic event" means an occurrence of widespread or severe damage or loss of property producing an overwhelming demand on State and local response resources and mechanisms and a severe long-term effect on general economic activity, and that severely affects State, local, and private sector capabilities to begin to sustain response activities resulting from any catastrophic cause, including, but not limited to, fire, including arson (provided the fire was not caused by the willful action of an owner or resident of the property), flood, earthquake, wind, storm, explosion, or extended periods of severe inclement weather as determined by declaration of a State of disaster by the Governor. This declaration may be made on a county-by-county basis and shall be in effect for 90 days, but may be renewed for 30-day intervals thereafter.

(e) If the loss giving rise to the claim for which the public adjuster was retained arises from damage to a personal residence, a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other valuable consideration in excess of 10% of the amount of the insurance settlement claim paid by the insurer on any claim.

(Source: P.A. 98-701, eff. 1-1-15.)

(215 ILCS 5/1575)

Sec. 1575. Contract between public adjuster and insured.

(a) Public adjusters shall ensure that all contracts for their services are in writing and contain the following terms:

(1) legible full name of the adjuster signing the contract, as specified in Department records;

(2) permanent home state business address, email address, and phone number;

(3) license number;

(4) title of "Public Adjuster Contract";

(5) the insured's full name, street address, insurance company name, and policy number, if known or upon notification;

(6) a description of the loss and its location~~, if applicable~~;

(7) description of services to be provided to the insured;

(8) signatures of the public adjuster and the insured;

(9) date and time the contract was signed by the public adjuster and date and time the contract was signed by the insured;

(10) attestation language stating that the public adjuster is fully bonded pursuant to State law; and

(11) full salary, fee, commission, compensation, or other considerations the public adjuster is to receive for services, including any applicable cap under Section 1570.

(b) The contract may specify that the public adjuster shall be named as a co-payee on an insurer's payment of a claim.

(1) If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified.

(2) Initial expenses to be reimbursed to the public adjuster from the proceeds of the claim payment shall be specified by type, with dollar estimates set forth in the contract and with any additional expenses first approved by the insured.

(3) Compensation provisions in a public adjuster contract shall not be redacted in any copy of the contract provided to the Director.

(c) If the insurer, not later than 5 business days after the date on which the loss is reported to the insurer, either pays or commits in writing to pay to the insured the policy limit of the insurance policy, the public adjuster shall:

(1) not receive a commission consisting of a percentage of the total amount paid by an insurer to resolve a claim;

(2) inform the insured that loss recovery amount might not be increased by insurer; and

(3) be entitled only to reasonable compensation from the insured for services provided by the public adjuster on behalf of the insured, based on the time spent on a claim and expenses incurred by the public adjuster, until the claim is paid or the insured receives a written commitment to pay from the insurer.

(d) A public adjuster shall provide the insured a written disclosure concerning any direct or indirect financial interest that the public adjuster has with any other party who is involved in any aspect of the claim, other than the salary, fee, commission, or other consideration established in the written contract with the insured, including, but not limited to, any ownership of or any compensation expected to be received from, any construction firm, salvage firm, building appraisal firm, board-up company, or any other firm that provides estimates for work, or that performs any work, in conjunction with damages caused by the insured loss on which the public adjuster is engaged. The word "firm" shall include any corporation, partnership, association, joint-stock company, or person.

(e) A public adjuster contract may not contain any contract term that:

(1) allows the public adjuster's percentage fee to be collected when money is due from an insurance company, but not paid, or that allows a public adjuster to collect the entire fee from the first check issued by an insurance company, rather than as a percentage of each check issued by an insurance company;

(2) requires the insured to authorize an insurance company to issue a check only in the name of the public adjuster;

(3) precludes a public adjuster or an insured from pursuing civil remedies;

(4) includes any hold harmless agreement that provides indemnification to the public adjuster by the insured for liability resulting from the public adjuster's negligence; or

(5) provides power of attorney by which the public adjuster can act in the place and instead of the insured.

(f) The following provisions apply to a contract between a public adjuster and an insured:

(1) Prior to the signing of the contract, the public adjuster shall provide the insured with a separate signed and dated disclosure document regarding the claim process that states:

"Property insurance policies obligate the insured to present a claim to his or her insurance company for consideration. There are 3 types of adjusters that could be involved in that process. The definitions of the 3 types are as follows:

(A) "Company adjuster" means the insurance adjusters who are employees of an insurance company. They represent the interest of the insurance company and are paid by the insurance company. They will not charge you a fee.

(B) "Independent adjuster" means the insurance adjusters who are hired on a contract basis by an insurance company to represent the insurance company's interest in the settlement of the claim. They are paid by your insurance company. They will not charge you a fee.

(C) "Public adjuster" means the insurance adjusters who do not work for any insurance company. They represent ~~work for~~ the insured to assist in the preparation, presentation and settlement of the claim. The insured hires them by signing a contract agreeing to pay them a fee or commission based on a percentage of the settlement, or other method of compensation.".

(2) The insured is not required to hire a public adjuster to help the insured meet his or her obligations under the policy, but has the right to do so.

(3) The public adjuster is not a representative or employee of the insurer or the Department of Insurance.

(4) The salary, fee, commission, or other consideration is the obligation of the insured, not the insurer, except when rights have been assigned to the public adjuster by the insured.

(g) The contracts shall be executed in duplicate to provide an original contract to the public adjuster, and an original contract to the insured. The public adjuster's original contract shall be available at all times for inspection without notice by the Director.

(h) The public adjuster shall provide the insurer or its authorized representative for receiving notice of loss or damage with an exact copy of the contract with ~~by~~ the insured by email no later than 5 business days after execution of the contract, authorizing the public adjuster to represent the insured's interest.

(i) The public adjuster shall give the insured written notice of the insured's rights as a consumer under the law of this State.

(j) A public adjuster shall not provide services, other than emergency services, until a written contract with the insured has been executed, on a form filed with and approved by the Director, and an exact copy of the contract has been provided to the insurer in accordance with subsection (h). At the option of the insured, any such contract shall be voidable for 5 business days after the contract is received by the insurer ~~execution~~. The insured may void the contract by notifying the public adjuster in writing by (i) registered or certified mail, return receipt requested, to the address shown on the contract, ~~or~~ (ii) personally serving the notice on the public adjuster, or (iii) sending an email to the email address shown on the contract.

(k) If the insured exercises the right to rescind the contract, anything of value given by the insured under the contract will be returned to the insured within 15 business days following the receipt by the public adjuster of the cancellation notice.

(l) All contracts entered into that are in violation of this Section are void and invalid.

(Source: P.A. 96-1332, eff. 1-1-11; 97-333, eff. 8-12-11.)

(215 ILCS 5/1585)

Sec. 1585. Record retention.

(a) A public adjuster shall maintain a complete record of each transaction as a public adjuster. The records required by this Section shall include the following:

(1) name of the insured;

(2) date, location and amount of the loss;

(3) a copy of the contract between the public adjuster and insured and a copy of the separate disclosure documents ~~document~~;

(4) name of the insurer, amount, expiration date and number of each policy carried with respect to the loss;

(5) itemized statement of the insured's recoveries;

(6) itemized statement of all compensation received by the public adjuster, from any source whatsoever, in connection with the loss;

(7) a register of all monies received, deposited, disbursed, or withdrawn in connection with a transaction with an insured, including fees transfers and disbursements from a trust account and all transactions concerning all interest bearing accounts;

(8) name of public adjuster who executed the contract;

(9) name of the attorney representing the insured, if applicable, and the name of the claims representatives of the insurance company; and

(10) evidence of financial responsibility in a format prescribed by the Director.

(b) Records shall be maintained for at least 7 years after the termination of the transaction with an insured and shall be open to examination by the Director at all times.

(c) Records submitted to the Director in accordance with this Section that contain information identified in writing as proprietary by the public adjuster shall be treated as confidential by the Director and shall not be subject to the Freedom of Information Act.

(Source: P.A. 96-1332, eff. 1-1-11.)

(215 ILCS 5/1590)

Sec. 1590. Standards of conduct of public adjuster.

(a) A public adjuster is obligated, under his or her license, to serve with objectivity and complete loyalty for the interests of his client alone, and to render to the insured such information, counsel, and service, as within the knowledge, understanding, and opinion in good faith of the licensee, as will best serve the insured's insurance claim needs and interest.

(b) A public adjuster may not propose or attempt to propose to any person that the public adjuster represent that person while a loss-producing occurrence is continuing, nor while the fire department or its representatives are engaged at the damaged premises, nor between the hours of 7:00 p.m. and 8:00 a.m.

(c) A public adjuster shall not permit an unlicensed employee or representative of the public adjuster to conduct business for which a license is required under this Article.

(d) A public adjuster shall not have a direct or indirect financial interest in any aspect of the claim, other than the salary, fee, commission, or other consideration established in the written contract with the

insured, unless full written disclosure has been made to the insured as set forth in subsection (d) ~~(g)~~ of Section 1575.

(e) A public adjuster shall not acquire any interest in the salvage of property subject to the contract with the insured unless the public adjuster obtains written permission from the insured after settlement of the claim with the insurer as set forth in subsection (d) ~~(g)~~ of Section 1575 of this Article.

(f) The public adjuster shall abstain from referring or directing the insured to get needed repairs or services in connection with a loss from any person, unless disclosed to the insured:

(1) with whom the public adjuster has a direct or indirect financial interest; or

(2) from whom the public adjuster may receive direct or indirect compensation for the referral.

(g) The public adjuster shall disclose to an insured if he or she has any interest or will be compensated by any construction firm, salvage firm, building appraisal firm, board-up company, or any other firm that performs any work in conjunction with damages caused by the insured loss. The word "firm" shall include any corporation, partnership, association, joint-stock company or individual as set forth in Section 1575 of this Article.

(h) Any compensation or anything of value in connection with an insured's specific loss that will be received by a public adjuster shall be disclosed by the public adjuster to the insured in writing including the source and amount of any such compensation.

(i) In all cases where the loss giving rise to the claim for which the public adjuster was retained arise from damage to a personal residence, the insurance proceeds shall be delivered to the named insured or his or her designee. Where proceeds paid by an insurance company are paid jointly to the insured and the public adjuster, the insured shall release such portion of the proceeds that are due the public adjuster within 30 calendar days after the insured's receipt of the insurance company's check, money order, draft, or release of funds. If the proceeds are not so released to the public adjuster within 30 calendar days, the insured shall provide the public adjuster with a written explanation of the reason for the delay.

(j) Public adjusters shall adhere to the following general ethical requirements:

(1) a public adjuster shall not undertake the adjustment of any claim if the public adjuster is not competent and knowledgeable as to the terms and conditions of the insurance coverage, or which otherwise exceeds the public adjuster's current expertise;

(2) a public adjuster shall not knowingly make any oral or written material misrepresentations or statements which are false or maliciously critical and intended to injure any person engaged in the business of insurance to any insured client or potential insured client;

(3) no public adjuster, while so licensed by the Department, may represent or act as a company adjuster or independent adjuster on the same claim;

(4) the contract shall not be construed to prevent an insured from pursuing any civil remedy after the 5-business day revocation or cancellation period;

(5) a public adjuster shall not enter into a contract or accept a power of attorney that vests in the public adjuster the effective authority to choose the persons who shall perform repair work;

(6) a public adjuster shall ensure that all contracts for the public adjuster's services are in writing and set forth all terms and conditions of the engagement; and

(7) a public adjuster shall not advance money or any valuable consideration, except emergency services to an insured pending adjustment of a claim.

(k) A public adjuster may not agree to any loss settlement without the insured's knowledge and consent and shall, upon the insured's request, provide the insured with a document setting forth the scope, amount, and value of the damages prior to request by the insured for authority to settle the loss.

(l) A public adjuster shall not provide legal advice or representation to the insured or engage in the unauthorized practice of law.

(m) A public adjuster shall not represent that he or she is a representative of an insurance company, a fire department, or the State of Illinois, that he or she is a fire investigator, that his or her services are required for the insured to submit a claim to the insured's insurance company, or that he or she may provide legal advice or representation to the insured. A public adjuster may represent that he or she has been licensed by the State of Illinois.

(Source: P.A. 96-1332, eff. 1-1-11.)

(815 ILCS 625/Act rep.)

Section 10. The Fire Damage Representation Agreement Act is repealed.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator N. Harris, **Senate Bill No. 1495** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Cunningham, **Senate Bill No. 1508** was recalled from the order of third reading to the order of second reading.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1508

AMENDMENT NO. 2 . Amend Senate Bill 1508, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Sports Wagering Act is amended by changing Section 25-15 as follows:

(230 ILCS 45/25-15)

Sec. 25-15. Board duties and powers.

(a) Except for sports wagering conducted under Section 25-70, the Board shall have the authority to regulate the conduct of sports wagering under this Act.

(b) The Board may adopt any rules the Board considers necessary for the successful implementation, administration, and enforcement of this Act, except for Section 25-70. Rules proposed by the Board may be adopted as emergency rules pursuant to Section 5-45 of the Illinois Administrative Procedure Act.

(c) The Board shall levy and collect all fees, surcharges, civil penalties, and monthly taxes on adjusted gross sports wagering receipts imposed by this Act and deposit all moneys into the Sports Wagering Fund, except as otherwise provided under this Act.

(d) The Board may exercise any other powers necessary to enforce the provisions of this Act that it regulates and the rules of the Board.

(e) The Board shall adopt rules for a license to be employed by a master sports wagering licensee when the employee works in a designated gaming area that has sports wagering or performs duties in furtherance of or associated with the operation of sports wagering by the master sports wagering licensee (occupational license), which shall require an annual license fee of $250. However, occupational licenses issued under the Illinois Gambling Act for employees of an owners license or organization gaming licensee, once granted, are considered equivalent licenses to work in sports wagering positions located at the same gaming facility. License fees shall be deposited into the State Gaming Fund and used for the administration of this Act.

(f) The Board may require that licensees share, in real time and at the sports wagering account level, information regarding a wagerer, amount and type of wager, the time the wager was placed, the location of the wager, including the Internet protocol address, if applicable, the outcome of the wager, and records of abnormal wagering activity. Information shared under this subsection (f) must be submitted in the form and manner as required by rule. If a sports governing body has notified the Board that real-time information sharing for wagers placed on its sports events is necessary and desirable, licensees may share the same information in the form and manner required by the Board by rule with the sports governing body or its designee with respect to wagers on its sports events subject to applicable federal, State, or local laws or regulations, including, without limitation, privacy laws and regulations. Such information may be provided in anonymized form and may be used by a sports governing body solely for integrity purposes. For purposes of this subsection (f), "real-time" means a commercially reasonable periodic interval.

(g) A master sports wagering licensee, professional sports team, league, or association, sports governing body, or institution of higher education may submit to the Board in writing a request to prohibit a type or form of wagering if the master sports wagering licensee, professional sports team, league, or association, sports governing body, or institution of higher education believes that such wagering by type or form is contrary to public policy, unfair to consumers, or affects the integrity of a particular sport or the sports betting industry. The Board shall grant the request upon a demonstration of good cause from the requester and consultation with licensees. The Board shall respond to a request pursuant to this subsection (g) concerning a particular event before the start of the event or, if it is not feasible to respond before the start of the event, as soon as practicable.

(h) The Board and master sports wagering licensees may cooperate with investigations conducted by sports governing bodies or law enforcement agencies, including, but not limited to, providing and facilitating the provision of account-level betting information and audio or video files relating to persons placing wagers.

(i) A master sports wagering licensee shall make commercially reasonable efforts to promptly notify the Board any information relating to:

(1) criminal or disciplinary proceedings commenced against the master sports wagering licensee in connection with its operations;

(2) abnormal wagering activity or patterns that may indicate a concern with the integrity of a sports event or sports events;

(3) any potential breach of the relevant sports governing body's internal rules and codes of conduct pertaining to sports wagering that a licensee has knowledge of;

(4) any other conduct that corrupts a wagering outcome of a sports event or sports events for purposes of financial gain, including match fixing; and

(5) suspicious or illegal wagering activities, including use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, using agents to place wagers, and using false identification.

A master sports wagering licensee shall also make commercially reasonable efforts to promptly report information relating to conduct described in paragraphs (2), (3), and (4) of this subsection (i) to the relevant sports governing body.

(j) The Board shall require a licensed online sports wagering operator to, at least once every hour, display a message advising the individual of the time elapsed since logging on, advising the individual of

the amount of money wagered since logging on, and including hyperlinks to websites and telephone numbers that offer gambling addiction assistance.
(Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 1508** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bryant	Glowiak Hilton	McClure	Syverson
Castro	Halpin	McConchie	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Plummer	Villanueva
Edly-Allen	Johnson	Porfirio	Wilcox
Ellman	Joyce	Preston	Mr. President
Faraci	Koehler	Rezin	
Feigenholtz	Lewis	Simmons	

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

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

Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1508**.

SENATE BILL RECALLED

On motion of Senator Cervantes, **Senate Bill No. 1515** was recalled from the order of third reading to the order of second reading.

Senator Cervantes offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1515

AMENDMENT NO. 3 . Amend Senate Bill 1515, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 7, line 9, after "but", by inserting "not".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Cervantes, **Senate Bill No. 1515** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 44; NAYS 9.

The following voted in the affirmative:

Aquino	Gillespie	Loughran Cappel	Tracy
Belt	Glowiak Hilton	Martwick	Turner, D.
Castro	Halpin	McConchie	Turner, S.
Cervantes	Harris, N.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
Curran	Holmes	Pacione-Zayas	Villanueva
DeWitte	Hunter	Peters	Villivalam
Edly-Allen	Johnson	Porfirio	Mr. President
Ellman	Joyce	Preston	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	
Fine	Lightford	Stadelman	

The following voted in the negative:

Anderson	Fowler	Stoller
Bryant	Plummer	Syverson
Chesney	Rose	Wilcox

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

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

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 1515**.

Senator Bennett asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 1515**.

SENATE BILL RECALLED

On motion of Senator Ellman, **Senate Bill No. 1527** was recalled from the order of third reading to the order of second reading.

Senator Ellman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1527

AMENDMENT NO. 2 . Amend Senate Bill 1527 on page 8, line 20, by replacing "2024" with "2025".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Ellman, **Senate Bill No. 1527** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Sims
Aquino	Fowler	Martwick	Stadelman
Belt	Gillespie	McClure	Stoller
Bennett	Glowiak Hilton	McConchie	Syverson
Bryant	Halpin	Morrison	Tracy
Cervantes	Harriss, E.	Murphy	Turner, D.
Chesney	Hastings	Pacione-Zayas	Turner, S.
Cunningham	Holmes	Peters	Ventura
Curran	Hunter	Plummer	Villa
DeWitte	Johnson	Porfirio	Villanueva
Edly-Allen	Joyce	Preston	Villivalam
Ellman	Koehler	Rezin	Wilcox
Faraci	Lewis	Rose	Mr. President
Feigenholtz	Lightford	Simmons	

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

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

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 1685** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1685

AMENDMENT NO. 1 . Amend Senate Bill 1685, on page 1, line 7, by deleting "and changing Section 2-3.25"; and

by deleting line 4 on page 2 through line 23 on page 3.

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 1685** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Simmons, **Senate Bill No. 1710** was recalled from the order of third reading to the order of second reading.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1710

AMENDMENT NO. 1 . Amend Senate Bill 1710 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 11-315 as follows:

(625 ILCS 5/11-315 new)

Sec. 11-315. Bicycle trail signage. The authority having maintenance jurisdiction over publicly owned bicycle trails in the State shall erect permanent regulatory or warning signage alerting pedestrians or cyclists of vehicle crossings. In the event of an emergency or safety hazard, the authority having maintenance jurisdiction over publicly owned bicycle trails shall erect temporary signage alerting pedestrians or cyclists of damage to the trail, maintenance being performed on the trail, or other temporary hazards along the trail. The Department with reference to State highways under its jurisdiction, and the local authority with reference to other highways under its jurisdiction, shall erect permanent signage warning vehicular traffic in advance of bicycle trail crossings. Signage erected as part of this Section shall conform with the State manual and permanent advanced warning signage shall be located at least 150 feet in advance of the crossing.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Simmons, **Senate Bill No. 1710** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS 7.

The following voted in the affirmative:

Aquino	Fowler	Lightford	Sims
Belt	Gillespie	Loughran Cappel	Stadelman
Bennett	Glowiak Hilton	Martwick	Stoller
Castro	Halpin	McClure	Tracy
Cervantes	Harris, N.	McConchie	Turner, D.
Cunningham	Harriss, E.	Morrison	Turner, S.
Curran	Hastings	Murphy	Ventura
DeWitte	Holmes	Pacione-Zayas	Villa
Edly-Allen	Hunter	Peters	Villanueva
Ellman	Johnson	Porfirio	Villivalam
Faraci	Joyce	Preston	Mr. President
Feigenholtz	Koehler	Rezin	
Fine	Lewis	Simmons	

The following voted in the negative:

Anderson	Chesney	Rose	Wilcox
Bryant	Plummer	Syverson	

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

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

At the hour of 2:58 o'clock p.m., Senator Cunningham, presiding.

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 1721** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1721

AMENDMENT NO. 1 . Amend Senate Bill 1721 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 13-703 as follows:

(220 ILCS 5/13-703) (from Ch. 111 2/3, par. 13-703)

(Section scheduled to be repealed on December 31, 2026)

Sec. 13-703. (a) The Commission shall design and implement a program whereby each telecommunications carrier providing local exchange service shall provide a telecommunications device capable of servicing the needs of those persons with a hearing or speech disability together with a single party line, at no charge additional to the basic exchange rate, to any subscriber who is certified as having a hearing or speech disability by a hearing instrument ~~care~~ professional, as defined in the Hearing Instrument Consumer Protection Act, a speech-language pathologist, or a qualified State agency and to any subscriber

which is an organization serving the needs of those persons with a hearing or speech disability as determined and specified by the Commission pursuant to subsection (d).

(b) The Commission shall design and implement a program, whereby each telecommunications carrier providing local exchange service shall provide a telecommunications relay system, using third party intervention to connect those persons having a hearing or speech disability with persons of normal hearing by way of intercommunications devices and the telephone system, making available reasonable access to all phases of public telephone service to persons who have a hearing or speech disability. In order to design a telecommunications relay system which will meet the requirements of those persons with a hearing or speech disability available at a reasonable cost, the Commission shall initiate an investigation and conduct public hearings to determine the most cost-effective method of providing telecommunications relay service to those persons who have a hearing or speech disability when using telecommunications devices and therein solicit the advice, counsel, and physical assistance of Statewide nonprofit consumer organizations that serve persons with hearing or speech disabilities in such hearings and during the development and implementation of the system. The Commission shall phase in this program, on a geographical basis, as soon as is practicable, but no later than June 30, 1990.

(c) The Commission shall establish a competitively neutral rate recovery mechanism that establishes charges in an amount to be determined by the Commission for each line of a subscriber to allow telecommunications carriers providing local exchange service to recover costs as they are incurred under this Section. Beginning no later than April 1, 2016, and on a yearly basis thereafter, the Commission shall initiate a proceeding to establish the competitively neutral amount to be charged or assessed to subscribers of telecommunications carriers and wireless carriers, Interconnected VoIP service providers, and consumers of prepaid wireless telecommunications service in a manner consistent with this subsection (c) and subsection (f) of this Section. The Commission shall issue its order establishing the competitively neutral amount to be charged or assessed to subscribers of telecommunications carriers and wireless carriers, Interconnected VoIP service providers, and purchasers of prepaid wireless telecommunications service on or prior to June 1 of each year, and such amount shall take effect June 1 of each year.

Telecommunications carriers, wireless carriers, Interconnected VoIP service providers, and sellers of prepaid wireless telecommunications service shall have 60 days from the date the Commission files its order to implement the new rate established by the order.

(d) The Commission shall determine and specify those organizations serving the needs of those persons having a hearing or speech disability that shall receive a telecommunications device and in which offices the equipment shall be installed in the case of an organization having more than one office. For the purposes of this Section, "organizations serving the needs of those persons with hearing or speech disabilities" means centers for independent living as described in Section 12a of the Rehabilitation of Persons with Disabilities Act and not-for-profit organizations whose primary purpose is serving the needs of those persons with hearing or speech disabilities. The Commission shall direct the telecommunications carriers subject to its jurisdiction and this Section to comply with its determinations and specifications in this regard.

(e) As used in this Section:

"Prepaid wireless telecommunications service" has the meaning given to that term under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

"Retail transaction" has the meaning given to that term under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

"Seller" has the meaning given to that term under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

"Telecommunications carrier providing local exchange service" includes, without otherwise limiting the meaning of the term, telecommunications carriers which are purely mutual concerns, having no rates or charges for services, but paying the operating expenses by assessment upon the members of such a company and no other person.

"Wireless carrier" has the meaning given to that term under Section 2 of the Emergency Telephone System Act.

(f) Interconnected VoIP service providers, sellers of prepaid wireless telecommunications service, and wireless carriers in Illinois shall collect and remit assessments determined in accordance with this Section in a competitively neutral manner in the same manner as a telecommunications carrier providing local exchange service. However, the assessment imposed on consumers of prepaid wireless telecommunications service shall be collected by the seller from the consumer and imposed per retail transaction as a percentage

of that retail transaction on all retail transactions occurring in this State. The assessment on subscribers of wireless carriers and consumers of prepaid wireless telecommunications service shall not be imposed or collected prior to June 1, 2016.

Sellers of prepaid wireless telecommunications service shall remit the assessments to the Department of Revenue on the same form and in the same manner which they remit the fee collected under the Prepaid Wireless 9-1-1 Surcharge Act. For the purposes of display on the consumers' receipts, the rates of the fee collected under the Prepaid Wireless 9-1-1 Surcharge Act and the assessment under this Section may be combined. In administration and enforcement of this Section, the provisions of Sections 15 and 20 of the Prepaid Wireless 9-1-1 Surcharge Act (except subsections (a), (a-5), (b-5), (e), and (e-5) of Section 15 and subsections (c) and (e) of Section 20 of the Prepaid Wireless 9-1-1 Surcharge Act and, from June 29, 2015 (the effective date of Public Act 99-6), the seller shall be permitted to deduct and retain 3% of the assessments that are collected by the seller from consumers and that are remitted and timely filed with the Department) that are not inconsistent with this Section, shall apply, as far as practicable, to the subject matter of this Section to the same extent as if those provisions were included in this Section. Beginning on January 1, 2018, the seller is allowed to deduct and retain 3% of the assessments that are collected by the seller from consumers and that are remitted timely and timely filed with the Department, but only if the return is filed electronically as provided in Section 3 of the Retailers' Occupation Tax Act. Sellers who demonstrate that they do not have access to the Internet or demonstrate hardship in filing electronically may petition the Department to waive the electronic filing requirement. The Department shall deposit all assessments and penalties collected under this Section into the Illinois Telecommunications Access Corporation Fund, a special fund created in the State treasury. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the amount available to the Commission for distribution out of the Illinois Telecommunications Access Corporation Fund. The amount certified shall be the amount (not including credit memoranda) collected during the second preceding calendar month by the Department, plus an amount the Department determines is necessary to offset any amounts which were erroneously paid to a different taxing body or fund. The amount paid to the Illinois Telecommunications Access Corporation Fund shall not include any amount equal to the amount of refunds made during the second preceding calendar month by the Department to retailers under this Section or any amount that the Department determines is necessary to offset any amounts which were payable to a different taxing body or fund but were erroneously paid to the Illinois Telecommunications Access Corporation Fund. The Commission shall distribute all the funds to the Illinois Telecommunications Access Corporation and the funds may only be used in accordance with the provisions of this Section. The Department shall deduct 2% of all amounts deposited in the Illinois Telecommunications Access Corporation Fund during every year of remitted assessments. Of the 2% deducted by the Department, one-half shall be transferred into the Tax Compliance and Administration Fund to reimburse the Department for its direct costs of administering the collection and remittance of the assessment. The remaining one-half shall be transferred into the Public Utility Fund to reimburse the Commission for its costs of distributing to the Illinois Telecommunications Access Corporation the amount certified by the Department for distribution. The amount to be charged or assessed under subsections (c) and (f) is not imposed on a provider or the consumer for wireless Lifeline service where the consumer does not pay the provider for the service. Where the consumer purchases from the provider optional minutes, texts, or other services in addition to the federally funded Lifeline benefit, a consumer must pay the charge or assessment, and it must be collected by the seller according to this subsection (f).

Interconnected VoIP services shall not be considered an intrastate telecommunications service for the purposes of this Section in a manner inconsistent with federal law or Federal Communications Commission regulation.

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

(h) The Commission may adopt rules necessary to implement this Section.

(Source: P.A. 99-6, eff. 6-29-15; 99-143, eff. 7-27-15; 99-642, eff. 7-28-16; 99-847, eff. 8-19-16; 99-933, eff. 1-27-17; 100-20, eff. 7-1-17; 100-201, eff. 8-18-17; 100-303, eff. 8-24-17; 100-863, eff. 8-14-18.)

Section 10. The Hearing Instrument Consumer Protection Act is amended by changing Sections 1, 3, 4, 5, 6, 7, 8, 9, 9.5, 14, 16, 17, 18, 19, and 20 and by adding Sections 4.5, 4.6, and 12 as follows:

(225 ILCS 50/1) (from Ch. 111, par. 7401)

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

Sec. 1. Purpose. The purpose of this Act is to protect the deaf or hard of hearing public from the practice of dispensing hearing aids ~~instruments~~ that could endanger the health, safety and welfare of the People of this State. The Federal Food and Drug Administration and Federal Trade Commission has recommended that State legislation is necessary in order to establish standards of competency and to impose stringent penalties for those who violate the public trust in this field of health care.
(Source: P.A. 98-827, eff. 1-1-15.)

(225 ILCS 50/3) (from Ch. 111, par. 7403)

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

Sec. 3. Definitions. As used in this Act, except as the context requires otherwise:

"Department" means the Department of Public Health.

"Director" means the Director of the Department of Public Health.

"Direct supervision" means the final approval given by the licensed hearing instrument professional to all work performed by the person under supervision and that the licensed hearing instrument professional is physically present in the facility any time the person under supervision has contact with a client. "Direct supervision" does not mean that the licensed hearing instrument professional is in the same room when the person under supervision has contact with the client.

"Federal Trade Commission" means the United States federal agency which regulates business practices and commerce.

"Food and Drug Administration" means the United States federal agency which regulates hearing instruments or hearing aids as medical devices.

"License" means a license issued by the State under this Act to a hearing instrument dispenser.

"Licensed audiologist" means a person licensed as an audiologist under the Illinois Speech-Language Pathology and Audiology Practice Act and who can prescribe hearing aids in accordance with this Act.

"National Board Certified Hearing Instrument Specialist" means a person who has had at least 2 years in practice as a licensed hearing instrument dispenser and has been certified after qualification by examination by the National Board for Certification in Hearing Instruments Sciences.

"Licensed physician" or "physician" means a physician licensed in Illinois to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987.

"Trainee" means a person who is licensed to perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a hearing instrument dispenser or audiologist who is licensed in the State.

"Board" means the Hearing Instrument Consumer Protection Board.

"Hearing instrument" or "hearing aid" means any instrument or device, including an instrument or device dispensed pursuant to a prescription, that is designed, intended, or offered for the purpose of improving a person's hearing and any parts, attachments, or accessories, including earmolds. "Hearing instrument" or "hearing aid" does not include batteries, cords, and individual or group auditory training devices and any instrument or device used by a public utility in providing telephone or other communication services ~~wearable instrument or device designed for or offered for the purpose of aiding or compensating for impaired human hearing and that can provide more than 15 dB full on gain via a 2cc coupler at any single frequency from 200 through 6000 cycles per second, and any parts, attachments, or accessories, including ear molds. "Hearing instrument" or "hearing aid" do not include batteries, cords, or group auditory training devices and any instrument or device used by a public utility in providing telephone or other communication services are excluded~~.

"Involvement of a licensed person" refers to the supervisor, prescription or other order involvement or interaction by a licensed hearing instrument professional.

"Practice of prescribing, fitting, dispensing, or servicing of prescription hearing aids ~~instruments~~" means the measurement of human hearing with an audiometer, calibrated to the current American National Standard Institute standards, for the purpose of prescribing hearing aids and making selections, recommendations, adaptions, services, or sales of hearing aids ~~instruments~~ including the making of earmolds as a part of the hearing aid ~~instrument~~.

"Sell" or "sale" means any transfer of title or of the right to use by lease, bailment, or any other contract, excluding wholesale transactions with distributors or dealers.

"Hearing instrument dispenser" means a person who is a hearing instrument ~~care~~ professional that engages in the selling, practice of fitting, selecting, recommending, dispensing, prescribing, or servicing of prescription hearing aids ~~instruments~~ or the testing for means of hearing aid ~~instrument~~ selection or who

advertises or displays a sign or represents himself or herself as a person who practices the testing, fitting, selecting, servicing, dispensing, prescribing, or selling of prescription hearing aids ~~instruments~~.

"Fund" means the Hearing Instrument Dispenser Examining and Disciplinary Fund.

"Hearing instrument ~~care~~ professional" means a person who is a licensed audiologist, a licensed hearing instrument dispenser, or a licensed physician.

"Over-the-counter hearing aid" means any instrument or device that:

(1) uses the same fundamental scientific technology as air conduction hearing aids, as defined in 21 CFR 874.3300, or wireless air conduction hearing aids, as defined in 21 CFR 874.3305;

(2) is intended to be used by adults age 18 and older to compensate for perceived mild to moderate hearing impairment;

(3) through tools, tests, or software, allows the user to control the over-the-counter hearing aid and customize it to the user's hearing needs;

(4) may use wireless technology or include tests for self-assessment of hearing loss; and

(5) is available over-the-counter, without the supervision, prescription, or other order, involvement, or intervention of a licensed person, to consumers through in-person transactions, by mail, or online.

"Over-the-counter hearing aid" does not include batteries, cords, and individual or group auditory training devices or any instrument or device used by a public utility in providing telephone or other communication services.

"Personal sound amplification product" means an amplification device, as defined by the Food and Drug Administration or the Federal Trade Commission, that is not labeled as a hearing aid and is not intended to treat hearing loss.

"Prescribe" means an order for a prescription hearing aid issued by a licensed hearing instrument professional.

"Prescription hearing aid" means any wearable instrument or device designed, intended, or offered for the purpose of improving a person's hearing that may only be obtained with the involvement of a licensed hearing instrument professional.

(Source: P.A. 98-362, eff. 8-16-13; 98-827, eff. 1-1-15.)

(225 ILCS 50/4) (from Ch. 111, par. 7404)

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

Sec. 4. Disclosure; ~~waiver;~~ complaints; insurance. The hearing instrument dispenser shall give at no charge to every person fitted and sold a hearing aid ~~instrument~~ the "User Instructional Brochure", supplied by the hearing aid ~~instrument~~ manufacturer containing information required by the U.S. Food and Drug Administration.

All hearing instruments or hearing aids must be dispensed or sold in accordance with Food and Drug Administration and Federal Trade Commission regulations governing the dispensing and sale of personal sound amplification products or hearing aids.

A consumer who purchases an over-the-counter hearing aid must be provided a sales receipt at the time of the transaction.

Whenever a sale ~~or service~~ of one or more prescription hearing aids ~~instrument~~ involving $50 or more is made or contracted to be made, whether under a single contract or under multiple contracts, at the time of the transaction, the hearing instrument professional ~~dispenser~~ shall furnish the consumer with a fully completed receipt or contract pertaining to that transaction, in substantially the same language as that used in the oral presentation to the consumer. The receipt or contract provided to the consumer shall contain (i) the hearing instrument professional's ~~dispenser's~~ name, license number, business address, business phone number, and signature; (ii) the name, address, and signature of the hearing instrument consumer; (iii) ~~and~~ the name and signature of the purchaser if the consumer and the purchaser are not the same person; (iv) the hearing aid ~~instrument~~ manufacturer's name, and the model and serial numbers; (v) the date of purchase; and (vi) the charges required to complete the terms of the sale, which must be fully and clearly stated. When the hearing aid ~~instrument~~ is delivered to the consumer or purchaser, the serial number shall be written on the original receipt or contract and a copy shall be given to the consumer or purchaser. If a used hearing instrument is sold, the receipt and the container thereof shall be clearly marked as "used" or "reconditioned", whichever is applicable, with terms of guarantee, if any.

~~All hearing instruments offered for sale must be accompanied by a 30 business day return privilege. The receipt or contract provided to the consumer shall state that the consumer has a right to return the hearing instrument for a refund within 30 business days of the date of delivery. If a nonrefundable~~

~~dispensing fee or restocking fee, or both, will be withheld from the consumer in event of return, the terms must be clearly stated on the receipt or contract provided to the consumer.~~

~~A hearing instrument dispenser shall not sell a hearing instrument unless the prospective user has presented to the hearing instrument dispenser a written statement, signed by a licensed physician, which states that the patient's hearing loss has been medically evaluated and the patient is considered a candidate for a hearing instrument. The medical evaluation must have taken place within the 6 months immediately preceding the date of the sale of the hearing instrument to the prospective hearing instrument user. If the prospective hearing instrument user is 18 years of age or older, the hearing instrument dispenser may afford the prospective user an opportunity to waive the medical evaluation required by this Section, provided that the hearing instrument dispenser:~~

~~(i) Informs the prospective user that the exercise of a waiver is not in the user's best health interest;~~

~~(ii) Does not in any way actively encourage the prospective user to waive the medical evaluation; and~~

~~(iii) Affords the prospective user the option to sign the following statement:~~

~~"I have been advised by .....(hearing instrument dispenser's name) that the Food and Drug Administration has determined that my best interest would be served if I had a medical evaluation by a licensed physician (preferably a physician who specializes in diseases of the ear) before purchasing a hearing instrument. I do not wish a medical evaluation before purchasing a hearing instrument."~~

The hearing instrument dispenser or the dispenser's ~~his or her~~ employer shall retain proof of the medical examination ~~or the waiver~~ for at least 3 years from the date of the sale.

If the parent or guardian of any individual under the age of 18 years is a member of any church or religious denomination, whose tenets and practices include reliance upon spiritual means through prayer alone and objects to medical treatment and so states in writing to the hearing instrument dispenser, such individual shall undergo a hearing examination as provided by this Section but no proof, ruling out any medically treatable problem causing hearing loss, shall be required.

All persons licensed under this Act shall have conspicuously displayed in their business establishment a sign indicating that formal complaints regarding hearing aid ~~instrument~~ goods or services may be made to the Department. Such sign shall give the address and telephone number of the Department. All persons purchasing hearing aids ~~instruments~~ shall be provided with a written statement indicating that formal complaints regarding hearing aid ~~instrument~~ goods or services may be made to the Department and disclosing the address and telephone number of the Department.

Any person wishing to make a complaint, against a hearing instrument dispenser under this Act, shall file it with the Department within 3 years from the date of the action upon which the complaint is based. The Department shall investigate all such complaints.

All persons licensed under this Act shall maintain liability insurance as set forth by rule and shall be responsible for the annual calibration of all audiometers in use by such persons. Such annual calibrations shall be in conformance with the current standards set by American National Standard Institute.

(Source: P.A. 91-932, eff. 1-1-01.)

(225 ILCS 50/4.5 new)

Sec. 4.5. Hearing aids dispensed by prescription to persons age 17 or younger.

(a) A hearing instrument professional shall not sell a prescription hearing aid to anyone under 18 years of age unless the prospective user has presented to the hearing instrument professional a written statement, signed by a licensed physician, that states that the patient's hearing loss has been medically evaluated and the patient is considered a candidate for a hearing aid. The medical evaluation must have been performed within the 6 months immediately preceding the date of the sale of the hearing aid to the prospective hearing aid user.

(b) A person age 17 or younger must be medically evaluated in person by a physician before receiving a prescription for a hearing aid. The evaluation must have been performed within the 6 months immediately preceding the date that the hearing aid is dispensed.

(c) Following a medical evaluation by a licensed physician, a hearing instrument professional other than the evaluating physician may prescribe a prescription hearing aid for an individual age 17 or younger. A person age 17 or younger may not waive the medical evaluation or receipt of a prescription from a hearing instrument professional unless the person is replacing a lost or stolen hearing aid that is subject to warranty replacement.

(d) A hearing aid prescription for individuals age 17 or younger issued by a hearing instrument professional other than the evaluating physician must include, at a minimum, the following information:

(1) name of the patient;

(2) documentation of medical evaluation by a physician;

(3) date the prescription is issued;

(4) expiration date of the prescription, which may not exceed 6 months from the date of issuance;

(5) name and license number of the prescribing hearing instrument professional;

(6) results of the following assessments: (i) age-appropriate pure-tone air conduction audiometry or results of auditory evoked potential testing, including, but not limited to, auditory brainstem response or otoacoustic emissions testing; (ii) bone conduction testing, as age appropriate; and (iii) recorded or live voice speech in quiet, as age appropriate;

(7) documentation of type and style of hearing aid; and

(8) documentation of medical necessity of the recommended features of a hearing aid.

(225 ILCS 50/4.6 new)

Sec. 4.6. Prescription hearing aids for persons age 18 or older.

(a) A person age 18 or older must be evaluated by a hearing instrument professional in person or via telehealth before receiving a prescription for a hearing aid. A person age 18 or older may not waive evaluation by a hearing instrument professional unless he or she is replacing a lost or stolen hearing aid that is subject to warranty replacement.

(b) A hearing instrument professional shall not sell prescription hearing aid to anyone age 18 or older if the prospective user had a negative finding on the Consumer Ear Disease Risk Assessment or a similar standardized assessment. The prospective user shall present to the hearing instrument professional a written statement, signed by a licensed physician, which states that the patient's hearing loss has been medically evaluated and the patient is considered a candidate for a prescription hearing aid. The medical evaluation must have been performed within the 12 months immediately preceding the date of the sale of the hearing aid to the prospective hearing aid user.

(c) A hearing aid prescription for individuals age 18 or older must include, at a minimum, the following information:

(1) name of the patient;

(2) date the prescription is issued;

(3) expiration date of the prescription, which may not exceed one year from the date of issuance;

(4) name and license number of the prescribing hearing instrument professional;

(5) results of the following assessments:

(A) hearing handicap inventory or similar standardized, evidence-based tool;

(B) pure-tone air conduction audiometry;

(C) bone conduction testing or consumer ear disease risk assessment or a similar standardized evidence-based tool;

(D) recorded speech in quiet, as medically appropriate;

(E) recorded speech or digits in noise, as medical appropriate;

(6) documentation of type and style of hearing aid; and

(7) documentation of medical necessity of the recommended features of a hearing aid.

(225 ILCS 50/5) (from Ch. 111, par. 7405)

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

Sec. 5. License required. No person shall engage in the selling, practice of testing, fitting, selecting, recommending, adapting, dispensing, or servicing hearing aids ~~instruments~~ or display a sign, advertise, or represent oneself as a person who practices the fitting or selling of hearing aids ~~instruments~~ unless such person holds a current license issued by the Department as provided in this Act. Such person shall be known as a licensed hearing instrument dispenser. Individuals licensed pursuant to the provisions of Section 8 of this Act shall be deemed qualified to provide tests of human hearing and hearing aid ~~instrument~~ evaluations for the purpose of dispensing a hearing aid ~~instrument~~ for which any State agency may contract. The license shall be conspicuously displayed in the place of business. Duplicate licenses shall be issued by the Department to licensees operating more than one office upon the additional payment set forth in this Act. No hearing aids ~~instrument~~ manufacturer may distribute, sell, or otherwise provide hearing aids ~~instruments~~

to any unlicensed hearing instrument ~~care~~ professional for the purpose of selling hearing aids ~~instruments~~ to the consumer.

Except for violations of the provisions of this Act, or the rules promulgated under it, nothing in this Act shall prohibit a corporation, partnership, trust, association, or other entity from engaging in the business of testing, fitting, servicing, selecting, dispensing, selling, or offering for sale hearing aid ~~instruments~~ at retail without a license, provided it employs only licensed individuals in the direct testing, fitting, servicing, selecting, offering for sale, or dispensing of such products. Each such corporation, partnership, trust, association, or other entity shall file with the Department, prior to doing business in this State and by July 1 of each calendar year thereafter, on forms prescribed by the Department, a list of all licensed hearing instrument dispensers employed by it and a statement attesting that it complies with this Act and the rules promulgated under it and the regulations of the Federal Food and Drug Administration and the Federal Trade Commission insofar as they are applicable.

(Source: P.A. 99-204, eff. 7-30-15.)

(225 ILCS 50/6) (from Ch. 111, par. 7406)

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

Sec. 6. Mail order and Internet sales. Nothing in this Act shall prohibit a corporation, partnership, trust, association, or other organization, maintaining an established business address, from engaging in the business of selling or offering for sale hearing aids ~~instruments~~ at retail by mail or by Internet to persons 18 years of age or older who have not been examined by a licensed physician or tested by a licensed hearing instrument dispenser provided that:

(a) The organization is registered by the Department prior to engaging in business in this State and has paid the fee set forth in this Act.

(b) The organization files with the Department, prior to registration and annually thereafter, a Disclosure Statement containing the following:

(1) the name under which the organization is doing or intends to do business and the name of any affiliated company which the organization recommends or will recommend to persons as a supplier of goods or services or in connection with other business transactions of the organization;

(2) the organization's principal business address and the name and address of its agent in this State authorized to receive service of process;

(3) the business form of the organization, whether corporate, partnership, or otherwise and the state or other sovereign power under which the organization is organized;

(4) the names of the directors or persons performing similar functions and names and addresses of the chief executive officer, and the financial, accounting, sales, and other principal executive officers, if the organization is a corporation, association, or other similar entity; of all general partners, if the organization is a partnership; and of the owner, if the organization is a sole proprietorship, together with a statement of the business background during the past 5 years for each such person;

(5) a statement as to whether the organization or any person identified in the disclosure statement:

(i) has during the 5 year period immediately preceding the date of the disclosure statement been convicted of a felony, pleaded nolo contendere to a felony charge, or been held liable in a civil action by final judgment, if such felony or civil action involved fraud, embezzlement, or misappropriation of property, and a description thereof; or

(ii) is subject to any currently effective injunctive or restrictive order as a result of a proceeding or pending action brought by any government agency or department, and a description thereof; or

(iii) is a defendant in any pending criminal or material civil action relating to fraud, embezzlement, misappropriation of property or violations of the antitrust or trade regulation laws of the United States or any state, and a description thereof; or

(iv) has during the 5-year ~~5 year~~ period immediately preceding the date of the disclosure statement had entered against such person or organization a final judgment in any material civil proceeding, and a description thereof; or

(v) has during the 5-year ~~5 year~~ period immediately preceding the date of the disclosure statement been adjudicated a bankrupt or reorganized due to insolvency or was a principal executive officer or general partner of any company that has been adjudicated a bankrupt or reorganized due to insolvency during such 5-year ~~5 year~~ period, and a description thereof;

(6) the length of time the organization and any predecessor of the organization has conducted a business dealing with hearing aid ~~instrument~~ goods or services;

(7) a financial statement of the organization as of the close of the most recent fiscal year of the organization. If the financial statement is filed later than 120 days following the close of the fiscal year of the organization it must be accompanied by a statement of the organization of any material changes in the financial condition of the organization;

(8) a general description of the business, including without limitation a description of the goods, training programs, supervision, advertising, promotion and other services provided by the organization;

(9) a statement of any compensation or other benefit given or promised to a public figure arising, in whole or in part, from (i) the use of the public figure in the name or symbol of the organization or (ii) the endorsement or recommendation of the organization by the public figure in advertisements;

(10) a statement setting forth such additional information and such comments and explanations relative to the information contained in the disclosure statement as the organization may desire to present.

(b-5) If a device being sold does not meet the definition of an over-the-counter ~~a~~ hearing aid or a prescription hearing aid, ~~instrument or hearing device~~ as stated in this Act, the organization shall include a disclaimer in all written or electronic promotions. The disclaimer shall include the following language:

"This is not a hearing instrument or hearing aid as defined in the Hearing Instrument Consumer Protection Act, but a personal sound amplification product ~~amplifier~~ and not intended to replace a properly fitted and calibrated hearing aid or treat hearing loss ~~instrument~~.".

(c) The organization files with the Department prior to registration and annually thereafter a statement that it complies with the Act, the rules issued pursuant to it, and the regulations of the Federal Food and Drug Administration and the Federal Trade Commission insofar as they are applicable.

(d) The organization files with the Department at the time of registration an irrevocable consent to service of process authorizing the Department and any of its successors to be served any notice, process, or pleading in any action or proceeding against the organization arising out of or in connection with any violation of this Act. Such service shall have the effect of conferring personal jurisdiction over such organization in any court of competent jurisdiction.

(e) Before dispensing a hearing aid by mail or over the Internet ~~instrument~~ to a resident of this State, the organization informs the prospective users that they need to obtain a prescription issued by a hearing instrument professional that meets the requirements of Section 4.5 of this Act. ~~the following for proper fitting of a hearing instrument:~~

~~(1) the results of an audiogram performed within the past 6 months by a licensed audiologist or a licensed hearing instrument dispenser; and~~

~~(2) an earmold impression obtained from the prospective user and taken by a licensed hearing instrument dispenser or licensed audiologist.~~

(f) (Blank). ~~The prospective user receives a medical evaluation or the organization affords the prospective user an opportunity to waive the medical evaluation requirement of Section 4 of this Act and the testing requirement of subsection (z) of Section 18, provided that the organization~~:

~~(1) informs the prospective user that the exercise of the waiver is not in the user's best health interest;~~

~~(2) does not in any way actively encourage the prospective user to waive the medical evaluation or test; and~~

~~(3) affords the prospective user the option to sign the following statement:~~

~~"I have been advised by ..... (hearing instrument dispenser's name) that the Food and Drug Administration and the State of Illinois have determined that my best interest would be served if I had a medical evaluation by a licensed physician, preferably a physician who specialized in diseases of the ear, before purchasing a hearing instrument; or a test by a licensed audiologist or licensed hearing instrument dispenser utilizing established procedures and instrumentation in the fitting of hearing instruments. I do not wish either a medical evaluation or test before purchasing a hearing instrument."~~

(g) Where a sale, lease, or rental of prescription hearing aids are ~~instruments is~~ sold or contracted to be sold to a consumer by mail order or via the Internet, the consumer may void the contract or sale by notifying the seller within 45 business days following that day on which the hearing aids ~~instruments~~ were

mailed by the seller to the consumer and by returning to the seller in its original condition any hearing aids ~~instrument~~ delivered to the consumer under the contract or sale. At the time the hearing aid ~~instrument~~ is mailed, the seller shall furnish the consumer with a fully completed receipt or copy of any contract pertaining to the sale that contains a "Notice of Cancellation" informing the consumer that he or she may cancel the sale at any time within 45 business days and disclosing the date of the mailing and the name, address, and telephone number of the seller. In immediate proximity to the space reserved in the contract for the signature of the consumer, or on the front page of the receipt if a contract is not used, and in bold face type of a minimum size of 10 points, there shall be a statement in substantially the following form:

"You, the buyer, may cancel this transaction at any time prior to midnight of the 45th business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right."

Attached to the receipt or contract shall be a completed form in duplicate, captioned "NOTICE OF CANCELLATION" which shall be easily detachable and which shall contain in at least 10 point bold face type the following information and statements in the same language as that used in the contract:

"NOTICE OF CANCELLATION

enter date of transaction

.....

(DATE)

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN 45 BUSINESS DAYS FROM THE ABOVE DATE.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE LESS ANY NONREFUNDABLE RESTOCKING FEE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN 10 BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE AND ALL MERCHANDISE PERTAINING TO THIS TRANSACTION, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST RETURN TO THE SELLER, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM, TO (name of seller), AT (address of seller's place of business) AND (seller's telephone number) NO LATER THAN MIDNIGHT OF .....(date).

I HEREBY CANCEL THIS TRANSACTION.

(Date).....

.....

(Buyers Signature)"

The written "Notice of Cancellation" may be sent by the consumer to the seller to cancel the contract. The 45-day period does not commence until the consumer is furnished the Notice of Cancellation and the address and phone number at which such notice to the seller can be given.

If the conditions of this Section are met, the seller must return to the consumer the amount of any payment made or consideration given under the contract or for the merchandise less a nonrefundable restocking fee.

It is an unlawful practice for a seller to: (1) hold a consumer responsible for any liability or obligation under any mail order transaction if the consumer claims not to have received the merchandise unless the merchandise was sent by certified mail or other delivery method by which the seller is provided with proof of delivery; (2) fail, before furnishing copies of the "Notice of Cancellation" to the consumer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the seller's telephone number, the date of the mailing, and the date, not earlier than the 45th business day following the date of the mailing, by which the consumer may give notice of cancellation; (3) include in any contract or receipt any confession of judgment or any waiver of any of the rights to which the consumer is entitled under this Section including specifically his right to cancel the sale in accordance with the provisions of this Section; (4) misrepresent in any manner the consumer's right to cancel; (5) use any undue influence, coercion, or any other wilful act or representation to interfere with the consumer's exercise of his rights under this Section; (6) fail or refuse to honor any valid notice of cancellation and return of merchandise by a consumer and, within 10 business days after the receipt of such notice and merchandise pertaining to such

transaction, to (i) refund payments made under the contract or sale, (ii) return any goods or property traded in, in substantially as good condition as when received by the person, (iii) cancel and return any negotiable instrument executed by the consumer in connection with the contract or sale and take any action necessary or appropriate to terminate promptly any security interest created in the transaction; (7) negotiate, transfer, sell, or assign any note or other evidence of indebtedness to a finance company or other third party prior to the 50th business day following the day of the mailing; or (8) fail to provide the consumer of a hearing aid ~~instrument~~ with written information stating the name, address, and telephone number of the Department and informing the consumer that complaints regarding hearing aid ~~instrument~~ goods or services may be made to the Department.

(h) The organization employs only licensed audiologists and licensed hearing instrument dispensers in the dispensing of hearing aids ~~instruments~~ and files with the Department, by January 1 of each year, a list of all licensed audiologists and licensed hearing instrument dispensers employed by it.

(Source: P.A. 98-362, eff. 8-16-13; 98-827, eff. 1-1-15.)

(225 ILCS 50/7) (from Ch. 111, par. 7407)

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

Sec. 7. Exemptions.

(a) The following are exempt from this Act:

(1) Licensed physicians. This exemption, however, does not apply to a physician's employee or subcontractor who is not a physician.

(2) Persons who only repair or manufacture hearing instruments and their accessories for wholesale.

(b) Audiometers used by persons exempt from this Act to dispense hearing instruments must meet the annual calibration requirements and current standards set by the American National Standards Institute.

(c) Audiologists licensed under the Illinois Speech-Language Pathology and Audiology Practice Act are exempt from licensure under this Act, but are otherwise subject to the practices and provisions of this Act.

(d) Hearing aid dispensing technicians are exempt from licensure under this Act but are otherwise subject to the practices and provisions of this Act.

(Source: P.A. 91-932, eff. 1-1-01.)

(225 ILCS 50/8) (from Ch. 111, par. 7408)

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

Sec. 8. Applicant qualifications; examination.

(a) In order to protect persons who are deaf or hard of hearing, the Department shall authorize or shall conduct an appropriate examination, which may be the International Hearing Society's licensure examination, for persons who dispense, test, select, recommend, fit, or service hearing aids ~~instruments~~. The frequency of holding these examinations shall be determined by the Department by rule. Those who successfully pass such an examination shall be issued a license as a hearing instrument dispenser, which shall be effective for a 2-year period.

(b) Applicants shall be:

(1) at least 18 years of age;

(2) of good moral character;

(3) the holder of an associate's degree or the equivalent;

(4) free of contagious or infectious disease; and

(5) a citizen or person lawfully present in the United States.

Felony convictions of the applicant and findings against the applicant involving matters set forth in Sections 17 and 18 shall be considered in determining moral character, but such a conviction or finding shall not make an applicant ineligible to register for examination.

(c) Prior to engaging in the practice of fitting, dispensing, or servicing hearing aids ~~instruments~~, an applicant shall demonstrate, by means of written and practical examinations, that such person is qualified to practice the testing, selecting, recommending, fitting, selling, or servicing of hearing aids ~~instruments~~ as defined in this Act. An applicant must obtain a license within 12 months after passing either the written or practical examination, whichever is passed first, or must take and pass those examinations again in order to be eligible to receive a license.

The Department shall, by rule, determine the conditions under which an individual is examined.

(d) Proof of having met the minimum requirements of continuing education as determined by the Board shall be required of all license renewals. Pursuant to rule, the continuing education requirements may,

upon petition to the Board, be waived in whole or in part if the hearing instrument dispenser can demonstrate that he or she served in the Coast Guard or Armed Forces, had an extreme hardship, or obtained his or her license by examination or endorsement within the preceding renewal period.

(e) Persons applying for an initial license must demonstrate having earned, at a minimum, an associate degree or its equivalent from an accredited institution of higher education that is recognized by the U.S. Department of Education or that meets the U.S. Department of Education equivalency as determined through a National Association of Credential Evaluation Services (NACES) member, and meet the other requirements of this Section. In addition, the applicant must demonstrate the successful completion of (1) 12 semester hours or 18 quarter hours of academic undergraduate course work in an accredited institution consisting of 3 semester hours of anatomy and physiology of the hearing mechanism, 3 semester hours of hearing science, 3 semester hours of introduction to audiology, and 3 semester hours of aural rehabilitation, or the quarter hour equivalent or (2) an equivalent program as determined by the Department that is consistent with the scope of practice of a hearing instrument dispenser as defined in Section 3 of this Act. Persons licensed before January 1, 2003 who have a valid license on that date may have their license renewed without meeting the requirements of this subsection.

(Source: P.A. 102-1030, eff. 5-27-22.)

(225 ILCS 50/9) (from Ch. 111, par. 7409)

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

Sec. 9. Areas of examination. The examination required by Section 8 shall be set forth by rule and demonstrate the applicant's technical qualifications by:

(a) Tests of knowledge in the following areas as they pertain to the testing, selecting, recommending, fitting, and selling of hearing aids ~~instruments~~:

(1) characteristics of sound;

(2) the nature of the ear; and

(3) the function and maintenance of hearing aids ~~instruments~~.

(b) Practical tests of proficiency in techniques as they pertain to the fitting of hearing aids ~~instruments~~ shall be prescribed by the Department, set forth by rule, and include candidate qualifications in the following areas:

(1) pure tone audiometry including air conduction testing and bone conduction testing;

(2) live voice or recorded voice speech audiometry, including speech reception, threshold testing and speech discrimination testing;

(3) masking;

(4) proper selection and adaptation of a hearing instrument;

(5) taking earmold impressions;

(6) proper maintenance procedures; and

(7) a general knowledge of the medical and physical contra-indications to the use and fitting of a hearing aids ~~instrument~~.

(c) Knowledge of the general medical and hearing rehabilitation facilities in the area being served.

(d) Knowledge of the provisions of this Act and the rules promulgated hereunder.

(Source: P.A. 96-683, eff. 1-1-10.)

(225 ILCS 50/9.5)

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

Sec. 9.5. Trainees.

(a) In order to receive a trainee license, a person must apply to the Department and provide acceptable evidence of his or her completion of the required courses pursuant to subsection (e) of Section 8 of this Act, or its equivalent as determined by the Department. A trainee license expires 12 months from the date of issue and is non-renewable.

(b) A trainee shall perform the functions of a hearing instrument dispenser in accordance with the Department rules and only under the direct supervision of a hearing instrument dispenser or audiologist who is licensed in the State. ~~For the purposes of this Section, "direct supervision" means that the licensed hearing instrument dispenser or audiologist shall give final approval to all work performed by the trainee and shall be physically present anytime the trainee has contact with the client.~~ The licensed hearing instrument dispenser or audiologist is responsible for all of the work that is performed by the trainee.

(c) The Department may limit the number of trainees that may be under the direct supervision of the same licensed hearing instrument dispenser or licensed audiologist.

(d) The Department may establish a trainee licensing fee by rule.

(e) A trainee may be supervised by more than one licensed hearing instrument professional. The trainee must complete a hearing instrument consumer protection program license verification form for each supervising licensed hearing instrument professional.

(Source: P.A. 98-827, eff. 1-1-15.)

(225 ILCS 50/12 new)

Sec. 12. Hearing aid technicians.

(a) Hearing aid technicians may be employed by a hearing instrument professional to assist in the dispensing and servicing of hearing instruments without a license. A hearing aid technician must work under the direct supervision of a licensed hearing instrument professional.

(b) The duties of a hearing aid technician are limited to the following:

(1) packaging and mailing earmold orders, repaired devices, and manufacturer or lab returns;

(2) maintaining an inventory of supplies;

(3) performing checks on hearing aids and other amplification devices and equipment;

(4) troubleshooting and performing minor repairs to hearing aids, earmolds, and other amplification devices which do not alter the shape, sound characteristics, or performance of the device;

(5) cleaning of hearing aids and other amplification devices;

(6) performing electroacoustic analysis of hearing aids and other amplification devices;

(7) instructing patients in proper use and care of hearing aids and other amplification devices;

(8) demonstration of alerting and assistive listening devices;

(9) performing infection control duties within the clinic or service; and

(10) contacting hearing instrument manufacturers and suppliers regarding status of orders and repairs.

(c) The licensed hearing instrument professional is responsible for all services performed by the hearing aid technician under the professional's direct supervision.

(225 ILCS 50/14) (from Ch. 111, par. 7414)

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

Sec. 14. Powers and duties of the Department. The powers and duties of the Department are:

(a) To issue licenses and to administer examinations to applicants, which must be offered at least on a quarterly basis;

(b) To license persons who are qualified to engage in the testing, recommending, fitting, selling, and dispensing of hearing instruments;

(c) To provide the equipment and facilities necessary for the examination;

(d) To issue and to renew licenses;

(e) To suspend or revoke licenses or to take such other disciplinary action as provided in this Act;

(f) To consider all recommendations and requests of the Board and to inform it of all actions of the Department insofar as hearing instrument dispensers are concerned, including any instances where the actions of the Department are contrary to the recommendations of the Board;

(g) To promulgate rules necessary to implement this Act;

(h) (Blank); and

(i) To conduct such consumer education programs and awareness programs for persons with a hearing impairment as may be recommended by the Board.

(Source: P.A. 91-932, eff. 1-1-01.)

(225 ILCS 50/16) (from Ch. 111, par. 7416)

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

Sec. 16. Hearing Instrument Consumer Protection Board. There shall be established a Hearing Instrument Consumer Protection Board which shall assist, advise and make recommendations to the Department.

The Board shall consist of 7 ~~6~~ members who shall be residents of Illinois. One shall be a licensed physician who specializes in otology or otolaryngology; one shall be a member of a consumer-oriented organization concerned with the deaf or hard of hearing; one shall be from the general public, preferably a senior citizen; 2 shall be licensed hearing instrument dispensers who are National Board Certified Hearing Instrument Specialists; and 2 ~~one~~ shall be a licensed audiologist. If a vote of the Board results in a tie, the Director shall cast the deciding vote.

Members of the Board shall be appointed by the Director after consultation with appropriate professional organizations and consumer groups. As soon as practical after the effective date of this amendatory Act of the 103rd General Assembly, the Director shall appoint the members of the Board. The term of office of each shall be 4 years. Before a member's term expires, the Director shall appoint a successor to assume member's duties at the expiration of his or her predecessor's term. A vacancy shall be filled by appointment for the unexpired term. The members shall annually designate one member as chairman. No member of the Board who has served 2 successive, full terms may be reappointed. The Director may remove members for good cause.

Members of the Board shall receive reimbursement for actual and necessary travel and for other expenses, not to exceed the limit established by the Department.

(Source: P.A. 98-827, eff. 1-1-15.)

(225 ILCS 50/17) (from Ch. 111, par. 7417)

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

Sec. 17. Duties of the Board. The Board shall advise the Department in all matters relating to this Act and shall assist as requested by the Director.

The Board shall respond to issues and problems relating to the improvement of services to the deaf or hard of hearing and shall make such recommendations as it considers advisable. It shall file an annual report with the Director and shall meet at least twice a year. The Board may meet at any time at the call of the chair.

The Board shall recommend specialized education programs for persons wishing to become licensed as hearing instrument dispensers and shall, by rule, establish minimum standards of continuing education required for license renewal. No more than 5 hours of continuing education credit per year, however, can be obtained through programs sponsored by hearing instrument manufacturers. Continuing education credit ~~A minimum of 2 hours of continuing education credit~~ per licensing period must include a minimum of (i) 2 hours ~~be obtained~~ in Illinois law and ethics, (ii) one hour in sexual harassment prevention training, and (iii) one hour in implicit bias awareness. Continuing education offered by a college, university, or bar association, the International Hearing Society, the American Academy of Audiology, the American Speech-Language-Hearing Association, the Illinois Speech-Language-Hearing Association, the Illinois Academy of Audiology, or the Illinois Hearing Society regarding Illinois law and ethics shall be accepted toward satisfaction of the Illinois law and ethics continuing education requirement.

The Board shall hear charges brought by any person against hearing instrument dispensers and shall recommend disciplinary action to the Director.

Members of the Board are immune from liability in any action based upon a licensing proceeding or other act performed in good faith as a member of the Board.

(Source: P.A. 98-827, eff. 1-1-15; 99-204, eff. 7-30-15.)

(225 ILCS 50/18) (from Ch. 111, par. 7418)

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

Sec. 18. Discipline by the Department. The Department may refuse to issue or renew a license or it may revoke, suspend, place on probation, censure, fine, or reprimand a licensee for any of the following:

(a) Material misstatement in furnishing information to the Department or to any other State or federal agency.

(b) Violations of this Act, or the rules promulgated hereunder.

(c) Conviction of any crime under the laws of the United States or any state or territory thereof which is a felony or misdemeanor, an essential element of dishonesty, or of any crime which is directly related to the practice of the profession.

(d) Making any misrepresentation for the purpose of obtaining a license or renewing a license, including falsification of the continuing education requirement.

(e) Professional incompetence.

(f) Malpractice.

(g) Aiding or assisting another person in violating any provision of this Act or the rules promulgated hereunder.

(h) Failing, within 30 days, to provide in writing information in response to a written request made by the Department.

(i) Engaging in dishonorable, unethical, or unprofessional conduct which is likely to deceive, defraud, or harm the public.

(j) Knowingly employing, directly or indirectly, any suspended or unlicensed person to perform any services covered by this Act.

(k) Habitual intoxication or addiction to the use of drugs.

(l) Discipline by another state, the District of Columbia, territory, or a foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

(m) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any service not actually rendered. Nothing in this paragraph (m) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (m) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(n) A finding by the Board that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(o) Willfully making or filing false records or reports.

(p) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(q) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice the profession with reasonable judgement, skill or safety.

(r) Solicitation of services or products by advertising that is false or misleading. An advertisement is false or misleading if it:

(1) contains an intentional misrepresentation of fact;

(2) contains a false statement as to the licensee's professional achievements, education, skills, or qualifications in the hearing instrument dispensing profession;

(3) makes a partial disclosure of a relevant fact, including:

(i) the advertisement of a discounted price of an item without identifying in the advertisement or at the location of the item either the specific product being offered at the discounted price or the usual price of the item; and

(ii) the advertisement of the price of a specifically identified hearing instrument if more than one hearing instrument appears in the same advertisement without an accompanying price;

(4) contains a representation that a product innovation is new when, in fact, the product was first offered by the manufacturer to the general public in this State not less than 12 months before the date of the advertisement;

(5) contains any other representation, statement, or claim that is inherently misleading or deceptive; or

(6) contains information that the licensee manufactures hearing instruments at the licensee's office location unless the following statement includes a statement disclosing that the instruments are manufactured by a specified manufacturer and assembled by the licensee.

(s) Participating in subterfuge or misrepresentation in the fitting or servicing of a hearing instrument.

(t) (Blank).

(u) Representing that the service of a licensed physician or other health professional will be used or made available in the fitting, adjustment, maintenance, or repair of hearing instruments or hearing aids when that is not true, or using the words "doctor", "audiologist", "clinic", "Clinical Audiologist", "Certified Hearing Aid Audiologist", "State Licensed", "State Certified", "Hearing Instrument ~~Care~~ Professional", "Licensed Hearing Instrument Dispenser", "Licensed Hearing Aid Dispenser", "Board Certified Hearing Instrument Specialist", "Hearing Instrument Specialist", "Licensed Audiologist", or any other term, abbreviation, or symbol which would give the impression that service is being provided by persons who are licensed or awarded a degree or title, or that an entity utilizes the services of an individual who is licensed or has been awarded a degree or title, or that the person's service who is holding the license has been recommended by a governmental agency or health provider, when such is not the case.

(v) Advertising a manufacturer's product or using a manufacturer's name or trademark implying a relationship which does not exist.

(w) Directly or indirectly giving or offering anything of value to any person who advises another in a professional capacity, as an inducement to influence the purchase of a product sold or offered for sale by a hearing instrument dispenser or influencing persons to refrain from dealing in the products of competitors.

(x) Conducting business while suffering from a contagious disease.

(y) Engaging in the fitting or sale of hearing instruments under a name with fraudulent intent.

(z) Dispensing a hearing instrument to a person who has not been given tests utilizing appropriate established procedures and instrumentation in the fitting of prescription hearing aids ~~instruments, except where there is the replacement of a hearing instrument, of the same make and model within one year of the dispensing of the original hearing instrument~~.

(aa) Unavailability or unwillingness to adequately provide for service or repair of hearing instruments or hearing aids fitted and sold by the dispenser.

(bb) Violating the regulations of the Federal Food and Drug Administration or the Federal Trade Commission as they affect hearing aids or instruments.

(cc) Violating any provision of the Consumer Fraud and Deceptive Business Practices Act.

(dd) Violating the Health Care Worker Self-Referral Act.

(ee) Failing to adequately supervise a hearing aid technician or allowing a hearing aid technician to practice beyond the hearing aid technician's training or the duties set forth in Section 12.

(ff) Filing a false claim with a third-party payer.

The Department, with the approval of the Board, may impose a fine not to exceed $1,000 plus costs for the first violation and not to exceed $5,000 plus costs for each subsequent violation of this Act, and the rules promulgated hereunder, on any person or entity described in this Act. Such fine may be imposed as an alternative to any other disciplinary measure, except for probation. The imposition by the Department of a fine for any violation does not bar the violation from being alleged in subsequent disciplinary proceedings. Such fines shall be deposited in the Fund.

(Source: P.A. 100-201, eff. 8-18-17.)

(225 ILCS 50/19) (from Ch. 111, par. 7419)

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

Sec. 19. Injunctions; civil penalties.

(a) The practice of fitting, dispensing, and servicing hearing instruments or hearing aids by any person not at that time in possession of a valid and current license under this Act is hereby declared to be a Class A misdemeanor. The Director of the Department, through the Attorney General or the State's Attorney of any county, may maintain an action in the name of the people of the State of Illinois and may apply for an injunction in the circuit court to enjoin such person from engaging in such practice. Any person may apply for an injunction in the circuit court to enjoin a person from engaging without a license in practices for which a license is required under this Act. Upon the filing of a verified petition in such court, the court, if satisfied by affidavit or otherwise, that such person has been engaged in such practice without a current license to do so, may enter a temporary restraining order without notice or bond, enjoining the defendant from such further practice. A copy of the verified complaint shall be served upon the defendant and the proceedings shall thereafter be conducted as other civil cases. If it is established that the defendant has been, or is engaged in any unlawful practice, the court may enter an order or judgment perpetually enjoining the defendant from further such practice. In all proceedings hereunder, the court, in its discretion, may apportion the costs among the parties interested in the action, including cost of filing the complaint, service of process, witness fees and expenses, court reporter charges and reasonable attorneys fees. In case of violation of any injunctive order entered pursuant to this Section, the court~~,~~ may try and punish the offender for contempt of court. Such injunctive proceedings shall be in addition to all penalties and other remedies in this Act. Any such costs that may accrue to the Department shall be placed in the Fund.

(b) A person who engages in the selling of hearing instruments or hearing aids or the practice of fitting, dispensing, or servicing hearing instruments or hearing aids or displays a sign, advertises, or represents himself or herself as a person who practices the fitting and selling of hearing instruments or hearing aids without being licensed or exempt under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed $5,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held

in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(c) The Department may investigate any actual, alleged, or suspected unlicensed activity.

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

(Source: P.A. 89-72, eff. 12-31-95.)

(225 ILCS 50/20) (from Ch. 111, par. 7420)

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

Sec. 20. Inactive status. A hearing instrument dispenser who notifies the Department, on the prescribed forms, may place his or her license on inactive status and shall be exempt from payment of renewal fees until he or she notifies the Department in writing, of the intention to resume the practice of testing, fitting, dispensing, selecting, recommending, and servicing hearing aids ~~instruments~~ and pays the current renewal fee and demonstrates compliance with any continuing education that may be required. However, if such period of inactive status is more than 2 years, the hearing instrument dispenser shall also provide the Department with sworn evidence certifying to active practice in another jurisdiction that is satisfactory to the Department. If such person has not practiced in any jurisdiction for 2 years or more, he or she shall be required to restore his or her license by retaking and passing the examinations required in Section 8. Any hearing instrument dispenser whose license is on inactive status shall not practice in Illinois.

(Source: P.A. 89-72, eff. 12-31-95.)

Section 99. Effective date. This Act takes effect January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 1721** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Koehler, **Senate Bill No. 1782** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1782

AMENDMENT NO. 1 . Amend Senate Bill 1782 on page 2, line 8, after "content", by inserting ", performed in Illinois,"; and

on page 3, by replacing lines 7 through 25 with the following:

"(b) On an annual basis, the vlogger shall report to the Department of Labor the following information:

(1) the name and documentary proof of the age of the minor engaged in the work of vlogging;

(2) the number of vlogs that generated compensation as described in subsection (a) during the reporting period;

(3) the total number of minutes of the vlogs that the vlogger received compensation for during the reporting period;

(4) the total number of minutes each minor was featured in vlogs during the reporting period;

(5) the total compensation generated from vlogs featuring a minor during the reporting period; and

(6) the amount deposited into the trust account for the benefit of the minor engaged in the working of vlogging, as required by Section 12.6.

(c) If a vlogger fails to report to the Department of Labor as provided in subsection (b), the minor may commence a civil action to enforce the provisions of this Section.

(d) The Department of Labor may adopt rules to implement this Section."; and

on page 4, line 16, after "than", by inserting "half of"; and

on page 5, immediately below line 13, by inserting the following:

"(c) If a vlogger knowingly or recklessly violates this Section, a minor engaged in the work of vlogging may commence an action to enforce the provisions of this Section regarding the trust account. The court may award, to a minor who prevails in any action brought in accordance with this Section, the following damages:

(1) actual damages;

(2) punitive damages; and

(3) the costs of the action, including attorney's fees and litigation costs.

(d) This Section does not affect a right or remedy available under any other law of the State.

(e) Nothing in this Section shall be interpreted to have any effect on a party that is neither the vlogger, the minor engaged in the work of vlogging, nor the Department of Labor.

Section 99. Effective date. This Act takes effect January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 1782** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Pacione-Zayas, **Senate Bill No. 1794** was recalled from the order of third reading to the order of second reading.

Senator Pacione-Zayas offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1794

AMENDMENT NO. 1 . Amend Senate Bill 1794 on page 1, line 23, after "Program", by inserting "and Head Start and Early Head Start"; and

on page 3, by replacing lines 22 and 23 with "collaborate with the State Board of Education, the Department of Healthcare and Family Services, and Head Start and Early Head Start in the".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Pacione-Zayas, **Senate Bill No. 1794** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 1803** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1803

AMENDMENT NO. 1 . Amend Senate Bill 1803 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by adding Section 805-72 as follows:

(20 ILCS 805/805-72 new)

Sec. 805-72. Lyme Disease Innovation Program.

(a) The Department shall consult with the Department of Agriculture, the Department of Public Health, and members of the University of Illinois' INHS Medical Entomology Program to establish the Lyme Disease Innovation Program no later than one year after the effective date of this amendatory Act of the 103rd General Assembly. The Department shall contract with an Illinois not-for-profit organization whose purpose is to raise awareness of tick-borne diseases with the public and the medical community to operate the Program. The Program's purpose is to raise awareness with the public and to assist persons at risk of Lyme disease and other tick-borne diseases with education and awareness materials and campaigns while developing evidence-based approaches that are cost-effective.

(b) The Program shall implement a statewide interagency and multipronged approach to combat Lyme disease and other tick-borne diseases in Illinois, including adopting an evidence-based model that recognizes the key roles that patients, advocates, and not-for-profit organizations have in fighting Lyme disease and tick-borne diseases. The Program's objectives include issuing grants, subject to the approval of the Department, to State agencies and Illinois not-for profit organizations from moneys in the Lyme Disease Awareness Fund and other appropriations for the following purposes:

(1) Bringing awareness of Lyme disease and tick-borne diseases by any one or more of the following methods:

(A) creating innovative ideas and collaborations for raising awareness about risks and prevention;

(B) amplifying and improving access to essential information supporting innovations in prevention, education, and care with open data and science;

(C) fostering the development of new, community-based education and prevention efforts; and

(D) using programs, website advertising, pamphlets, or other methods to increase the awareness of Lyme disease and tick-borne diseases;

(2) Engaging stakeholders to facilitate patient-centered innovations by (i) building trust among stakeholders through listening sessions, roundtables, and other learning approaches that ground innovations in lived experience, (ii) engaging stakeholders in identifying current areas of need to promote targeted innovations that will make real-world improvements in quality of care, and (iii) gaining insight into patient needs and priorities through stakeholders' collective wisdom and applying that wisdom in shaping future innovation challenges and events.

(3) Advancing stakeholder driven interdisciplinary and interagency collaborations by providing resources to not-for-profit organizations whose purpose is to raise awareness of tick-borne diseases with the public and the medical community in order to (i) facilitate the stakeholder engagement and collaborations and patient-centered innovations and support groups, (ii) identify ways to better collect and share data while raising awareness of tick-borne illnesses, and (iii) assist with the development of outreach and education materials and approaches for State agencies.

(4) The University of Illinois' INHS Medical Entomology Program maintaining a passive tick and tick-borne pathogen surveillance program, based on ticks contributed by the Illinois public, and including tick identifications and disease-agent testing of a subset of identified ticks; compiling evidence and conducting research on tick bite prevention and risk of tick and tick-borne pathogen exposure; and providing evidence, results, and analysis and insight from both the passive surveillance program, on tick species and tick-borne disease-agent distributions and diversity in the State, and its related research on tick bite exposure and prevention, to support the Lyme Disease Innovation Program objectives.

(c) The Program shall be funded through moneys deposited into the Lyme Disease Awareness Fund and other appropriations. The not-for-profit organization contracted with to operate the Program shall be paid, subject to the approval of the Department, for its operation of the Program from moneys deposited into the Fund or from other appropriations.

The University of Illinois' Prairie Research Institute shall be paid, subject to the approval of the Department, for the INHS Medical Entomology Program's operation of a passive tick surveillance and research program from moneys deposited into the Fund or from other appropriations.

(d) The Department must adopt rules to implement this Section.

Section 90. The State Finance Act is amended by adding Section 5.990 as follows:
(30 ILCS 105/5.990 new)
Sec. 5.990. The Lyme Disease Awareness Fund.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 1803** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Sims, **Senate Bill No. 1834** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Koehler, **Senate Bill No. 46** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Fine, **Senate Bill No. 55** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Fine, **Senate Bill No. 69** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS 2.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	Morrison	Tracy
Castro	Harris, N.	Murphy	Turner, D.
Cervantes	Harriss, E.	Pacione-Zayas	Turner, S.
Cunningham	Hastings	Peters	Ventura
Curran	Holmes	Plummer	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

The following voted in the negative:

Chesney
Wilcox

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

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

On motion of Senator Fine, **Senate Bill No. 99** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President

Ellman	Koehler	Rose
Faraci	Lewis	Simmons
Feigenholtz	Lightford	Sims

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

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

On motion of Senator Fine, **Senate Bill No. 101** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Anderson, **Senate Bill No. 139** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam

DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Edly-Allen, **Senate Bill No. 216** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAY 1.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

The following voted in the negative:

Chesney

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

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

On motion of Senator Morrison, **Senate Bill No. 283** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy

Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Murphy, **Senate Bill No. 317** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Cunningham, **Senate Bill No. 327** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Simmons
Aquino	Fine	Lightford	Sims

Belt	Fowler	Loughran Cappel	Stadelman
Bennett	Gillespie	Martwick	Stoller
Bryant	Glowiak Hilton	McClure	Syverson
Castro	Halpin	McConchie	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Pacione-Zayas	Turner, S.
Cunningham	Hastings	Peters	Ventura
Curran	Holmes	Plummer	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	

The following voted in the negative:

Wilcox

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

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

On motion of Senator DeWitte, **Senate Bill No. 1225** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Joyce, **Senate Bill No. 1298** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Belt, **Senate Bill No. 1367** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS 4.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Syverson
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Murphy	Ventura
Cunningham	Hastings	Pacione-Zayas	Villa
Curran	Holmes	Peters	Villanueva
DeWitte	Hunter	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Mr. President
Ellman	Joyce	Rezin	
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

The following voted in the negative:

Chesney	Stoller
Plummer	Wilcox

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

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

On motion of Senator S. Turner, **Senate Bill No. 1376** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Ellman, **Senate Bill No. 1526** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS 4.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stadelman
Aquino	Gillespie	Martwick	Stoller
Belt	Glowiak Hilton	McClure	Syverson
Bennett	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	
Fine	Lightford	Sims	

The following voted in the negative:

Bryant	Plummer
Chesney	Wilcox

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

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

On motion of Senator Belt, **Senate Bill No. 1590** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Plummer, **Senate Bill No. 1595** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa

Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Morrison, **Senate Bill No. 1617** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Koehler, **Senate Bill No. 1623** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.

Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Castro, **Senate Bill No. 1641** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAY 1.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

The following voted in the negative:

Rose

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

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

On motion of Senator Cunningham, **Senate Bill No. 1675** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Simmons, **Senate Bill No. 1709** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Halpin, **Senate Bill No. 1750** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Belt, **Senate Bill No. 1754** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Johnson, **Senate Bill No. 1774** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Koehler, **Senate Bill No. 1785** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

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

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

On motion of Senator Koehler, **Senate Bill No. 1790** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Holmes, **Senate Bill No. 1814** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Sims, **Senate Bill No. 1835** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Sims, **Senate Bill No. 1840** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Cunningham, **Senate Bill No. 1875** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Joyce, **Senate Bill No. 1896** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	

Faraci	Lewis	Simmons
Feigenholtz	Lightford	Sims

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

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

On motion of Senator Fine, **Senate Bill No. 1956** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Gillespie, **Senate Bill No. 1963** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox

Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Castro, **Senate Bill No. 1988** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Wilcox, **Senate Bill No. 2005** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva

Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Holmes, **Senate Bill No. 2017** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS 3.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stadelman
Aquino	Fowler	Loughran Cappel	Stoller
Belt	Gillespie	Martwick	Syverson
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Cunningham	Hastings	Peters	Villa
Curran	Holmes	Porfirio	Villanueva
DeWitte	Hunter	Preston	Villivalam
Edly-Allen	Johnson	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

The following voted in the negative:

Chesney
Plummer
Wilcox

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

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

On motion of Senator Murphy, **Senate Bill No. 2028** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller

Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Pacione-Zayas, **Senate Bill No. 2037** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

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

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

On motion of Senator Stoller, **Senate Bill No. 2047** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Fine, **Senate Bill No. 2123** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Anderson, **Senate Bill No. 2130** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

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

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

On motion of Senator Feigenholtz, **Senate Bill No. 2134** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Faraci, **Senate Bill No. 2159** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Gillespie, **Senate Bill No. 2195** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Preston, **Senate Bill No. 2218** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS 6.

The following voted in the affirmative:

Anderson	Fine	Lewis	Simmons
Aquino	Fowler	Lightford	Sims
Belt	Gillespie	Loughran Cappel	Stadelman
Bennett	Glowiak Hilton	Martwick	Syverson
Castro	Halpin	McClure	Tracy
Cervantes	Harris, N.	McConchie	Turner, D.
Cunningham	Harriss, E.	Morrison	Turner, S.
Curran	Hastings	Murphy	Ventura
DeWitte	Holmes	Pacione-Zayas	Villa
Edly-Allen	Hunter	Peters	Villanueva
Ellman	Johnson	Porfirio	Villivalam
Faraci	Joyce	Preston	Mr. President
Feigenholtz	Koehler	Rezin	

The following voted in the negative:

Bryant	Plummer	Stoller
Chesney	Rose	Wilcox

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

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

On motion of Senator Castro, **Senate Bill No. 2287** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Castro, **Senate Bill No. 2288** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Morrison, **Senate Bill No. 2293** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President

Ellman	Koehler	Rose
Faraci	Lewis	Simmons
Feigenholtz	Lightford	Sims

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

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

On motion of Senator Morrison, **Senate Bill No. 2294** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Villanueva, **Senate Bill No. 2315** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam

DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator DeWitte, **Senate Bill No. 2320** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Koehler, **Senate Bill No. 2323** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS 3.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stadelman
Aquino	Fowler	Loughran Cappel	Stoller
Belt	Gillespie	Martwick	Syverson
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Cunningham	Hastings	Peters	Villa

Curran	Holmes	Porfirio	Villanueva
DeWitte	Hunter	Preston	Villivalam
Edly-Allen	Johnson	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

The following voted in the negative:

Chesney
Plummer
Wilcox

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

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

On motion of Senator Koehler, **Senate Bill No. 2325** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Hunter, **Senate Bill No. 2412** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman

Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

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

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

Senator Murphy, Chair of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

The motion prevailed.

EXECUTIVE SESSION

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020274, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020274

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

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

Title of Office: Member

Agency or Other Body: Chicago Transit Authority

Start Date: December 3, 2021

End Date: August 31, 2028

Name: Rosa Ortiz

Residence: 1857 S. California Ave., Chicago, IL 60608

Annual Compensation: $25,000 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: Arabel Alva Rosales

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 38; NAYS 19.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Sims
Belt	Glowiak Hilton	Loughran Cappel	Stadelman
Castro	Halpin	Martwick	Turner, D.
Cervantes	Harris, N.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
Edly-Allen	Holmes	Pacione-Zayas	Villanueva
Ellman	Hunter	Peters	Villivalam
Faraci	Johnson	Porfirio	Mr. President
Feigenholtz	Joyce	Preston	
Fine	Koehler	Simmons	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020315, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020315

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

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

Title of Office: Chief Justice

Agency or Other Body: Illinois Court of Claims

Start Date: January 31, 2022

End Date: January 17, 2028

Name: Peter Birnbaum

Residence: 1917 W. Nelson St., Chicago, IL 60657

Annual Compensation: $67,599

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 52; NAYS 4.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stoller
Aquino	Gillespie	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Murphy	Ventura
Cunningham	Hastings	Pacione-Zayas	Villa
Curran	Holmes	Peters	Villanueva
DeWitte	Hunter	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Mr. President
Ellman	Joyce	Rezin	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	
Fine	Lightford	Stadelman	

The following voted in the negative:

Chesney	Rose
Plummer	Wilcox

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020316, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020316

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

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

Title of Office: Member

Agency or Other Body: Illinois Forensic Science Commission

Start Date: January 31, 2022

End Date: January 31, 2026

Name: Jeffrey Buford

Residence: 3731 Ballantrae Way, Flossmoor, IL 60422

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020317, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020317

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

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

Title of Office: Member

Agency or Other Body: Capital Development Board

Start Date: January 28, 2022

End Date: January 19, 2026

Name: David Sidney

Residence: 2221 Princeton Ave., Rockford, IL 61107

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Martesha Brown

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020318, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020318

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

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

Title of Office: Member

Agency or Other Body: Illinois Forensic Science Commission

Start Date: January 28, 2022

End Date: January 28, 2026

Name: Claire Dragovich

Residence: 228 S. Edgewood Ave., Lombard IL 60148

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura Ellman

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020319, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020319

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

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

Title of Office: Member

Agency or Other Body: Illinois Forensic Science Commission

Start Date: January 28, 2022

End Date: January 28, 2026

Name: Caryn Tucker

Residence: 6616 W. Palatine Ave., Chicago, IL 60631

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert F. Martwick

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stoller
Aquino	Fowler	McClure	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	

Feigenholtz Loughran Cappel Stadelman

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020320, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020320

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

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

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: McHenry County

Start Date: January 28, 2022

End Date: December 4, 2025

Name: Gregory Barry

Residence: 1212 Galloway Dr., Woodstock, IL 60098

Annual Compensation: Unsalaried

Per diem: N/A

Nominee's Senator: Senator Craig Wilcox

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stoller
Aquino	Fowler	McClure	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox

DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Loughran Cappel	Stadelman	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020321, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020321

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

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

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Winnebago County

Start Date: January 28, 2022

End Date: December 4, 2025

Name: Mary Gaziano

Residence: 4138 Linden Rd., Rockford, IL 61109

Annual Compensation: Unsalaried

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.

Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020322, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020322

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

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

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Boone County

Start Date: January 28, 2022

End Date: December 4, 2025

Name: Mary Gaziano

Residence: 4138 Linden Rd., Rockford, IL 61109

Annual Compensation: Unsalaried

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stoller
Aquino	Fowler	McClure	Syverson

Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Chesney	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
Curran	Johnson	Preston	Wilcox
DeWitte	Joyce	Rezin	Mr. President
Edly-Allen	Koehler	Rose	
Ellman	Lewis	Simmons	
Faraci	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020324, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020324

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

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

Title of Office: Member

Agency or Other Body: Illinois Forensic Science Commission

Start Date: January 31, 2022

End Date: January 31, 2026

Name: Jillian Baker

Residence: 1S532 Stillwell Rd., Oakbrook Terrace, IL 60181

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Suzy Glowiak Hilton

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020325, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020325

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

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

Title of Office: Member

Agency or Other Body: Southwestern Illinois Development Authority

Start Date: January 31, 2022

End Date: January 20, 2025

Name: Sara Rice

Residence: 600 Garden Blvd., Belleville, IL 62220

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Christopher Belt

Most Recent Holder of Office: David Miller

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020328, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020328

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

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

Title of Office: Commissioner

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: February 14, 2022

End Date: January 12, 2026

Name: Inger Burnett-Zeigler

Residence: 5434 S. Ingleside Ave., Chicago, IL 60615

Annual Compensation: $39,127 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

The following voted in the negative:

Chesney

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020329, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020329

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

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

Title of Office: Commissioner

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: February 14, 2022

End Date: January 8, 2024

Name: Lionel Craft

Residence: 2830 Kathleen Ln., Flossmoor, IL 60422

Annual Compensation: $39,127 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

The following voted in the negative:

Chesney

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020330, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020330

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

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

Title of Office: Commissioner

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: February 14, 2022

End Date: January 12, 2026

Name: Nancy DePodesta

Residence: 1904 Clifton Ave., Highland Park, IL 60035

Annual Compensation: $39,127 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020331, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020331

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

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

Title of Office: Commissioner

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: February 14, 2022

End Date: January 8, 2024

Name: Joseph Duffy

Residence: 1103 White Pine Ln., Western Springs, IL 60558

Annual Compensation: $39,127 per annum

Per diem: Not Applicable

Nominee's Senator: Senator John F. Curran

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

The following voted in the negative:

Chesney

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020332, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020332

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

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

Title of Office: Commissioner

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: February 14, 2022

End Date: January 8, 2024

Name: Jon Johnson

Residence: P.O. Box 804, Orion, IL 61273

Annual Compensation: $39,127 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Michael W. Halpin

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	

Feigenholtz	Lightford	Sims

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020333, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020333

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

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

Title of Office: Commissioner

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: February 14, 2022

End Date: January 12, 2026

Name: Donald Wilkerson

Residence: 6253 Timberwolfe Dr., Glen Carbon, IL 62034

Annual Compensation: $39,127 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Erica Conway Harriss

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox

Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

The following voted in the negative:

Chesney

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020334, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020334

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

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

Title of Office: Member

Agency or Other Body: Illinois Forensic Science Commission

Start Date: February 14, 2022

End Date: February 14, 2026

Name: Jeanne Richeal

Residence: 11032 W. 72nd St., Indian Head Park, IL 60525

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator John F. Curran

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stoller
Aquino	Fowler	McClure	Syverson

Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Chesney	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
Curran	Johnson	Preston	Wilcox
DeWitte	Joyce	Rezin	Mr. President
Edly-Allen	Koehler	Rose	
Ellman	Lewis	Simmons	
Faraci	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020335, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1020335

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

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

Title of Office: Member

Agency or Other Body: Illinois Forensic Science Commission

Start Date: February 14, 2022

End Date: February 14, 2026

Name: Daniel Wright

Residence: 120 Seminole Dr., Springfield, IL 62704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

On motion of Senator Murphy, the Executive Session arose and the Senate resumed consideration of business.

Senator Cunningham, presiding.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Sims, **Senate Bill No. 1839** having been printed, was taken up, read by title a second time.

Senator Sims offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1839

AMENDMENT NO. 1 . Amend Senate Bill 1839 on page 1, line 11, by replacing "July 1, 2022" with "July 1, 2023 ~~July 1, 2022~~".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Sims, **Senate Bill No. 1843** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **Senate Bill No. 2121** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Financial Institutions.

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

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet immediately upon adjournment:

Executive in Room 212
State Government in Room 409

Licensed Activities in Room 400

The Chair announced the following committees to meet at 4:30 o'clock p.m.:

Revenue in Room 400
Local Government in Room 409

The Chair announced the following committees to meet at 5:30 o'clock p.m.:

Appropriations - Health and Human Services in Room 212
Appropriations- Public Safety and Infrastructure in Room 400

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to Senate Bill 1151
Amendment No. 1 to Senate Bill 1152
Amendment No. 2 to Senate Bill 1438
Amendment No. 4 to Senate Bill 1509
Amendment No. 2 to Senate Bill 1653
Amendment No. 1 to Senate Bill 1913
Amendment No. 1 to Senate Bill 1997
Amendment No. 2 to Senate Bill 2212

COMMUNICATIONS

DISCLOSURE TO THE SENATE

Date: March 28, 2023

Legislative Measure(s): SB 1896

Venue:

Committee on _____
X Full Senate

Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

X Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Chapin Rose
Senator Chapin Rose

DISCLOSURE TO THE SENATE

Date: March 29, 2023

Legislative Measure(s): SB 40

Venue:

Committee on _____
X Full Senate

X Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Dan McConchie
Senator Dan McConchie

At the hour of 3:43 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, March 30, 2023, at 12:30 o'clock p.m.